

This contention was withdrawn by the intervenors at the meeting of August 28, 1979.

Revised Contention No. 2 states:

"2. As a result of an accident at the fuel storage facility, large numbers of people (100 or more) might be contaminated by radiation and require hospital care. Intervenors contend that there are no facilities within 50-100 miles which are equipped to deal with such an accident."

Under applicable regulations, General Electric is not required to insure that hospital facilities have certain types of equipment. This contention, apparently, is an attack upon the validity of the existing regulations and should, accordingly, be stricken pursuant to 10 C.F.R. § 2.758. Moreover, no adequate supporting facts or basis for the type of accident postulated is provided by the contention.

Revised Contention No. 3 states:

"3. An accident at the Dresden Nuclear Facility or any situation requiring public evacuation of the area would result in the evacuation of the GE facility, thereby leaving the GE facility unattended . . ."

This contention should be stricken as irrelevant to the issues before the Atomic Safety and Licensing Board with regard to the pending license renewal application. No interrelationship between the Dresden and Morris facilities exists, aside from

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proximity, which is an inadequate basis for this contention.

Moreover, there is no basis for any assumption that there would be any adverse effect from leaving the Morris facility unattended. The consequences of an accident regarding the Morris facility are adequately addressed in NEDO-21326C Consolidated Safety Analysis Report for the Morris Operation (January 1979) ("CSAR"). See CSAR, ch. 8. No support for any allegation that the CSAR inadequately addresses this point is provided.

Contention No. 4 states:

- "4. On February 23, 1979, the ad hoc subcommittee of the Nuclear Regulatory Commission discussed possible causes of a major disaster in a spent fuel facility. If the committee's concerns are realistic, citizens of the Morris area are threatened by a possible major disaster because of the spent fuel facility. Citizens should be informed of the findings of that committee before the license is renewed."

This contention, to the extent that it relates to the meeting of the Advisory Committee on Reactor Safeguards ("ACRS"), held on February 23, 1979, should be stricken as irrelevant because there is no requirement for ACRS review of the pending license renewal application and, to the extent that it relates to another unspecified meeting, should be stricken as vague and not specific.

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Contention No. 5 states:

"5. The facility is not secure from acts of sabotage or natural occurrences such as earthquakes."

To the extent that this contention relates to sabotage it should be stricken because the Morris facility is in compliance with 10 C.F.R. § 73.50. This portion of the contention, apparently, is also an attack upon the validity of existing regulations and should be stricken pursuant to 10 C.F.R. § 2.758.

To the extent this contention relates to natural occurrences, it should also be stricken because the consequences of natural occurrences are adequately addressed in the CSAR. This portion of the contention, apparently, is also an attack upon the validity of existing regulations and should be stricken pursuant to 10 C.F.R. § 2.758.

"6. There is a lack of long-range plans for storage of spent fuel rods. The G.E. Morris Operation may have to store fuel rods for a longer period of time than the life expectancy of the facility."

This contention should be stricken as inappropriate for consideration because, in view of the NRC's decision to address the questions of long-term or permanent storage and disposal of nuclear wastes in a generic proceeding, individual licensing boards should not and need not address this contention. See Minnesota v. N.R.C., Nos. 78-1269, 78-2032 (D.C. Cir. May 23,

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1979); Virginia Electric and Power Co., (North Anna Power Station, Units 1 and 2) (August 17, 1979).

Contention No. 7 states:

"7. In the event of an accident, property values and the economic structures of the community would be damaged."

This contention should be stricken as irrelevant because only the issues of the public health and safety, and not the issues of property values and economic structure, are presented by the pending license renewal application.

Revised Contention No. 8 states:

"8. Low level radiation emitted from the GE facility will have adverse health effects on the neighboring population."

This contention should be stricken, pursuant to 10 C.F.R. § 2.758, as an impermissible attack upon the validity of existing regulations, contained in 10 C.F.R., Part 20, with which General Electric is in compliance.

Revised Contention No. 9 states:

"9. Transport of spent fuel to the facility involves substantial risk of dispersal of long-lived isotopes due to sabotage."

This contention should be stricken as irrelevant to the proceeding because the question of transportation of spent fuel is not germane to the pending license renewal application. To the extent that the contention is an attack on existing

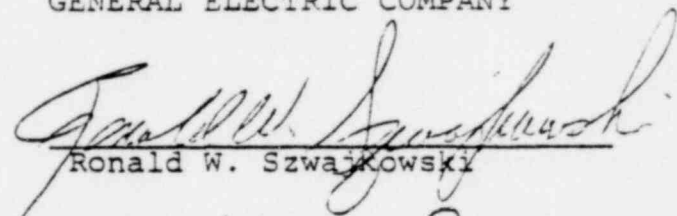
transportation regulations contained in 10 C.F.R., Part 71, or the recent amendment to 10 C.F.R., Part 73, (44 Fed. Reg. 34466 (June 15, 1979)), it should be stricken pursuant to 10 C.F.R. § 2.758.

Since each and every contention of petitioners Rorem, et al. is invalid, General Electric submits that each should be stricken from the pending license renewal proceeding and requests that this Atomic Safety and Licensing Board do so.

Respectfully submitted,

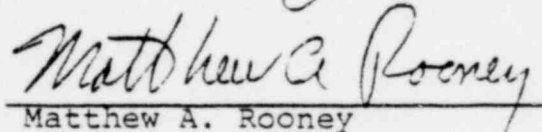
GENERAL ELECTRIC COMPANY

Dated: November 20, 1979


Ronald W. Szwaikowski

OF COUNSEL:

MAYER, BROWN & PLATT
231 South LaSalle Street
Chicago, Illinois 60604
(312) 782-0600


Matthew A. Rooney

Its Attorneys

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
GENERAL ELECTRIC COMPANY) Docket No. 70-1308
)
Consideration of Renewal of)
Materials License No. SNW-1265)
Issued to GE Morris Operation)
Fuel Storage Installation)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a copy of the STATEMENT OF POSITION OF GENERAL ELECTRIC COMPANY ON THE CONTENTIONS OF ROREM, ET AL., in the above-captioned proceeding on the following persons by causing the said copies to be deposited in the United States mail at 231 South LaSalle Street, Chicago, Illinois, in plainly addressed and sealed envelopes with proper first class postage attached before 5:00 p.m. on November 20, 1979:

Andrew C. Goodhope, Esq., Chairman
Atomic Safety and Licensing Board
3320 Estelle Terrace
Wheaton, Maryland 20906

Dr. Linda W. Little
Atomic Safety and Licensing Board
5000 Hermitage Drive
Raleigh, North Carolina 27612

Dr. Forrest J. Remick
Atomic Safety and Licensing Board
305 East Hamilton Avenue
State College, Pennsylvania 16801

Atomic Safety and Licensing Appeal
Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Bridget L. Rorem, Ralph Rorem, Jr.
Keith Storey, Everett Quigley
Appleseed
Braidwood, Illinois 60408

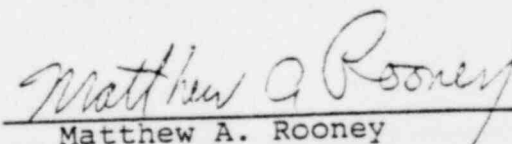
Susan N. Sekuler, Esq.
George William Wolff, Esq.
Office of the Attorney General
188 West Randolph Street
Suite 2315
Chicago, Illinois 60601

Marjorie Ulman Rothschild, Esq.
United States Nuclear Regula-
tory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commis-
sion
Washington, D.C. 20555

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commis-
sion
Washington, D.C. 20555

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Matthew A. Rooney