

The SASSAFRAS AUDUBON SOCIETY  
of LAWRENCE - GREENE - MONROE - BROWN -  
MORGAN & OWEN COUNTIES



December 14, 1979

Mr. Edson G. Case, Acting Director  
Office of Nuclear Reactor Regulation  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Case:

The Sassafras Audubon Society has appealed to the Nuclear Regulatory Commission (NRC) to review the Director's Decision Under 10 CFR 2.206 (enclosure) on the basis that SAS did identify new information regarding significant unresolved safety issues and did identify major changes in facts material to the resolution of major environmental issues.

Furthermore, the Director's Decision was made out of context with the severity of the situation at Marble Hill where safety construction has been suspended since August 7, 1979 and investigations are continuing on matters associated with its construction.

The Director's Decision also ignored the fact that Congress and certain federal agencies are considering changes in the structure of the NRC, changes in procedures governing the licensing process, and ways to increase opportunities for citizen participation in the licensing process; all highly relevant to SAS's petitions to the NRC for a Hearing on Marble Hill at a meaningful point in the licensing process.

SAS's status in the Marble Hill proceeding is also a matter of concern to us. The NRC staff has made repeated references in the past two years of the fact that SAS was dismissed as a party to the construction permit proceeding by the Licensing Board for failure to participate in the proceeding.

While opposed to the rigidity of a rule that requires a citizen or citizen group to speak (at a given time and place) or forever hold their peace, SAS nevertheless asks for reinstatement as a participant in the Marble Hill proceeding on grounds that SAS has demonstrated active concern in Marble Hill's construction in the past two years and on grounds that the health and safety of members of the Society could be affected by both "normal" and possible accidental releases of radiation from the plant's operation and storage of wastes on-site.

Would you please refer this request to the proper body for consideration.

Yours sincerely,

*John A. Eyed*  
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