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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



In the Matter of	)	Application No. XR-120
	)	Docket No. 50-574
WESTINGHOUSE ELECTRIC CORP.	)	
	)	Application No. XCOM-0013
(Export to the Phillipines	)	Application No. XSNM-1471

NRC STAFF ANSWER TO MOTION BY MOVEMENT  
FOR A FREE PHILIPPINES TO AMEND PETITION  
FOR LEAVE TO INTERVENE AND REQUEST  
FOR HEARING FILED BY CENTER FOR  
DEVELOPMENT POLICY, JESUS NICANOR P. PERLAS, III,  
AND PHILIPPINE MOVEMENT FOR ENVIRONMENTAL PROTECTION

By a motion dated October 3, 1979, the Movement for a Free Philippines (MFP) requested the Commission to allow MFP to amend and join\* in a petition dated April 19, 1979, by the Center for Development Policy (CDP), Jesus Nicanor P. Perlas, III, and the Philippine Movement for Environmental Protection (PMEP), which requested leave to intervene and that a hearing be held on Application No. XSNM-1471.

Under § 110.82(c) of 10 CFR Part 110, MFP's petition for leave to intervene would have been untimely; intervention petitions under that section are considered timely only if filed no later than 30 days after notice of receipt appears in the Federal Register (for those applications published in the Federal Register) or 15 days after notice of receipt is placed in the

\* Since counsel making the motion for MFP is also counsel for CDP and PMEP, the NRC Staff assumes that CDP and PMEP do not object to the motion. If CDP and PMEP, in fact, do object, the NRC Staff, of course, reserves the right to reconsider its answer.

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Commission's public document room (for all other applications), unless the Commission provides otherwise.

Under 110.84(c) of 10 CFR Part 110, untimely intervention petitions may be denied unless good cause for failure to file on time is established; in reviewing intervention petitions under that section, the Commission will also consider:

- (1) the availability of other means by which the petitioner's interest, if any, will be protected or represented by other participants in a hearing, and
- (2) the extent to which the issues will be broadened or action on the application delayed.

Since MFP does not seek to intervene directly in this matter, but rather, to participate in any hearing together with CDP and PMEP without broadening the issues or delaying action on the application, and because it argues that its participation together with CDP and PMEP in a hearing is the "only avenue" by which it can "share its information and concerns" about the above-captioned matters, the NRC Staff has no objection to the Commission granting MFP's motion to allow MFP to join in the intervention petition on the same terms granted by the Commission to CDP and PMEP.

Respectfully submitted,



Thomas F. Dorian  
Counsel for NRC Staff

Dated at Bethesda, Maryland  
this ~~11~~ day of October, 1979

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the matter of	)	
WESTINGHOUSE ELECTRIC CORP.	)	Application No. XR-120 Docket No. 110-0495
(Exports to the Philippines)	)	Application No. XCOM-0013 Application No. XSNM-1471

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF ANSWER TO MOTION BY MOVEMENT FOR A FREE PHILIPPINES TO AMEND PETITION FOR LEAVE TO INTERVENE AND REQUEST FOR HEARING FILED BY CENTER FOR DEVELOPMENT POLICY, JESUS NICANOR P. PERLAS, III, AND PHILIPPINE MOVEMENT FOR ENVIRONMENTAL PROTECTION" in the above-captioned proceedings have been served on the following by deposit in the United States mail, first class or air mail, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 11<sup>th</sup> day of October, 1979.

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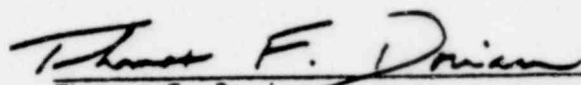
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