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BEFORE THE UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of
CARROLL COUNTY STATION
Units 1 and 2

Application of
Commonwealth Edison Company,
Interstate Power Company, and
Iowa-Illinois Gas & Electric Company
for Early Site Review

NO. P-559



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LIST OF CONTENTIONS

THE JO DAVIESS COUNTY AD-HOC COMMITTEE ON NUCLEAR ENERGY INFORMATION (hereinafter, Intervenor) is a member information group organized for and dedicated to the search for assurance for the residents of Jo Daviess County, Illinois and, if necessary, of the Carroll County Station 50 mile area, that sufficient research, preparation, organization, and responsibility will have been devoted by the Applicant to the issues at hand in its request for Early Site Review (hereinafter, ESR) from the U.S. Nuclear Regulatory Commission (hereinafter, NRC) for the proposed Carroll County Station Site (hereinafter, Site). Intervenor has heretofore been granted leave to intervene in these proceedings and now files its List of Contentions pursuant to 10 CFR Part 2.714(b). Even though Intervenor's membership includes many persons of varying persuasions on the issues involved in the ESR, because of the adversary nature of these proceedings, the following Contentions have been phrased in a manner that may appear to be adverse to Applicant's position. The position of Intervenor, however, is to be strictly considered as agnostic in these matters.

I

In consideration of the legislative and regulatory concerns that any nuclear power plant be a safe source of electrical energy, Intervenor contends that Applicant in its Environmental and Site Safety Reports submitted with its ESR application has not sufficiently examined, researched, and considered the following matters, as required by the National Environmental Policy Act of 1969, as

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amended, P.L. 91-190 (hereinafter, NEPA), the Environmental Quality Improvement Act of 1970, as amended, P.L. 91-224 (hereinafter, EQIA), and 10 CFR Parts 50 and 51:

- (a) The insufficiency of distances from the nuclear power plant to the Site boundaries to safeguard the populace of the Site 50 mile area in the event of nuclear accident, terrorist activities, or armed attack.
- (b) The insufficiency of emergency evacuation plans for the Site 5 mile and 10 mile areas in the event of nuclear accident, terrorist activities, or armed attack.
- (c) The risk of illegal discharges of radiation and chemical pollutants, which risk appears to be directly proportional to Applicant's poor safety and high violation records in its other nuclear power plants.
- (d) The insufficiency of research into the short-term and long-term effects of low-level ionizing radiation from nuclear power plants upon:
 - (1) the incidence of leukemia, bone cancer, and other hazards to human and animal health within the Site 50 mile area.
 - (2) the absorption thereof in milk animals and aquatic food sources.
 - (3) the compounding effect of overlapping circles of exposure thereto, caused by the addition to the Northern Illinois area of two more nuclear power plants, as Applicant contemplates at this Site.

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II

This Site, and Applicant's Byron Station Site, are uniquely located in that each lies within six miles of the Plum River Fault which originates in Southern Wisconsin, extends southwesterly through Northern Illinois, crosses the Mississippi River at a location within five miles of this Site, and terminates near Maquoketa, Iowa. In regard to this extensive geologic formation, Applicant has not sufficiently examined, researched, and considered the following matters,

as required by the NEPA, the EQIA, and 10 CFR Part 51:

- (a) The insufficiency of data regarding potential engineering, safety, and geologic difficulties resulting from a possible shifting of the Plum River Fault.
- (b) The insufficiency of data regarding such difficulties resulting from seismic activity related to such Fault.
- (c) The insufficiency of data regarding such difficulties resulting from the construction and erection of a nuclear power plant upon Parkland Sand.
- (d) The insufficiency of data regarding such difficulties resulting from the heat created by and the water used in a nuclear power plant upon the surrounding sand prairie area at said Site, including its pipeline corridor.

III

This Site is uniquely located in that it lies within 2.5 miles of the Upper Mississippi River Fish & Wildlife Refuge, one of the nation's major nature preserves and the primary resting area for migratory birds and waterfowl in the Mississippi River Flyway. The River itself has the greatest watershed in the nation, and is home to several unusual, rare, or unique species of aquatic, avian, and terrestrial wildlife. In regard to these ecological concerns, Applicant has not sufficiently examined, researched, and considered the following matters, as required by the NEPA, the EQIA, and 10 CFR Part 51:

- (a) The effect upon aquatic and avian (including bald eagles, peregrine falcons, and red-shouldered hawks) spawning, nesting, and wintering habits of keeping Pool 13 of the River open in the wintertime.
- (b) The effect of emergency operation of the Emergency Core Cooling System (hereinafter, ECCS) upon the delicate balance of aquatic, avian, and terrestrial habitats in Pool 13.
- (c) The effect of displacement by construction, maintenance, and operation of a nuclear power plant at this Site upon the habitats of beaver and marsh hawks known to be in the

area.

- (d) The effect of the operation of the water intake and discharge system, and its potential for thermal increases, upon the aquatic, avian, and terrestrial wildlife habitats of Pool 13, its adjacent marshlands and sand and native prairies, and surrounding uplands.
- (e) The effect, upon migratory flight and resting patterns and habitats, of fogging and icing, and of salt drift and deposition, from the Site's cooling towers.
- (f) The effect of the strong River current upon the potential transportation of illegal contaminated discharges into Pool 13, which contention must be actively considered in light of Applicant's poor safety and high violation records at its other nuclear power plants.
- (g) The compounding effect of overlapping circles of low-level ionizing radiation upon the River watershed, environment, and aquatic, avian, and terrestrial wildlife habitats, caused by the addition thereto of two more nuclear power plants, as contemplated by Applicant in its application.
- (h) The insufficiency of alternative proposals for heat dissipation systems and ECCS at said Site, in light of the foregoing contentions.
- (i) The following hydrological concerns:
 - (1) the high potential for contamination of the unconsolidated aquifers located under said Site.
 - (2) the impact upon water tables in the Site area in the event of accident or emergency operation of the ECCS.
- (j) The following meteorological concerns:
 - (1) icing and fogging;
 - (2) salt drift and deposition;
 - (3) the effect of severe snow and glaze storms (which are common in the Site area) upon aquatic, avian, and terrestrial wildlife habitats, in relation to the foregoing meteorological concerns.

IV

As with all locales for which a nuclear power plant site is proposed, the Jo Daviess - Carroll Counties present a vast number of unusual social and demographic qualities for our concern. In these regards, Applicant has not sufficiently examined, researched, and considered the following matters, as required by the NEPA, the EQIA, and 10 CFR Parts 50 and 51:

- (a) The effect of construction, maintenance, and operation of a nuclear power plant at said Site upon the population and population density computations set forth in Applicant's Environmental and Safety Reports.
- (b) The proximity of said Site to overt military targets, namely the Savanna Ordnance Depot which lies seven miles to the Northwest of the Site, and the Savanna railyards which lie three miles to the Northwest of the Site.
- (c) The proximity of said Site to Carroll County's major airport, namely Stansky Memorial Field which lies two miles to the Northwest of the Site, and the incumbent difficulties therein concerning lines of approach and departure and local operations.
- (d) The necessity that Applicant's pipeline corridor temporarily and permanently disrupt six roads, one railroad, one powerline, an area of native prairie, and two canals in order to be constructed, maintained, and operated.
- (e) The effect of construction, maintenance, and operation of a nuclear power plant upon this Site, upon the potential for soil erosion and the replacement of prime farmland by more marginal land.

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While it appears true that the selection of a nuclear power plant site heralds a short-term increase in local economies occasioned by the construction process, the long-term local economic effects are of more essential concern to the residents of the Site

50 mile area. In this regard, Applicant has not sufficiently examined, researched, and considered the following matters, as required by the NEPA, the EQIA, and 10 CFR Parts 50 and 51:

- (a) Inasmuch as the major economy of the Site 50 mile area is the herding of dairy, beef, and pork animals and the cultivation of crops, Applicant has failed to provide sufficient data regarding the following agricultural concerns:
- (1) the effects upon livestock reproductive cycles and crop growth of the noise, magnetism, and electrical induction caused by the proximity of extra-high voltage transmission lines and towers, as are contemplated for this Site by Applicant.
 - (2) the loss of prime farmland caused by the placement and erection of extra-high voltage transmission lines and towers, and by the general reluctance of farmers to work under or near such lines and towers.
 - (3) the effect of fogging and icing, and salt drift and deposition, upon the agricultural economy.
 - (4) the potential in this Site project for the economic displacement of area resident, that is, farmers and their families, away from the area and toward the urban environment.
 - (5) the compounding effect of overlapping circles of low-level ionizing radiation, resulting from the placement in Northern Illinois of two more nuclear power plants, upon dairy animals, beef and pork animals, crop growth, and other agricultural activities.
- (b) The potential for discouragement of the transient recreational and tourist economy of the Site 50 mile area because of the construction, maintenance, and operation of a nuclear power plant at said Site.
- (c) The negative effect upon the local economy and social and demographic quality of the Site 5 mile and 10 mile areas of any prolonged and intensive public active resistance to the construction of a nuclear power plant at said site.

VI

The foregoing contentions regarding the local economy of the Site 50 mile area give rise to further concerns about the effect upon the general public welfare, safety, and economy of the construction, maintenance, and operation of a nuclear power plant at said Site. In these regards, Applicant has failed sufficiently to examine, research, and consider the following matters, as required by the NEPA, the EQIA, and 10 CFR Parts 50, 51, 71, 73, and 140:

- (a) The availability, suitability, and feasibility (in regard to financial, safety, security, environmental, and public health concerns) of electrical energy sources which provide alternatives to nuclear power plant construction, maintenance, and operation at said Site, such as solar, wind, geothermal, hydroelectric, coal gassification, and other energy processes.
- (b) The financial and technical abilities of this Applicant to construct, maintain, and operate a nuclear power plant at this Site, in light of Applicant's overall financial involvement with the nuclear power plant concept, the diminishment of participation in this Site project by its partners therein, and its poor safety and high violation records at its other nuclear power plants.
- (c) The economic alternatives to nuclear power plant construction, maintenance, and operation available to Applicant in the form of the establishment of a system of small decentralized co-generating power plants.
- (d) The insufficiency of data provided by Applicant regarding its future consumer power demand:
 - (1) its reliance upon inaccurate surveys of such future demands, insufficiently based upon public mis-conceptions about the cost and availability of future power supplies, and generally over-estimating such future demands;
 - (2) the high cost of transmission of electrical power from this Site to Applicant's primary consumer area

180 miles to the East, which cost to the consumer will continue to increase as inflation, interest rates, and construction costs continue to climb;

- (3) the effect, upon the operation of a nuclear power plant at this Site, of the impending world-wide deficiency in fissionable uranium fuel ores available for such power plants;
 - (4) the short-term and long-term economic effects, upon construction, maintenance, and operation of a nuclear power plant at this Site, of the increasing education of the public toward consumer conservation, the increasing experimentation with and potential availability of alternative energy sources, and the potential for diminishment in consumer power demands occasioned by cost increases and power supply decreases;
 - (5) the fact that Applicant's present excess generating capacity already exceeds the Federal Power Commission standard by over 250 percent and will be further increased by the addition to that capacity of a nuclear power plant in operation at said Site;
 - (6) the potential for present and future improvements in the utilization by Applicant of its other power plants, both nuclear and non-nuclear;
 - (7) the potential that involuntary consumer power demand conservation will become manifest throughout the nation through various means, including the requirement that Applicant institute peak load pricing in order to discourage consumer demand.
- (e) The following contentions concerning the public safety:
- (1) the inability of the NRC to satisfy the current public demand for assurances that nuclear power plants are safe and sane sources of electrical energy;
 - (2) the present national and international dilemma concerning the disposal of low-level and high-level radiation wastes;
 - (3) the present controversy in suit concerning the use of Illinois sites for the disposal of low-level and

high-level radiation wastes;

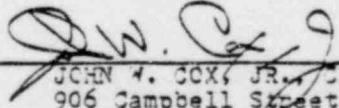
- (4) the failure of the national government to develop and implement a national safety-security policy to safekeep plutonium and nuclear products, and nuclear production and utilization facilities, in the event of terrorist activities or armed attack;
- (5) the failure of the NRC to assure the public of adequate and safe manufacture of nuclear fuel rods, in light of the recent disclosures concerning the failures of the Kerr-McGee Corporation to comply with NRC production standards.

CONCLUSION

Application for ESR for this Site, without the usual application for construction permit accompanying it, has the commendable effect for Applicant of reducing the high cost of the application procedure in the event the Site is not approved. This separation of issues, however, also has the undesirable effect of isolating certain issues that should be publicly considered in connection with a construction permit application. Additionally, Applicant has not included in its ESR application any data concerning cost-benefit analysis, study of transmission lines rights-of-way, or alternatives to this Site project. Intervenor therefore, in light of the foregoing contentions, suggests that ESR of this Site is not in the best interests of the residents of the Site 50 mile area.

Respectfully submitted,

THE JO DAVIESS COUNTY AD-HOC COMMITTEE
ON NUCLEAR ENERGY INFORMATION



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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the matter of)
COMMONWEALTH EDISON COMPANY, et al.) Docket Nos. S50-599
(Carroll County Site)) S50-600



CERTIFICATE OF SERVICE

I, John W. Cox, Jr., hereby certify that copies of "LIST OF CONTENTIONS" filed by THE JO DAVIESS COUNTY AD HOC COMMITTEE ON NUCLEAR ENERGY INFORMATION in the above captioned proceeding have been mailed to the following addresses by deposit in the United States mail, first class, this 3rd day of September, A.D.1979:

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