

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

COMMONWEALTH EDISON)
)
) Docket No.
) 50-10
Dresden Nuclear Power Station)
Unit 1)

PETITION FOR PUBLIC HEARINGS

NOW COME Petitioners, CITIZENS FOR A BETTER ENVIRONMENT, PRAIRIE ALLIANCE, KAY DREY, BRIDGET ROEM, ILLINOIS SAFE ENERGY ALLIANCE AND MARILYN SHINEFLUG, by their attorney Robert Goldsmith, and hereby petition the United States Nuclear Regulatory Commission as follows:

1. Pursuant to 42 U.S.C. §2239 and 10 C.F.R. 2.206, Petitioners request the Nuclear Regulatory Commission (NRC) to hold hearings on the Environmental Impact Statement (EIS) related to the decontamination at Dresden Nuclear Power Station Unit 1 (Dresden 1) and on the application for amendment to Commonwealth Edison Company's (CECo) operating license for Dresden 1, necessary for the said decontamination.

2. Petitioner Citizens for a Better Environment (CBE) is an Illinois not-for-profit corporation with approximately 3,000 members residing in Illinois and a nationwide membership of approximately 12,000 persons. CBE files this petition on

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behalf of its members who reside near the Dresden Nuclear Power Station, Unit 1 and whose health, safety and property may be adversely affected by any environmental impact of the chemical decontamination, as well as for its members who reside near nuclear stations which may be decontaminated in the future.

3. Petitioner Prairie Alliance (PA) is an Illinois not-for-profit corporation with approximately 350 members residing in Illinois. PA files this petition on behalf of its members who reside near the Dresden Nuclear Power Station, Unit 1 and whose health, safety and property may be adversely affected by any environmental impact of the chemical decontamination.

4. Petitioner Kay Drey is a citizen of the State of Missouri. Her health, safety and property and that of her family and descendants will be adversely affected by any negative environmental impact resulting from the decontamination at other nuclear stations.

5. Bridget Rorem is a citizen of the State of Illinois and resides in Essex, Illinois, which is within 15 miles of Dresden 1. Her health, safety and property and that of her family and descendants will be adversely affected by any negative environmental impact resulting from the decontamination of Dresden 1.

6. Illinois Safe Energy Alliance is a coalition of 17 affiliate organizations located in the State of Illinois totaling over 300 members. It filed this petition on behalf

of its members who may be adversely affected by any negative environmental impact resulting from the decontamination of Dresden 1.

7. Marilyn Shineflug is a citizen of the State of Illinois. Her health, safety and property and that of her family and descendants will be adversely affected by any negative environmental impact resulting from the decontamination of Dresden 1.

8. Petitioners have a substantial interest in the proposed chemical decontamination at Dresden Unit 1 in that:

(a) The Dresden station is located in the State of Illinois and is within 50 miles of several of the state's most populated areas including the Chicago Metropolitan area, Aurora and Joliet, in which a large portion of Petitioners reside.

(b) Any mishap or accident occurring during the proposed decontamination releasing radionuclides into the environment will adversely affect Petitioners in the vicinity.

(c) The Dresden station is located near the confluence of three major water resources, the Illinois, Kankakee and Desplaines Rivers; any release of radiation contaminating these waterways will adversely affect Petitioners.

(d) The Petitioners desire to preserve the future environment of the area surrounding the Dresden station

for themselves, their families and descendants.

(e) The chemical decontamination at Dresden 1 is a prototype for the development of large scale chemical decontaminations at nuclear stations across the nation.

9. Dated May 1980, the NRC issued a draft EIS related to "Primary Cooling System Chemical Decontamination at Dresden Nuclear Power Station Unit No. 1."

10. Pursuant to 10 C.F.R. 51.52, the NRC has authority to hold public hearings on an EIS.

11. Pursuant to the Council on Environmental Quality Regulations, 40 C.F.R. 1506.6(c)(1), where there is a substantial interest in holding a hearing, the lead agency shall hold a public hearing.

12. In this case, there are both a substantial interest in holding a hearing and a substantial environmental controversy, to wit, the decontamination of Dresden 1.

13. Pursuant to 10 C.F.R. 50.59 and 50.90, CECo has requested a license amendment in order to decontaminate Dresden 1.

14. Under 42 U.S.C. §2239(a), the NRC shall grant a hearing upon request of any person whose interest may be affected by the proceeding.

15. Petitioners' interests will be affected by this proceeding and hence a full hearing, under 42 U.S.C. §2239(a), with Petitioners accorded full party status and given the right to cross examine witnesses and present testimony of their own, should be granted.

16. A proper determination of "no significant hazard" has not been made in regard to the proposed chemical decontamination and a proceeding to make such a determination and a hearing are required.

17. Because this decontamination is a prototype for future decontaminations nationwide and because this may be the only opportunity for the public to directly question this program, a public hearing, with full party status to the petitioners, (as opposed to a public meeting without party status) should be granted.

WHEREFORE, Petitioners pray that the Nuclear Regulatory Commission institute a proceeding and conduct hearings concerning the proposed chemical decontamination of CECO's Dresden 1.

Respectfully submitted,

Date: 1/21/78

BY: ROBERT GOLDSMITH
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