

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING APPEAL BOARD



In the Matter of)
)
NUCLEAR ENGINEERING COMPANY, INC.) Docket No. 27-39
(Sheffield, Illinois Low-Level)
Radioactive Waste Disposal Site))

EXCEPTION TO DECISION OF
ATOMIC SAFETY AND LICENSING BOARD

Intervenor, Chicago Section/American Nuclear Society hereby appeals the Order dated May 7, 1980 and, pursuant to 10 C.F.R. §2.762(a), files the following exception to that portion of the May 3, 1979 decision of the Atomic Safety and Licensing Board which was declared as final by the aforesaid Order.

Exception: The final ruling of the Atomic Safety and Licensing Board dismissing the application for expansion of the Sheffield, Illinois low-level radioactive waste disposal site terminated disposal operations at that site and compelled transportation of waste to licensed disposal sites in other regions of the United States without consideration of the health, safety and environmental consequences of such action in violation of the Atomic Energy Act, 42 U.S.C. §2011 et seq. and the National Environmental Policy Act, 42 U.S.C. §4332(2)(C) and (E).

C

8006200122

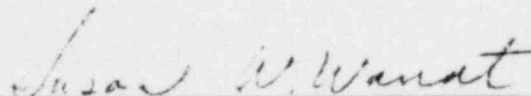
8006200

Designated Portion of Decision

The Licensee has moved to withdraw its application to expand the site by the addition of another 168 acres. The Staff and the intervenors, except Chicago Section of the American Nuclear Society, have also moved to dismiss this part of the application seeking to expand the site. Consequently, this Board hereby grants the motions to withdraw and dismiss this portion of the application pertaining to expansion of the site. (p. 4).

Respectfully submitted,

CHICAGO SECTION/AMERICAN
NUCLEAR SOCIETY

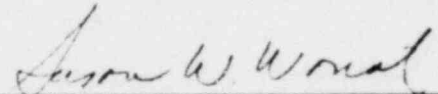


John M. Cannon
Susan W. Wanat
Its Attorneys

Mid-America Legal Foundation
Suite 2245
20 North Wacker Drive
Chicago, Illinois 60606
(312) 263-5163

CERTIFICATE OF SERVICE

I hereby certify that copies of the accompanying "Exception to Decision of Atomic Safety and Licensing Board" filed on behalf of Chicago Section, American Nuclear Society in connection with the above-entitled matter have been served upon all the persons listed below by depositing such in the U.S. mail, first-class postage prepaid, this 21st day of May, 1980.



Susan W. Wanat

Mr. Andrew C. Goodhope
3320 Estelle Terrace
Wheaton, Maryland 20906

Dr. Forrest J. Remick
305 East Hamilton Avenue
State College, PA 16801

Dr. Linda W. Little
Member, Atomic Safety and
Licensing Board Panel
5000 Hermitage Drive
Raleigh, NC 27612

Ms. Susan Sekuler
Mr. Dean Hansell
Assistant Attorney General
Environmental Control Division
188 West Randolph Street
Suite 2315
Chicago, Illinois 60601

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

Mr. D. J. McRae
217 West Second Street
Kewanee, Illinois 61443

Mr. Donald D. Rumley
Mr. Scott Madson
601 South Main Street
Princeton, Illinois 61356

Ms. Ellen B. Silberstein Fridell
Office of the Executive Legal
Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Troy B. Conner, Jr.
Conner, Moore & Corber
1747 Pennsylvania Avenue, N.W.
Suite 1050
Washington, D.C. 20006

Mr. Charles F. Eason
Nuclear Engineering Company, Inc.
1100 17th Street, N.W.
Suite 1000
Washington, D.C. 20036

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

Mr. Lee Armbruster
General Counsel
Nuclear Engineering Company, Inc.
P. O. Box 7246
Louisville, Kentucky 40207

Mr. Edwin J. Reis
Office of the Executive Legal
Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Robert Russell
Johnson, Martin & Russell
10 Park Avenue West
Princeton, Illinois 61356