

**POOR
ORIGINAL**

COALITION FOR SAFE NUCLEAR POWER
312 Park Bldg., 140 Public Square
Cleveland, Ohio, 44114

February 2, 1973

Office of Secretary of the Commission
U.S. Atomic Energy Commission
Washington, D.C., 20545

Attn: Chief Public Proceedings Staff

Gentlemen:

The Coalition for Safe Nuclear Power was previously granted intervention status in the Davis-Besse Construction Hearing, Docket No. 50-346, which started in December, 1970, as our interests were affected by the Davis-Besse Nuclear Power Station.

The Coalition attempted to intervene on environmental matters at that Construction Hearing, but was denied its rights in that hearing to intervene on any aspects of the environment as provided for by the National Environmental Policy Act. This was due to the fact that the Atomic Energy Commission had adopted its own rules to the effect that NEPA did not apply until hearings after March, 1971, although the NEPA was passed in January, 1970.

Subsequently the Coalition also filed Court actions in District Court in Washington in an attempt to stop construction of the Davis-Besse Plant until a legal hearing could be held.

The Washington District Court, in the Calvert Cliffs Decision, required the AEC to hold environmental hearings on plants, such as Davis-Besse Plant, where hearings had been held after passage of NEPA without considering environmental issues.

The AEC has now announced that it will hold hearings on the Davis-Besse Plant, and the Coalition, as accepted intervenors in the Davis-Besse Hearings, is submitting herewith one copy of its list of contentions with respect to the forthcoming Environmental Hearing on the Davis-Besse Nuclear Power Plant. Additional copies of our contentions are being sent by regular mail.

Very truly yours,

Evelyn Stebbins, Chairman
COALITION FOR SAFE NUCLEAR POWER

cc: Toledo Edison
Cleveland Electric Illuminating Co.

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