

FROM
Janison, U.S. A, Burkhalter & Pesser
Cleveland, Ohio
Jerome S. Kalur

CONTROL NUMBER
3996

FILE LOCATION

DATE OF DOCUMENT
12/8/71

AL COMPLETION DEADLINE

TO
L. Manning Muntzing

ACTION PROCESSING DATES
 Acknowledged _____
 Interim Report 1/3/72
 Final 1/5/72

PREPARE FOR SIGNATURE OF:
 _____ Chairman
 _____ Director of Regulation

DESCRIPTION **Ltr** Original Copy Other 15/12/11/72

REMARKS

Objection to AEC's final Order of 11/30/71 authorizing continuation of construction of the Davis-Besse Plant & requests to be notified when the Commission forwards its findings and conclusions relating to the Order to the U. S. Court of Appeals as required by the Court's Order of 11/19/71

REFERRED TO	DATE	IS NOTIFICATION TO THE JCAE RECOMMENDED?
Shaper f/action	12/16/71	_____

Cys:
POR. (50-311)

IS NOTIFICATION TO THE JCAE RECOMMENDED? _____

REMARKS

✓

DO NOT DETACH THIS COPY

DIRECTOR OF REGULATION
 COMMUNICATIONS CONTROL

Form HQ-32 (6-70)
 USA EC

8003090111

LAW OFFICES OF
JAMISON, ULRICH, BURKHALTER & HESSER

1425 NATIONAL CITY BANK BUILDING

CLEVELAND, OHIO 44114

ROBERT H. JAMISON 1884-1965
LESLIE R. ULRICH 1905-1966
FRED O. BURKHALTER 1908-1969
ROBERT F. LEE
ROBERT F. HESSER
JOHN C. SIHLER
RICHARD J. MCGRAW
WILLIAM E. ARMSTRONG
FRANKLIN M. TOOMEY
RICHARD J. DISANTIS
JEROME S. KALUR
NICHOLAS J. MILANICH

TELEPHONE
AREA CODE 216
621-4333

CARL A. HOPE
PAUL H. TORBET
OF COUNSEL

December 8, 1971



L. Manning Muntzing
Director of Regulation
United States Atomic Energy Commission
Washington, D. C. 20545

Re: Davis-Besse Nuclear Power Station
A.E.C. Docket No. 50-346

Dear Sir:

On behalf of Intervenors, Coalition for Safe Nuclear Power and LIFE, we wish to enter our objection to the Atomic Energy Commission's order of November 30, 1971, authorizing the continuation of construction of the Davis-Besse Plant during the period of the NEPA review. We do not intend to request a hearing on the matter, as provided for in Appendix D of 10 C.F.R., Part 50, Section E(4)(b), for the reason that our objections and reasons therefor have been clearly set forth in the statement heretofore filed on behalf of Intervenors on November 19, 1971, and we deem them to have been definitely rejected by the Commission.

We expect that upon completion of the thirty day hearing request period specified by Section E(4)(b), the records concerning suspension will be "promptly" turned over to the Court of Appeals.

We hereby request that we be notified when the Commission forwards its findings and conclusions relating to the Commission's aforesaid order, to the U. S. Court of Appeals for the District of Columbia, as required by that Court's order of November 19, 1971, issued in connection with the pending action, Coalition for Safe Nuclear Power, et al. v. A.E.C., et al., case no. 71-1396. Thank you for your cooperation.

Very truly yours.
Jerome S. Kalur
Jerome S. Kalur

JSK/el
CC: Gerald Charnoff

DR-3996

~~5806~~