

DOCKET NUMBER
PROD. & UTIL. EAL 50-329, 330

REILLY, LIKE AND SCHNEIDER
COUNSELLORS AT LAW
200 WEST MAIN STREET
BABYLON, N. Y. 11702
MOHAWK 9-3000

IRVING LIKE
BERNARD J. REILLY
WILSON R. SCHNEIDER
GEORGE SOFFMAN
SEWARD A. BROOKS JR.
PAUL H. ADER

CABLE ADDRESS
REILLY

September 28, 1971

Arthur W. Murphy, Esq., Chairman
Atomic Safety and Licensing Board
Columbia University School of Law
Box 38, 435 West 116th Street
New York, N.Y. 10027

Re: In the Matter of Consumers Power Company
Midland Plant, Units 1 and 2
Docket Nos. 50-329 and 50-330

Dear Professor Murphy:

Mapleton intervenors hereby submit, under protest, their preliminary statement of views on environmental questions, as requested by the Board in its order of August 26, 1971. Mapleton reserves its right to present its views on environmental questions and to raise environmental issues at an appropriate stage of this proceeding after the applicant has filed its supplementary environmental report and the Staff has filed its detailed environmental statement on environmental issues, in accordance with the requirements of the Calvert Cliffs decision and the post-Calvert Cliffs' implementing regulations of the AEC.

In general, Mapleton believes that all adverse environmental effects and social and economic costs associated with the nuclear fuel cycle, to wit, mining, milling, feed material preparation, fuel enrichment, fuel fabrication, reactor operation, transportation, fuel reprocessing, and ultimate high-level radioactive waste storage and disposal should be considered in this proceeding.

Each phase of the nuclear energy technology is interdependent with the ones which precede and follow it, and each has an immediate or long-term effect on the environment. Each is relevant to the issues in a reactor licensing proceeding.

The proposed nuclear reactor is a point in the nuclear fuel cycle spectrum. The effluent which comes out of the plant in the wastes discharged to the atmosphere or receiving body of water, or removal from the plant, and which is shipped from the plant, has an immediate and long-term effect on the environment, and constitutes a drain upon scarce uranium resources.

THIS DOCUMENT CONTAINS
POOR QUALITY PAGES

8007250 857

B

September 28, 1971

Arthur W. Murphy, Esq., Chairman
Atomic Safety & Licensing Board

-2-

The Board should request from the applicant and the Staff evidence of the probable impact and long-term effect of the wastes to be shipped away from the proposed reactor on the in-transit environment through which the wastes are transported, the environment of the fuel reprocessing plant which will handle such wastes, and on the environment of the perpetual care repository of the long lived high-level radioactive wastes generated by such reactor.

The intervention of the State of Kansas in this proceeding requires the Board to consider the issue of ultimate disposition of such high-level radioactive wastes.

Mapleton concurs with Saginaw intervenors in their views as to the environmental issues involved in this proceeding.

We believe, however, it is premature to specify the environmental issues in any greater detail until we have received applicant's and Staff's environmental submissions.

We intend to present substantial evidence on environmental issues.

As evidence of this intent, we served (although we were not obliged to) Professor Eckert's testimony.

As further evidence that Mapleton has undertaken to assemble further environmental evidence, as stated in our letter of September 14, 1971, we serve now, without prejudice, the statement of Dr. Charles W. Huver.

Discovery

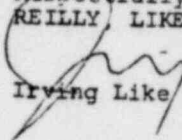
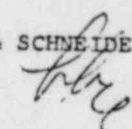
For the reasons stated in our letter of September 14, 1971, Mapleton believes motions for discovery are premature at this time. We however serve notice that we will, after the filing of applicant's and Staff's further environmental submissions, move for discovery of all documents underlying such submissions or relied

September 28, 1971

Arthur W. Murphy, Esq., Chairman
Atomic Safety & Licensing Board

-3-

upon in the preparation thereof, or referred to therein by applicant and Staff.

Respectfully
REILLY, LIKE & SCHNEIDER

Irving Like 

IL:mc
Enc.

copy to:
ASLB members
Secretary
All counsel of record