

POOR ORIGINAL

JUN 18 1981

Docket Nos. 50-352
and 50-353

Mr. Frank R. Romano, Chairman
Air and Water Pollution Patrol
61 Forest Avenue
Ambler, PA 19002



Dear Mr. Romano:

Reference is made to your letter of May 28, 1981, relative to the procedure for intervention in the matter of the application for operating licenses for Limerick Generating Station Units 1 and 2. If we find that the tendered application contains sufficient information to initiate a licensing review, it will be docketed. After docketing a notice of opportunity for hearing will be published in the Federal Register. Within thirty (30) days of the publication of the notice, any person whose interest may be affected by the proceeding may file a petition for leave to intervene. Such filing shall be in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceeding" Title 10 of the Code of Federal Regulations, Part 2 (10 CFR 2). The applicable sections thereof are summarized below:

If a request for a hearing or petition for leave to intervene is filed, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the petition and, if the petition is granted, the Secretary of the Commission, or designated Atomic Safety and Licensing Board will issue a notice of hearing. As required by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wished to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend his petition prior to the first prehearing conference.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, the petitioner may file a supplement to the petition to intervene which may then include the contentions which are sought to be litigated in the matter. The bases for each contention must be set forth with reasonable specificity. A petitioner who fails to include a valid contention in its original petition or in its supplement will not be permitted to participate as a party.

OFFICE ▶
SURNAME ▶
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JUN 18 1981 POOR ORIGINAL

Frank Romano

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A request for a petition for leave to intervene must be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., within 30 days from date of publication of the notice of opportunity for hearing. A copy of the petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, and to Troy B. Conner, Jr., Esq., Conner, Moore & Corber, 1747 Pennsylvania Avenue, N.W., Washington, D.C., 20006, attorney for the applicant. Any questions or requests for additional information regarding the content of this notice should be addressed to the Chief Hearing Counsel, Office of the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C., 20555.

Untimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer, or the Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a later petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR §2.714(a)(1)(i)-(v) and §2.714(d).

For further details pertinent to the matters under consideration, see the application for the facility operating licenses and the applicants' environmental reports, which are available for public inspection at the Commission's Local Public Document Room at the Pottstown Public Library, 500 High Street, Pottstown, Pennsylvania 19464.

Sincerely,

A. Schwencer, Chief
Licensing Branch No. 2
Division of Licensing

*See previous yellow

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SURNAME	GCalkins	CWoodhead	ASchwencer				
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Sincerely,

Albert Schwencer, Chief
Licensing Branch No. 2
Division of Licensing

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