

April 21, 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

IN THE MATTER OF

PENNSYLVANIA POWER & LIGHT CO.
AND
ALLEGHENY ELECTRIC COOPERATIVE INC.

BERWICK ATOMIC POWER PLANT
SUSQUEHANNA UNITS 1 & 2
DOCKET NOS. 50-387 & 50-388

CITIZENS AGAINST NUCLEAR DANGERS
EXCEPTIONS TO THE ASLB INITIAL DECISION
AND RESPONSE TO APPLICANTS OPPOSITION TO
EMERGENCY EVACUATION PLANNING

In accordance with the directives and provisions of paragraphs nos. 224 and 225 of the ASLB Order (page 118), served April 13, 1982 (and received April 16, 1982), the Citizens Against Nuclear Dangers (CAND) hereby file exceptions to the Initial Decision of the ASLB. A brief in support of the exceptions shall be filed within the thirty day period allowed.

The main contention of CAND is that the ASLB did not comply with the National Environmental Protection Act (NEPA) in its decision making, and as a result the Initial Decision is flawed!

The ASLB has published a less than meticulous document that does not address the requirements of NEPA.

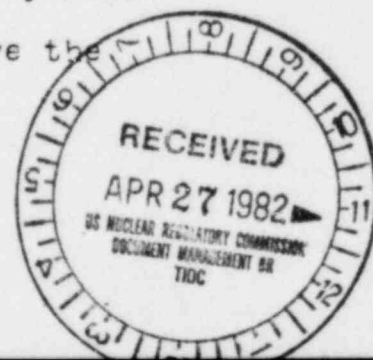
The ASLB did not evaluate the environmental assessments that are relevant to the several contentions under review in this license application case.

The ASLB did not take into consideration available alternatives, which is the basic process of decision making mandated by NEPA.

The Initial Decision is laced with phrases that are the complete opposite of the true facts.

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The Nuclear Regulatory Commission, the Applicants, and especially the Commonwealth of Pennsylvania played major roles in concealing facts about adverse environmental impacts that the public was entitled to know under federal and state environmental laws, which in turn the ASLB should have elicited and evaluated.

The issues and contentions in this case do not involve minor technicalities, they involve major public health and safety issues. Thus, CAND is justifiably concerned when the ASLB does not take the relevant environmental laws seriously. The NRC and its boards are obligated under NEPA to refrain from manipulating the data in their findings and conclusions in the Initial Decision in a misleading fashion. It appears, however, that this ASLB report is the end result of a fixed predetermination to grant an operating license!

Therefore, CAND will presently submit a brief taking exception with certain of the ASLB conclusions and findings. They will be identified with particularity, and the ASLB will be petitioned to revise certain parts of the Initial Decision in conformity with NEPA.

Respectfully submitted

Thomas L. Halligan
Correspondent

Dated: April 21, 1982

CERTIFICATE OF SERVICE

I hereby certify that copies of Citizens Against Nuclear Dangers
Exceptions To The ASLB Initial Decision And Response To Applicants
Opposition To Emergency Evacuation Planning have been served on all parties to this proceeding by deposit in the U.S. mail, first class, this 21st day of March, 1982.