

U. S. Nuclear Regulatory Commission

In the Matter of
CPCo. Midland Plant
Units 1 & 2

Docket Nos.
50-329 OL
50-330 OL

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

Stamiris Statement of Good Cause for Late Intervention

7/9/82

I have actively participated in the 50-329, 5-330 OM, OL Proceeding. Due to the established consolidation of OM-OL issues, I am an accepted OL intervenor regarding soils issues. On 3/28/82, I sought to expand that participation to other matters due to the inadequacies in the NRC's Draft Environmental Statement.

The deceptively unfair cost benefit analysis and the denial of the existence of any significant environmental or safety concern since the construction-permit review (p. 3-1 DES) despite unresolved soil settlement issues destroyed my assurance that the NRC was protecting the health and safety of my family and community in recommending an operating license for the Midland plant on such bases.

After careful consideration of the personal implications of a commitment to become an active OL participant, and contrary to my previous intentions, I decided to submit my 3/28/82 request for full OL intervention. Subsequent to that decision, review of the NRC's SER and statements to the ACRS have confirmed my sense of obligation to intervene in the OL in the hopes of attaining a safe nuclear plant. I have come to believe that the problems which concern me so deeply at the Midland Nuclear Plant are as much the result of inadequate NRC regulation as of Consumer's Power Co. deficiencies.

For these reasons, and because I believe my active participation can assist in developing the sound and complete OL record necessary to insure a plant capable of safe operation, I ask that the untimliness of my requested OL intervention be considered less important than the public health and safety benefits of my requested OL intervention.

The contentions I have submitted for the OL proceeding raise issues that will not otherwise be covered or represented by Intervenor Sinclair or Marshall. Furthermore these Intervenor have expressed a need of assistance from me, indicating that they would not adequately be able to represent my interests in my absence. To the extent that some of my contentions do reflect issues already addressed by Sinclair or Marshall contentions, I will gladly consolidate my efforts with theirs for the greatest efficiency of all parties.

My contentions deal with issues which have occurred since the 1978 inception of the OL proceeding.* As such they represent issues which could not have been raised at the beginning of the OL proceeding. Since I was not or did not intend to become a full OL intervenor in 1980 and 1981, I did not raise as OL issues the specific design and construction deficiencies such as the references to 55e reports, at that time. Furthermore until I was able to review the NRC assessment of these design and construction deficiencies in the SER, I could not know whether they had been adequately taken into account by the NRC in their OL review.

In revising my 6/18/82 contentions I have consolidated the related or overlapping contentions and provided more specific bases including dates and sources wherever possible. Contentions 1, 3, 10, 13, 14, 16, and 19 have to do with my assessment of specified NRC DES and SER statements. Contentions 4, 7, 8, 9, 11, 12, 15, 17, and 18 have to do with my perception of the failure of NRC DES and SER statements to adequately consider these design and construction deficiencies. Contentions 5 and 6 are based on information new to me in the spring of 1982. Contention 2 represents the culmination of my change in attitude toward NRC regulation, and also my overall decision to expand my OL intervention. Contentions 18, 19, and 21 are new. Contention 18 from 6/18/82 is more properly considered in the OM-OL proceeding and is covered by Stamiris OM contention 4, and is therefore dropped. Contentions 16 and 20 are subject to consolidation with similar Sinclair contentions.

*except for reference to the 1974 containment fire, and 1977 tendon sheath omissions, contention 11.