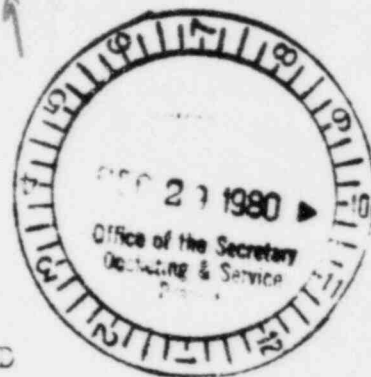


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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

HOUSTON LIGHTING & POWER COMPANY


DOCKET NO. 50-466

(Allens Creek Nuclear Generating
Station, Unit 1)

ANSWER OPPOSING
NRC STAFF'S MOTION FOR SUMMARY DISPOSITION
OF CONSOLIDATED CONTENTION
(CUMINGS 9, GRIFFITH 1, JOHNSTON 1,
LEMMER 5)

Pursuant to 10 C.F. R §2.749 of the Commission's Rules of Practice, Intervenors file this answer to the Staff's Motion for Summary Disposition. In support of its answer, Intervenors submit an affidavit to show that material issues of fact exist which require litigation of this condition and denial of the motion for summary disposition. In addition, Intervenors would show that Staff's motion in no way presents evidence of the issue of risk to plants and animals.

Respectfully submitted,


Stephen A. Doggett
Attorney for Intervenors

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NRC STAFF'S MOTION FOR SUMMARY DISPOSITION
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LEMMER 5)

The following is a statement of the material facts with respect to the consolidated contention on the NEPA impacts of low level radiation which the Intervenors contend there is a genuine issue to be heard.

1. The NEPA balancing of costs and benefits must be altered by health effects considerations, because the NRC models used to calculate potential somatic effects (cancer) and genetic effects seriously underestimate the risks.
2. Health risks to present day populations from cancer and to future generations from genetic effects associated with normal operations (Appendix I levels) of large LWRs in the U.S. are not insignificant relative to naturally occurring events.
3. The underestimation of Appendix I health risks significantly affects the NEPA cost-benefit balance and results in an unfavorable NEPA conclusion regarding the construction of the facility.