

TO: John Garretty (Sp.?)
Central Maine Power
1 Edison Drive,
Augusta, ME. 04330

AND

Robert M. Lazo, Esq., Ch.
Administrative Judge
Atomic Safety & Licensing Bd.
U. S. F. R. C. Wash. D C 20555

In the Matter of
MAINE YANKEE ATOMIC POWER COMPANY
(Maine Yankee Atomic Power Station)

Docket No. 50-309
((Spent Fuel) Nuclear Waste)

"Before any suggestion that a contention should not be entertained can be acted upon favorably, the proponent of the contention must be given some chance to be heard in response (((emphasis added) by Staff 11/16/81) double emphasis added 11/20/81 by IDEA) Intervenor Down East Alliance)."

See Appeal board's decision Houston Lighting and Power (Allens Creek Nuclear Generating Station, Unit 1), AIAE-565, 10 NRC 521 (1979) at 525. If Staff argues ("believes") that an opportunity to respond in writing is adequate then it is incumbent upon Staff, Central Maine Power, Licensee (both Maine Yankee Atomic Power Company and Maine Yankee Atomic Power Station), or their Counsel, and the board to give reason why #1, I, Intervenor Down East Alliance in the person of David Colton-Manheim have not yet received complete application of Applicant with specific latest proposal, and why, #2, I have not yet received all the other information requested in writing or even acknowledgement of receipt of same (letter to Lazo & Morris & message to Ham), et cetera. If Staff argues that an opportunity to be heard has already been given, then I would refer Staff to the oral/aural transcript of the first pre-hearing conference in Wiscasset, 8/11/81, where I was not given a chance to be heard ^{in response} ~~and otherwise~~ (emphasis added) and where other parties to these proceedings were given various assurances, including on site inspection by persons other than Counsel, etc. Also, see previous request for said prehearing conference by IDEA when a delay was requested and granted at that time. The argument now, as then being now would save time later and be to the interests of all, including SMP, ME., and Licensee.

David Colton-Manheim

As an additional argument to A Specific Contention, I would like to add that it would obviate the additional nuclear waste that Applicant's proposal would inevitably necessitate ((in the form of non spent-fuel, but other low-level additional radioactive equipment materials (including, but not limited to: intermediate pin compaction components, spent fuel pool liner and concrete structure, storage racks, fuel assembly & fuel cask-(incidentally, exceeding current transport specification including ALARA)s, etc.) which will be more radioactive) as well as having more bulk), and in this connection I would appreciate Docketing and Service forwarding a copy of this to Senator Mitchell of Maine, McClure, and/or the 14 other committee members having to consider Senate Bill 1662 as of 11/20/81.

As a point of information, I would like to inform Staff that the Down East Alliance has a computer run in progress and that the presentation of its conclusions might be appropriate at prehearing II, rather than the more legal setting of a hearing. I would like to suggest that the old Visitors Center - M. Y. A. P. S. - could be activated for this purpose, but hesitate for fear of it being interpreted as an impertinence. Neutron Activation Analysis and Atoms in Agriculture, 9/63 & 10/62, would make such a nice contribution to a Meth... Placement Into Passive Safe Storage of the place.

NOTE: My typewriter now has no (second letter of the language key) and I will use the sign '] ' for it, upper and lower case included. [rittling, natural [rittling is presumed to be the cause.

As neither this, nor the State of Maine's request for a prehearing conference should or could be considered as new contentions themselves, the logic of Edwin J. Reis fails to impress Intervenor Down East Alliance. Perhaps it is the failure to address '(2)' in the introduction and its connection to '(1)' that is the cause. In any case, the five factors have been addressed and are submitted by David Colton-Manheim, now, as before, in the interests of all parties concerned.

David Colton-Manheim
Box #386 Bedford's Barn
Bouldsboro, Maine 04607

Dear Mr. Reis.

This is an informal addendum in lieu of an immediate telephone call - my thinking being that with the paper in hand (no pun intended) the telephone would become a more meaningful instrument of communication. Can you accept a collect call, or call in response to a collect call? Can the call be recorded? I should be in N.Y.C. two weeks immediately prior to --Mass. Do you have an office or number there?

9/29/81, Henry J. McCurren wrote "There is absolutely no explanation by Petitioner how poverty caused or can cause the late filing of the instant petition." Poverty causes and has caused me not to be able to afford The Congressional Record or postage for it, not to be able to afford 10 C. F. R. , to miss the meeting of the U. S. N. R. C. Unit #1 on this matter in Boston, to forego access to the depository in Wiscasset, ^{not} to be able to afford the Federal Register, etc. All I have left after this is old first class, now postcard stamps. Is the N.R.C. equipped to handle postcards as legal documents?

x TR 9-6692
(Please do not call for me there, without my first calling from there, due to the grave illness at that time)

Please note that the reference to N.A.S.A. in previous correspondence was serious. Generally speaking, I do appreciate your logic, but when both of us write in terms of interpretation it seems to me that what is needed is more communication.

Although this is an informal addendum, paragraph two of what is now page three appears to deserve inclusion in the pleading of the Down East Alliance, whether as Petitioner or Intervenor, and I hope it will be treated as such.

It is just that the postman has just departed and so you should receive it a day later than my attempt to serve it on the other most interested parties. For that reason, and others previously mentioned, I have not included a whole bunch of carbon or Xerox' copies. Any courtesy you can extend in this matter will be appreciated.

Sincerely,
David Cotton-Went
1-207-963-7715