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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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 In the Matter of)
)
 VIRGINIA ELECTRIC AND POWER COMPANY)
)
 (North Anna Power Sta., Units 1 & 2))
)
 (Proposed Amendment to Operating)
 License to Permit Storage of)
 Surry Spent Fuel))
 _____)

Docket Nos. 50-338
50-339

SECRETARY
& SERVICE
BENCH

PETITION FOR LEAVE TO INTERVENE

Concerned Citizens of Louisa County (hereinafter "Citizens") hereby requests leave of the Nuclear Regulatory Commission ("Commission" or "NRC") to intervene with respect to the Commission's consideration of the July 13, 1982 application by the Virginia Electric and Power Company ("VEPCO" or "Applicant") for an amendment to the operating license for the North Anna Power Station authorizing the receipt and storage of spent reactor fuel from the Surry Power Station. Said application was noticed in the September 22, 1982 edition of the Federal Register, 47 Fed. 41892. Citizens further requests that the Commission hold a hearing on VEPCO's application.

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DESCRIPTION OF THE PETITIONER
AND HOW ITS INTERESTS WILL BE AFFECTED

Concerned Citizens of Louisa County is a not-for-profit organization comprised of approximately 70 persons who reside in the vicinity of the North Anna power plant. Citizens was established because of concern on the part of its members over threats to the safety and health of the public, and to the quality of the environment, which may be posed by the operation of the North Anna plant. Foremost among the goals of the group are to assure that the plant is operated safely, and to educate its members and the general public on matters related to the plant's safe operation.

Citizens submits that it has standing to participate in the above-captioned proceeding as a representative of its members, most if not all of which reside within 20 miles of the North Anna plant and thus satisfy the prevailing rules governing standing in NRC licensing proceedings. In particular, the following members have authorized Citizens, through counsel, to represent their interests in this matter:

* Donna M. Dellett, Rick W. Dellett, and their children - Christen, age 4, and Andy, age 1 - reside in Bumpass, Virginia, within 10 miles of the North Anna plant. In addition, the Delletts are the proprietors of a retail store in Bumpass. The Delletts' health and safety, as well as their financial

interest in the store, are threatened by VEPCO's proposal to add Surry spent fuel to the North Anna spent fuel pool. If authorized, VEPCO's proposal would increase the amount of radioactive discharges which routinely emanate from the plant, and create a risk of spent fuel pool accidents leading to even greater harm to the Delleetts.

* Collette Cole resides in Mineral, Virginia. The property on which her home is located lies adjacent to Lake Anna, into which the North Anna plant discharges thermal and radioactive effluents. Because of the risk of accidents and the chronic, long-term radioactive discharges to which VEPCO's proposal, if approved, will give rise, Ms. Cole's interest in her personal health, and in the quality of the Lake Anna area's environment, will be affected by the proposed license amendment.

* Pamela H. and Frederick S. Richardson reside, with their 6-year old son, Joel, alongside Route 522 in Mineral, Virginia. Their home is situated less than a quarter-mile from the roadway, which has been designated a "primary" route for shipments of spent fuel from the Surry plant to the North Anna Plant (see letter from T.S. Scherr, U.S. N.R.C., to R.H. Leasburg, VEPCO, July 28, 1982). Because of the risk of accidents involving spent fuel shipments, the Richardsons will suffer impairment of their safety, health, and environmental interests should the proposed license amendment be granted.

* Gary and Theresa Schwartz reside in Louisa, Virginia, with their children Lydia and Graham. Both children are enrolled in the Mineral Elementary School in Mineral, which is located less than five feet from Route 522, which has been designated a "primary" route for shipments of Surry spent fuel to the North Anna plant. Because of the risk of accidents involving spent fuel shipments, as well as the children's regular exposure to low-level radiation emanating from the proposed shipments, the personal safety and environmental interests of the Schwartz family will be jeopardized if the proposed license amendment is issued.

CONTENTIONS

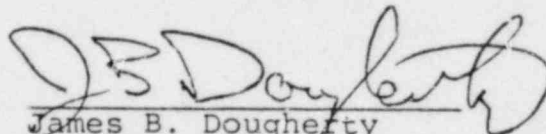
Citizens makes the following specific contentions concerning (1) alternatives to VEPCO's proposed action, (2) the environmental hazards associated with the proposed spent fuel shipments under accident and non-accident conditions, and (3) the NRC's statutory obligations to evaluate the environmental implications of the proposed license amendment. Citizens intends to amend and/or supplement this list in the near future.

(1) Applicant has not demonstrated that the proposed transfer of Surry spent fuel to North Anna is environmentally and economically preferable to the construction and use of a dry cask storage facility at the Surry Power Station.

- (2) Applicant has not demonstrated that the proposed transfer of Surry spent fuel to North Anna is environmentally and economically preferable to increasing the capacity of the spent fuel storage pool at the Surry Power Station.
- (3) Applicant has not demonstrated that the proposed transfer of Surry spent fuel to North Anna is environmentally and economically preferable to operating the Surry Power Station at a reduced rate of output.
- (4) Applicant has not demonstrated that the casks in which it proposes to ship Surry spent fuel to North Anna are sufficiently safe such that the proposed license amendment will not be inimical to the public safety and health.
- (5) Applicant has not demonstrated that it will implement a transportation security plan consistent with the requirements of part 73 of the Commission's regulations.
- (6) Applicant has not demonstrated that the risk of accidents involving shipments of Surry spent fuel to North Anna is sufficiently low such that issuance of the proposed license amendment will not be inimical to the public safety and health.
- (7) Applicant has not demonstrated that the radiological emergency response capabilities of state and local governments is adequate to protect the public health and safety.
- (8) The proposed license amendment constitutes a major federal action significantly affecting the environment

and thus may not be granted prior to the preparation of
an environmental impact statement.

Respectfully submitted,



James B. Dougherty
Counsel for Concerned
Citizens of Louisa County

Dated this 22nd day
of October, 1982

3045 Porter St., N.W.
Washington, D.C. 20008
(202)362-7158

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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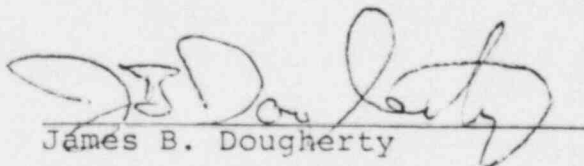
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NOTICE OF APPEARANCE

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to practice: United States Supreme Court
United States Court of Appeals for
for the District of Columbia Circuit
United States District Court for
for the District of Columbia
District of Columbia Court of Appeals


James B. Dougherty

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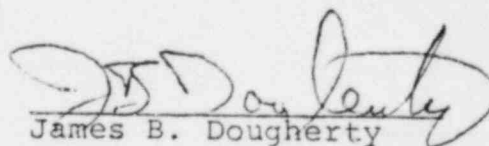
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CERTIFICATE OF SERVICE

I certify that copies of the foregoing PETITION FOR
LEAVE TO INTERVENE were served this 22nd of October, 1982,
by deposit in the U.S. Mail, upon the following:

Michael W. Maupin, Esq.
Hunton & Williams
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Executive Legal Director
Nuclear Regulatory Commission
Washington, D.C. 20555


James B. Dougherty