

Procedural Reasons for Acceptance of Doug Gillman's Five Proffered Contentions

"(1) Good cause, if any, for failure to file on time"

There was no outstanding alleged and uncorroborated structural alteration existing prior to October 24, 1975. Secondly, the engineering validity of the Zimmer Power Station - Unit 1 may not have been in question in 1975 whereas 1982 engineering research raises serious questions addressed by Doug Gillman's five contentions and, responsibly, must be raised belatedly.

"(ii) The availability of other means whereby the petitioner's interest will be protected."

At the present time, lack of funds makes a suit for fraud or endangerment impossible. A letter to the Ethics Commission of the State of Ohio mailed March 9, 1983 and stating:
"What is the procedure for some statement by the Commission to be proffered and by what record of the question of whether it is ethical for any spokesperson of the owner's group of the Miami Fort Power Station to call the Miami Fort Power Station a coal fired power plant if the Miami Fort Power Station is made from coal fired refined, alloyed and shaped parts but uses nuclear energy to heat steam for the turbine driven dynamos?" This letter has not been answered as of March 19, 1983.

"(iii) The extent to which the petitioner's participation may reasonably be expected to assist in developing a sound record."

For some structural alteration of the Zimmer Power Plant the five proffered contentions strive to show that serious generic and existential defects of the plant are now critical if the alleged structural alteration of the suppression pool is not addressed properly and will thus serve to create a record that will encompass the desires of all parties for a society of aware consumers as opposed to a society of duped consumers of which a sound record shall serve aware consumers.

"(iv) The extent to which the petitioner's participation will be represented by existing parties"

At the present time Doug Gillman maintains that the issues he has raised in his five contentions are not being represented by any of the parties involved in the Zimmer plant, nor is Doug Gillman himself being represented by any existing parties.

"(v) The extent to which the petitioner's participation will broaden the issues or delay the proceeding"

The proceeding accepting the logic of Contention 2 alone would disburse all remaining funds slated to the Zimmer plant to a set of solar furnaces and a seasonal industrial experience. The other contentions serve to address the obsolescent structures viewable in the Zimmer plant.

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The interest or standing of Doug Gillman in filing his five contentions is many-fold. Any individual capable of engaging any possible mechanisms of discussion or due process regarding some fuel cycle commonly accepted as existing as potentially damaging of the biosphere or humans strengthens the notions of individual responsibility in some governmental setting by engaging any available mechanisms of due process. Secondly, the question of accepting wanton consumerism or striving towards responsible consumerism is a question of decisive standing. Thirdly, the mechanisms of accountability by individuals for any institutions of which the individuals are consumers is such that those mechanisms of accountability by individuals for institutions of their consumption are capable of disintegration without interest or standing by any individuals.

The matter of standing to intervene involves finding a socially acceptable forum to recognize the evolutionary structure of some eminent domain consumer item such as centralized electricity distribution by the National Grid (Institute of Electronic and Electrical Engineers, Transactions in Power Apparatus and Systems). Within this evolutionary structure the power of the entrepreneur engaging commerce and industry to create popular consumer items raises the spectre of encroachments of human habitability by long-lived mutagenic and disease causing by-products thereby decreasing the area of habitable earth. This is an injury which Doug Gillman allows will irreparably damage the quality of his life. In addition, those measures used to safeguard the fuel cycle of the Zimmer plant have damaged Doug Gillman's physical and mental health and will continue to unless checked.

The matter of standing to intervene with respect to an interest 'arguably within the zone of interest' is addressed by noting that any usurpation of personal freedoms, in particular the right of individuals to be free of search or seizure or displacement by some Army Corps of Engineers in restructuring the bed of the Ohio River so as to achieve displacement of individuals then eventual siting of the Miami Fort power plant without any Public Document Room raises the spectre of a precedental mechanism which if unaddressed and unchecked will create a society in which all persons could be potentially displaced and especially challenges the notion of individual freedoms which Doug Gillman claims under this government and by those statutes which Doug Gillman exercises in the proffering of his five contentions.

Doug Gillman, the movant, claims that his motion is timely because the obsolescence demonstrated by the references of his contentions did not exist until 1982. The motion is directed to a significant safety or environmental issue because the allegations regarding structural alterations to the Zimmer suppression pool deal with a safety designated structure, and the obsolescence of the design of the Zimmer plant is critical with respect to alleged alterations of a safety structure.

Doug Gillman, the movant, maintains that a different result would have been reached initially if these five contentions and these legal issues been considered in weighing the notion of industrial self-sufficiency on a seasonal basis.

Finally, these issues could not have been raised earlier because Doug Gillman was awaiting confirmation of reports of alleged structural alterations to the suppression pool of the Zimmer plant which did not materialize in the inspector reports; Doug Gillman has only recently become aware of the realization of 2 units at Miami Fort which were projected in the Zimmer Preliminary Safety Analysis Report and possible complicity by the Army Corps of Engineers involving a possible loss of freedoms of Doug Gillman if the Army claims that a Public Document Room on military property would be superfluous, and by recently Doug Gillman means the third week of November when he made an impromptu sales trip to Lawrenceburg, Indiana; and also these issues could not have been raised earlier (i.e. in 1975) because the 3 Mile Island incident established that the plisher (ion exchange resin) transferring system is actually a safety related system and that assimilation of this fact by Doug Gillman leads him to bring forth Contentions 3, 4 & 5 which deal with the fact that the ion exchange resin transferring system at the Zimmer plant is safety-related.