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February 27, 1984

Marshall E. Miller, Esquire
Chairman
Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: In the Matter of Public Service
Electric and Gas Company
(Hope Creek Generating Station)
Docket No. 50-354

Dear Chairman Miller:

While the State of Delaware is not a party to the above-captioned proceeding, as the Board is aware, Delaware supported Contention IV of the Public Advocate of the State of New Jersey relating to the environmental impacts of the Hope Creek cooling tower. I am writing to inform the Board that Delaware conferred with the Public Advocate prior to the filing of the Advocate's Consent to Applicant's Motion to Dismiss Contention IV ("Consent"); Delaware agrees with the Public Advocate's Consent for the reasons set forth therein.

Together with the Consent, the Public Advocate commented on the Applicant's arguments in support of its motion to dismiss Contention IV. Delaware "seconds" those comments. The record should be clear that neither the Public Advocate nor the counsel for Delaware misled the Board in any fashion. While I personally was not present at the prehearing conference and do not have a copy of the transcript, I have discussed the conference with the counsel for Delaware who did attend and with the Public Advocate.

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Delaware's counsel did not represent that prior discussion with technical expert(s) was the basis for raising the contention. Nor did Delaware's counsel represent that recent studies in Delaware specifically addressed salt deposition on cropland and groundwater. Rather, the counsel stated recent studies showed faster movement of various substances into groundwater and soils than was previously believed to occur. These studies, which focus primarily on nitrates, do exist and copies were provided to the Applicant.

I hope the above information helps to clarify the record in the case pending before the Board.

Respectfully yours,

Carol E. Delaney

Carol E. Delaney
Deputy Attorney General

CED/bfd

cc: Service List