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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'95 AUG 30 P3:07

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

OFFICE OF SECRETARY
DOCKETING SERVICE
FRANCH

Charles Bechhoefer, Chairman
Dr. Jerry R. Kline
Dr. Peter S. Lam

_____)
In the Matter of)
)
GEORGIA INSTITUTE)
OF TECHNOLOGY)
)
Atlanta, Georgia)
)
Georgia Tech Research)
Reactor)
)
Renewal of License No. R-97)

Docket No. 50-160-OM
ASLBP NO. 95-710-01-0M

GEORGIA INSTITUTE OF TECHNOLOGY'S RESPONSE
TO GANE'S AMENDED PETITION FOR LEAVE TO INTERVENE

Licensee Georgia Institute of Technology ("Georgia Tech") responds to the Amended Petition for Leave to Intervene in Consideration of Application for Facility License Conversion from High-Enriched Uranium to Low-Enriched Uranium Fuel, filed by Georgians Against Nuclear Energy ("GANE") on August 21, 1995 as follows:

In its Order dated July 31, 1995, the Board directed GANE, as intervenor, to, one, advise that Mr. Robert Johnson, the individual upon whose statement of interest GANE's claim to standing rests, "wishes GANE to represent his interest in this as well as the renewal proceeding;" and, two, to set forth the

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contentions it wishes to assert in this proceeding, including the information set forth in 10 C.F.R. § 2.714 (b) and (d). In its Amended Petition, GANE fails to comply with either directive.

With respect to Mr. Johnson, GANE states that it "represents in this proceeding, Robert Johnson, . . . His standing has been established in the License Renewal proceeding on this docket which GANE has maintained since October 1994." GANE has not provided any indication from Mr. Johnson that he wishes GANE to represent him in this proceeding in addition to its representation of him in the renewal proceeding. It was this indication which the Board specifically directed GANE to supply. Its failure to follow this directive constitutes grounds upon which to base a denial of GANE's request for hearing.

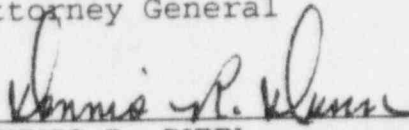
With respect to the contentions it seeks to assert in this proceeding, GANE's Amended Petition is vague and difficult to interpret. GANE states that Georgia Tech "is risking the public health and safety in its conversion plan. . . GANE finds it unacceptable to operate a reactor in the middle of a large population center. . . At the minimum we call on Georgia Tech configure (sic) its reactor properly to receive and use the low-enriched uranium fuel." These statements fall far short of the information which is required by 10 C.F.R. §§ 2.714 (b) and (d). In particular, GANE has failed to provide a brief explanation of the contention, a concise statement of the

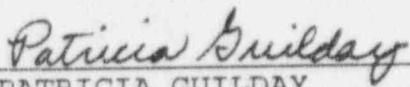
alleged facts or expert opinion supportive of such contention, or sufficient information to show that a genuine dispute exists on a material issue of law or fact. 10 C.F.R. § 2.714 (b) (i), (ii) and (iii).

For the above reasons and for those stated in the Staff's Response to GANE's Request for Hearing, Georgia Tech respectfully requests that GANE's Amended Petition be dismissed.

Respectfully submitted,

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Attorney General


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GEORGIA INSTITUTE OF TECHNOLOGY'S
CERTIFICATE OF SERVICE

I do hereby certify that copies of the foregoing Georgia Institute of Technology's Response to Gane's Amended Petition for Leave to Intervene have been served upon the following persons by U.S. Mail, except as otherwise noted and in accordance with the requirement of 10 C.F.R. Sec. 2.712:

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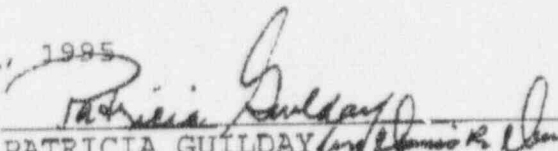
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This 30th day of August, 1995


PATRICIA GUILDAY
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