

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Charles Bechhoefer, Chairman
Dr. Richard F. Cole
Dr. Charles N. Kelber

In the Matter of : Docket No. 50-423-LA-3
:
NORTHEAST NUCLEAR ENERGY :
COMPANY : ASLBP No. 00-771-01-LA
:
(Millstone Nuclear Power :
Station, Unit No. 3; :
Facility Operating License :
NPF-49) : November 15, 1999

DECLARATION OF JACQUELINE WILLIAMSON,
MEMBER OF COALITION AGAINST MILLSTONE,
SUPPORTING ORGANIZATIONAL STANDING

I, Jacqueline Williamson, having been duly sworn, do hereby depose as follows:

1. I am above the age of eighteen years and I believe in the obligation of an oath.

2. I own and reside during much of the year upon property located on Fishers Island, New York.

3. Such property is more particularly identified as Town of Southold, New York, Tax Map No. 4738893.1-4.

4. Such property is also more particularly identified as Lot 25-8 of the General Plan on file with the Suffolk County Clerk in Riverhead, New York.

5. Such property is located on the waterfront at Chocomount Cove near Clay Point on the northern side of Fishers Island.

6. Fishers Island is part of the Town of Southold, New York, which is located on the North Fork of Long Island, New York, approximately 12 miles to the southwest of Orient Point,

which itself is located at the farthest northeast point of Long Island.

7. My Fishers Island home is located approximately 10 miles from the Millstone Nuclear Power Generating Station ("Millstone") in Waterford, Connecticut.

8. My Fishers Island home is located within the 10-mile emergency evacuation zone of Millstone.

9. In the event of an emergency, the Millstone evacuation plan calls for residents of Fishers Island, such as myself, to board a ferry to travel to New London, Connecticut, and toward Millstone, rather than away from Millstone.

10. I have resided in my home on Fishers Island for many years and my associations with the property are deep and abiding.

11. I am a member of the Long Island-based Coalition Against Millstone ("CAM"), which advocates for permanent closure of Millstone.

12. CAM is a coalition of environmental and citizens groups which share a common objective of permanently closing Millstone because of its persistent history of regulatory violations which have subjected CAM's members and the public generally to untoward risk of peril to health and safety.

13. CAM's concern for the permanent closure of Millstone was heightened when Northeast Utilities, owner and operator of the Millstone reactors, pleaded guilty in the U.S. District Court in Connecticut on September 27, 1999 to 25 felony counts for criminal violations in its nuclear and environmental operations.

14. In pleading guilty to felonies committed in violation of the Atomic Energy Act, Northeast Utilities was assessed the largest penalty imposed in the history of commercial nuclear power, according to an article in the Hartford Courant.

15. CAM opposes the application of Northeast Utilities through Northeast Nuclear Energy Company ("NNECO") to rerack spent fuel assemblies to more than double their density in the Millstone Unit 3 spent fuel pool.

16. NNECO proposes to increase the number of fuel assemblies that can be stored in the spent fuel pool from 756 assemblies to 1,860 assemblies (an increase of 1,104).

17. According to the Environmental Assessment and Finding of No Significant Impact prepared by the U.S. Nuclear Regulatory Commission ("NRC") and submitted on August 27, 1999,

"An increase in spent fuel storage capacity is needed to maintain the capability for a full core off-load. Loss of full core off-load capability will occur as a result of refueling outage 6 (RFO 6) that started on May 1, 1999."

18. CAM opposes the present licensing amendment, in part, because, if granted, it would significantly increase the risk of serious accidental release of radioactivity into the environment, according to the expert opinion of David A. Lochbaum and Gordon Thompson.

19. The expert opinions of Messrs. Lochbaum and Thompson are expressed in materials submitted by CAM and its Connecticut counterpart, Connecticut Coalition Against Millstone ("CCAM"), in support of their Supplemental Petition to Intervene dated

November 15, 1999, and in their original Petition to Intervene.

20. The present application should be denied for the following reasons, as supported by Messrs Lochbaum and Thompson in their submissions:

a. It will significantly increase the probability and offsite consequences of accidents involving partial or total uncovering of fuel assemblies and exothermic reaction of fuel cladding;

b. In considering the proposed action and its alternatives, NNECO has not evaluated accidents involving partial or total uncovering of fuel assemblies and exothermic reaction of fuel cladding;

c. The criticality control measures proposed by NNECO would violate Criterion 62 of the General Design Criteria (GDC) set forth in Part 50, 10 CFR, Appendix A by seeking to prevent criticality at Millstone Unit 3 by the use of ongoing administrative measures;

d. NNECO has not properly evaluated potential mechanical loads under accident conditions because it has not considered the drop of a shipping cask into the cask pit or fuel pool, which activity could potentially cause a criticality accident and release of radioactive material;

e. NNECO has not properly evaluated the alternatives to the proposed action because its evaluation was conducted by a subcontractor with a conflict of interest and its evaluation relied

on outdated information;

f. NNECO has not properly evaluated a channel blockage event because its evaluation did not consider complete blockage of one or more channels;

g. The probability of a criticality accident will be increased because NNECO will rely on administrative measures, rather than physical measures, to prevent criticality;

h. The proposed action will increase the probability and consequences of an accident in which fuel overheats due to an interruption of pool cooling; and

i. An Environmental Impact Statement and analysis are called for.

21. I endorse denial of the application for the reasons above stated.

22. I believe that CAM's participation in a hearing on the licensing amendment application will introduce an informed inquiry which is compelled by the potential of the application, if granted, to expose the public to a significant increase in the probability and offsite consequence of serious accident.

23. Member organizations and individuals of CAM include STAR Foundation, located in East Hampton, New York.

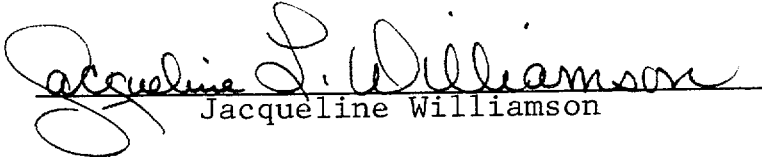
24. STAR Foundation has participated extensively in NRC public meetings and hearings on Millstone; it has petitioned the NRC on Millstone issues; it has conducted workshops and seminars on Millstone issues, including Y2K and the health effects of exposure to low-level ionizing radiation.

25. STAR Foundation and other members of CAM have participated as parties in litigation in the Superior Court of the State of Connecticut (Fish Unlimited v. Northeast Utilities I and II) and before the Appellate Court of the State of Connecticut on issues relative to Millstone predation of fish and fish larvae in the Niantic Bay; STAR Foundation and other members of CAM successfully restrained the restart of Millstone Unit 2 after the NRC gave approval for restart following a three-year unprecedented shutdown.

26. I believe that if the proposed action is allowed, it will significantly reduce the margin of safety and expose me to significantly greater risk of serious injury to myself, my family and my property.

27. I wish to have my rights and interests represented in these proceedings by and through Coalition Against Millstone and its attorneys and experts.

28. I believe that my rights and interests will be well served by such representation.



Jacqueline Williamson

STATE OF NEW YORK

ss: New York

COUNTY OF NEW YORK

Sworn to and subscribed before me this 12th day of November, 1999.



Commissioner of the Superior Court
Of the State of Connecticut

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Supplemental Petition to Intervene dated November 17, 1999, with Exhibits and with supporting affidavits of Joseph H. Besade and Jacqueline Williamson, in behalf of Connecticut Coalition Against Millstone and Long Island Coalition Against Millstone, have been served upon the following persons on November 17, 1999 by U.S. Mail, first class, and a copy transmitted by telefax on November 17, 1999, in accordance with the requirements of 10 C.F.R. Sec. 2.712:

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