

ACCABONAC PROTECTION COMMITTEE



956 Springs Fireplace Road • East Hampton, NY 11937 • 324-2435

Dec 9 '99

Office of the Secretary
Rulemaking & Adjudications Staff
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re: Atomic Safety & Licensing Bd/Docket #50-423-LA-3

Dear Sirs,

The Accabonac Protection Committee is an environmental organization with more than 900 members, and is a member of the Coalition Against Millstone.

On behalf of the APC I represent that CAM does have standing in the abovementioned proceeding and meets the administrative standards.

Our understanding is that to establish standing in this sort of proceeding a petitioner must show that

- (1) It has suffered or will suffer a distinct & palpable injury that constitutes an injury-in-fact, within the zone of interests arguably protected by the governing statutes, e.g., the Atomic Energy Act of 1954, as amended, (AEA) and the National Environmental Policy Act of 1969 (NEPA);
- (2) the injury is fairly traceable to the

Challenged action, and (3) the injury is likely to be re-
crossed by a favorable decision.

Doagueline Williamson, who lives in Fisher's Island, is
within the 10 mile emergency planning zone and the
administratively recognized zone of danger. Long Island
residents of Suffolk County, including the members of
our organization, are within the 50 mile ingestion
exposure pathway. An accident at the Millstone
Unit #3 spent fuel pool would impact drinking
water, food and economics and would be favorable
to an accident at the spent fuel pool.

Moreover, the challenge to Long Island standing fails
to take into consideration factors related to demography,

topography, land characteristics and access routes. Con-
siderations reached by independent analysis and the NRC
were that not only do people evacuate from an imperi-
cally large area when threatened by a radiological
emergency, but they also flee longer distances than in
other types of disasters. Furthermore, in developing the
present emergency planning regulations, the NRC ac-

knowledged that the accident at Three Mile Island should
clearly that on site conditions & actions, even if they do not
cause significant off site radiological consequences, will
affect the way the Vermont State and local entities react
to protect the public. The Vermont State and local entities
therefore, standing for Long Island residents, as represented
by Doagueline Williamson as well as our organization would

be proper.

Sincerely,
C. DeBarns

the APC (address above)