

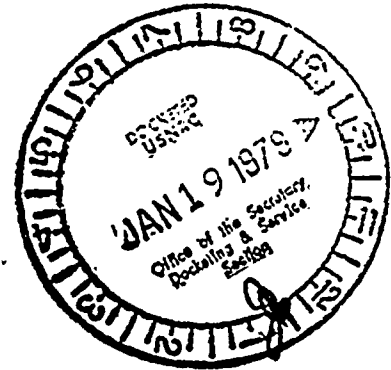
DOCKET NUMBER  
PROD. & UTIL. FAC. 50-387,388

# United States Senate

WASHINGTON, D.C. 20510

January 5, 1979

1/5/79



TO: Nuclear Regulatory Commission  
1717 H Street, N.W.  
Washington, D.C. 20555

FROM: Richard S. Schweiker  
United States Senator

RSS

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

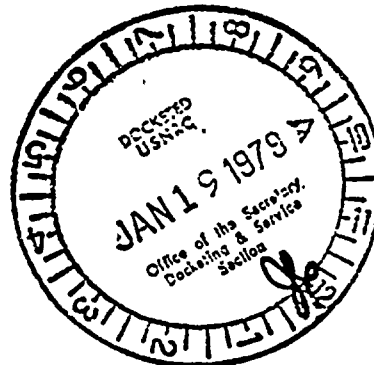
YOUR FINDINGS AND VIEWS, IN DUPLICATE, ALONG WITH  
RETURN OF THIS MEMO PLUS ENCLOSURE, WILL BE APPRECIATED.

Many thanks.

9004370026  
RSS:jw

1978 DEC 22 11 9:05  
CITIZENS AGAINST NUCLEAR DANGERS  
R.D.# 1 Box 377  
Berwick, Pa. 18603  
12/18/78

SENATOR RICHARD S. SCHWEIKER  
U.S. SENATE  
WASHINGTON, D.C.



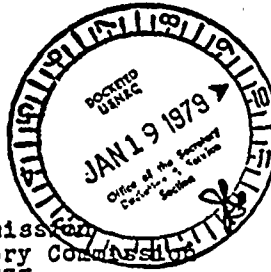
HONORABLE SENATOR SCHWEIKER:

ATTACHED IS A COPY OF AN IMPORTANT COMMUNICATION TO THE  
U.S. NUCLEAR REGULATORY COMMISSION. WE HOPE THAT YOU WILL STUDY  
IT CAREFULLY, AND ENDORSE OUR OBJECTIVES AND RECOMMENDATIONS.

SINCERELY,

IRENE LEMANOWICZ  
CHAIRPERSON - C.A.N.D.

P.S. LET US BE AWARE OF ALL NUCLEAR DANGERS IN OUR STATE.  
GENERATION OF RADIOACTIVE WASTES, TRANSPORTATION, EMISSIONS,  
REPOSITORIES, ETC.



Citizens Against Nuclear Dangers  
P.O. Box 377, R.D. #1  
Berwick, Pennsylvania 18603  
December 4, 1978

Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Reference: Application for Facility Operating Licenses;  
Permit Nos. CPER-101 and CPER-102 (Docket Nos. 50-387 & 50-388)  
Pennsylvania Power & Light Company's atomic power facility  
known as the "Susquehanna Steam Electric Station,"  
Units 1 and 2, Berwick, Pa.

Dear Mr. Secretary:

In response to similar correspondence, each dated November 3, 1978, from a NRC lawyer and another Washington lawyer standing-in for the PP&L, the Citizens Against Nuclear Dangers (Citizens) offer the following observations and recommendations to the parties involved. The Citizens, in its timely petitions filed with the NRC, clearly outlined some of its contentions. The Citizens believe that they are relevant and in the public interest, in that they pertain primarily to issues of public health and safety, which we presume should also be a primary concern of the NRC, in reviewing the Operating Permit Applications for the PP&L Berwick Atomic Plant, under construction.

We do not perceive any merit in the request to confer with the two attorneys referred to above. The NRC staff lawyer, in fact, has already exhibited what appears to be bias in this case. We, also, gather from their correspondence that they apparently do not truly recognize our legitimate contentions. So, we defer from taking part in a suggested pre-pre-hearing conference, if only to avoid the slightest appearance of deal-making. The Citizens urge the other interveners to do likewise. Our First and Fifth Amendment Rights are involved.

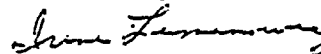
The Citizens have sufficient research prepared to go directly to public hearings. We do, however, acknowledge that the other parties may need considerable time to prepare for the forthcoming public hearings. The Citizens will agree to such necessary delays on their part, and we will be ready when the other parties are...



Because of the potential enormous impacts on the human environment in the Commonwealth by the PF&L Atomic Plant and the UHV transmission to Allegheny Electric, the Citizens hereby petition the entire Congressional Delegation from Pennsylvania to closely monitor the dealings of the NRC prior to and during the hearings, in light of the GAO report, to be sure that the Constitutional Rights and the "right to know" of the interveners and their witnesses are fully protected. In a word, no "Catch 22" bureaucratic or legal slight-of-hand should enter into the proceedings. Of course, the Congressmen and their aides are invited to witness the public hearing, to be scheduled early next year.

The obligation to interpret government rules and regulations along Constitutional lines to insure that the public-interest interveners' are afforded full protection and due process of law lies squarely with the NRC. The Congress, for its part, should exert its power of oversight regarding the NRC in this case.

Yours truly



Mrs. Irene Lemanowicz  
Chairperson  
Citizens Against Nuclear Dangers

P.S. The NRC is requested to furnish the Citizens with the official railroad safety inspectors' accident reports on the CONRAIL derailment of a train engine and flatcar carrying the million dollar transformer that was damaged as a result of the run-away train derailment on the premises of the PF&L Atomic Plant construction site near Berwick, Pa., occurring on Thursday, October 26, 1978.

c.c. Atomic Safety & Licensing Board Panel  
Pa. Congressional Delegation  
Comptroller General of the U.S. - GAO  
President, PF&L, Allentown, Pa.  
Susquehanna Environmental Advocates  
Ms. Colleen Marsh, et al.  
Environmental Coalition on Nuclear Power

In regards to the actual public hearings, the following preferences and recommendations are outlined for careful consideration by all parties:

1) The city of Wilkes-Barre, Pennsylvania (the county seat of Luzerne County) be designated as the locality for the public hearings; The PF&L Atomic Plant site is in Salem Township, Luzerne County.

2) The Federal Courthouse in Wilkes-Barre be reserved as the public hearing site;

3) Witnesses for each intervening group should be allowed to present their separate testimony and exhibits relating to each category or contention submitted for the hearing agenda;

4) The corporate officers and managers who will be directly responsible for the supervision of the PF&L Atomic Plant should be ordered to appear in person and testify under oath, and submit to cross-examination under oath. (Surrogates should be disallowed);

5) Local, State, Federal and Industry officials who will regulate and inspect all aspects of the fuel cycle pertaining to Permits Nos. CFPF-101 and CFPF-102 (Docket Nos. 50-387 and 50-388) should be directed to testify also under similar guidelines.

6) Pursuant to the Freedom of Information Act, et al, the intervening parties should be promptly furnished, free of charge, one true certified set of the complete NRC file, including: applications, correspondence, NRC staff reports, memorandums, safety and environmental studies and reports, legal documents, and any other pertinent government data relating to Permit Nos. CFPF-101 and CFPF-102; and Docket Nos. 50-387 and 50-388. (see post script for one example);

The Citizens believe that this request for public documents is reasonable, necessary and in the public interest.

In conclusion, the Citizens respectfully reminds the NRC that the United States General Accounting Office recently conducted an investigative study of the NRC and published a critical report to the Congress entitled: The Nuclear Regulatory Commission Needs to Aggressively Monitor And Independently Evaluate Nuclear Powerplant Construction. This report points out deficiencies at the NRC in the past, affecting, among other things, the public's right to be protected from nuclear dangers.

