

RELATED CORRESPONDENCE

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC LICENSING
AND SAFETY BOARD



In the Matter of)
)
BOSTON EDISON COMPANY, et al.,)
)
(Pilgrim Nuclear Generating)
Station, Unit 2))
_____)

Docket No.
50-471

MOTION OF THE COMMONWEALTH OF
MASSACHUSETTS FOR ENLARGEMENT OF
TIME WITHIN WHICH TO FILE THE
TESTIMONY OF WITNESS JAN BEYEA

The Intervenor Commonwealth of Massachusetts has today filed a motion to defer the evidentiary hearings on emergency planning and Class 9 accidents, hearings that are now scheduled to begin in Plymouth on August 27, 1979. It is the Commonwealth's position, as set forth in said motion, that recent events within the NRC and the rapidly changing groundrules on these two issues require postponement of the forthcoming hearings. If the Board does not act favorably the Commonwealth's motion to defer the hearings, however, then it is requested that the Commonwealth be allowed further time for the filing of testimony of its witness Jan Beyea, for the reasons set forth below.

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In support of its recently accepted contention with respect to emergency planning, the Commonwealth intends to introduce the testimony of Dr. Jan Beyea, a nuclear physicist at Princeton University. At the time Dr. Beyea was retained by the Commonwealth, he stated that he was also under contract with the President's Council on Environmental Quality (CEQ) to prepare a study of the accident at Three Mile Island, but at that time it appeared that he would have no trouble in both finishing the CEQ report and preparing his written testimony for the instant case, testimony that by recent order of the Board is now due on August 10, 1979.

On July 18, 1979 Dr. Beyea telephoned Assistant Attorney General Laurie Burt and informed her that the scheduled completion date of the CEQ report had been pushed back, primarily because of new and unexpected data being discovered in the course of the Three Mile Island investigation. Dr. Beyea's report to the CEQ is now due on August 15, 1979, and he informed Assistant Attorney General Burt that he will need at least until the beginning of September to adequately prepare testimony for the Commonwealth. Dr. Beyea must give priority to the CEQ report, which is in turn to be submitted to the President's Commission on the Three Mile Island accident.

Wherefore, Intervenor Commonwealth of Massachusetts requests that the time for filing Dr. Beyea's written testimony be extended to September 7, 1979, that his appearance as a witness be scheduled on or after September 21, 1979.

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Respectfully submitted,



FRANCIS S. WRIGHT
Assistant Attorney General
Environmental Protection Division
Public Protection Bureau
One Ashburton Place, 19th Floor
Boston, Massachusetts 02103
(617) 727-2265

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