

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



In the Matter of the Application of )  
Commonwealth Edison Company, )  
Interstate Power Company and Iowa- )  
Illinois Gas & Electric Company for )  
Construction Permit and Early Site )  
Review, Hearing, and Partial Initial )  
Decision on Site Suitability )

Docket Nos. S50-599  
S50-600

AMENDED PETITION FOR LEAVE TO INTERVENE  
AND REQUEST FOR HEARING

Pursuant to the notice of hearing in this proceeding, dated May 4, 1979, individuals acting on their own behalf and Citizens Against Nuclear Power, Inc., herein file this amended petition for leave to intervene, and for a hearing. This amended petition is filed by persons whose interests may be affected by these proceedings and whose participation will assist in developing a sound record, said amended petition being authorized by 10 C.F.R. Section 2.714(a)(3). The aspects of the subject matter of this proceeding as to which Petitioners seek to intervene are site suitability and issuance of construction permits.

I. The Petitioners

A. Individuals

James Runyon resides, is employed, and owns property in Rock Island, Illinois, about 40 miles south of the proposed site. Mr. Runyon is a member of Citizens Against Nuclear Power, Inc. (hereinafter "CANP"). Mr. Runyon has never participated in any proceeding before the Nuclear Regulatory Commission.

Edward Gogol resides and owns property in Chicago, Illinois, about 133 miles east of the proposed site. Mr. Gogol is a founding member of CANP, has participated in several proceedings before the Nuclear Regulatory Commission by making limited appearances therein, and is generally conversant with the subject of participating in such proceedings. Mr. Gogol is a graduate student at the University of Illinois, Public Health, and has studied the health effects of radiation on human beings. He has vigorously examined the subject of nuclear power and safety for several years. By reason of his knowledge and experience, Mr. Gogol is capable of adding substantially to the development of an adequate record in this case.

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## B. Citizens Against Nuclear Power

CANP is a not-for-profit Illinois corporation which is concerned with educating and protecting its members and the general public as to the environmental, economical, and physical safety hazards of nuclear power. CANP is comprised of approximately 400 active members, several of which reside and recreate in a forty mile radius of the proposed site: James Runyon and Mary Peifer both reside in Rock Island, Illinois; Marilyn Bos, Phyllis Hohenboken, and Arlan Dail each reside in Hillsdale, Illinois. CANP is capable of adding substantially to the development of an adequate record in this case because of its resources of manpower and finances, and the superiority of the same over those of the individual petitioners.

\* \* \* \*

Petitioners are aware that the State of Illinois and the Iowa Public Interest Research Group have filed Petitions to Intervene in these proceedings. However, Petitioners do not feel that other Petitioners can adequately represent their interests, as the Iowa PIRG represents concerns peculiar to Iowa and the Attorney General's office cannot represent the private interests of Petitioners herein nor conduct the educational activities carried out by the same. Petitioners Runyon, Gogol and CANP have substantially different interests, resources, backgrounds and expertise; however, each may add substantially to the development of an adequate record in these proceedings.

## II. Interests to be Affected

The interests involved here are the health, safety and physical and economic well being of each Petitioner.

This proceeding could result in determinations that there are demands for the provision of electricity in the magnitude called for by the Applicants and that the proposed site is acceptable for the construction of the proposed facilities. If these determinations are made, the property value and mental health and well being of the Petitioners could directly be affected adversely in the following manner. If these determinations are made, there is a substantial probability that the Applicants will receive licenses to construct, and ultimately, to operate two nuclear power facilities upon the Carroll County site. Said construction and operation will subject each Petitioner to the possibility of highly radioactive contamination via malfunction of the facilities, the normal production of radioactive waste products by the ordinary operation of the facilities, the utilization of the Mississippi River for cooling and other operational purposes, the transportation of said radioactive waste from the facilities, and via other means incidental to the operation of such facilities. The possibility of such hazards will adversely affect the mental and psychological health and well being of Petitioners. These dangers which

would flow from the construction and operation of the proposed facilities would also adversely affect the value of property owned by Petitioners. Because of the substantial probability that the applicants will receive licenses to construct and operate the facilities if Applicants are successful at this proceeding, Petitioners' mental and psychological health and well being, as well as their property values may be adversely affected by the outcome of said proceeding. The Petitioners are also interested in the development of an adequate and sound record as to the issues to be addressed in this proceeding, and believe they can contribute substantially to the development of such record for the reasons previously stated.

### III. Contentions

1. The following contentions deal with the applicants' projected demand for electricity:

a) In deriving peak load forecasts for the period 1979-2000, Applicants did not adequately account for decreased need for applicant-supplied electricity due to increased customer utilization of local solar heating devices, local solar hot water collectors, local photovoltaic cell-produced electricity and conservation measures;

b) In deriving peak load forecasts, Applicants did not adequately account for increased utilization of devices and measures described in contention 1.(a) through tax credits and other governmental incentives, decreased costs and increased efficiency of same;

c) In deriving peak load forecasts, Applicants did not adequately account for impact of cogeneration wind, natural gas, and other alternative sources of energy;

d) In deriving peak load forecasts, Applicant Commonwealth Edison estimated the output for the period 1988 through 2000 based upon simple extrapolation and not upon rigorous analyses. As the facilities are scheduled to be completed around 1988, it is essential that the most rigorous analysis be employed to ensure that the demand for electricity is not over or under estimated. Further, in its econometric modeling, and by its simple extrapolation using data accumulated since 1960, Commonwealth Edison has failed to adequately account for the substantially decreased rate of increase in demand of its customers. Since 1973, due to ever increasing costs and public awareness of the scarcity of certain fuel sources, including uranium and oil, there has been a notable drop in said rate and universal attempts at conservation. Our President has proclaimed "the moral equivalent of war" regarding this country's energy problems and has urged the implementation of conservation measures to combat these problems. The customers of Commonwealth Edison have responded to all these factors. From 1974 to 1978, the average annual increase in demand has been only



2.4%. Yet Commonwealth Edison predicts the demand of its customers to blindly increase at least 5.1% each and every year from 1979-2000, and the output over that period to increase by 300%. In making such predictions, Commonwealth Edison very clearly does not adequately account for the substantially slowed-down growth rate it has experienced since the key year of 1973;

e) In deriving peak load forecasts, Applicants do not identify the customers who are to utilize power to be furnished by the proposed facilities. Rather Applicants perform their statistical analysis on figures relating to their respective statewide sales, including municipal areas such as those including and surrounding Chicago. As such, Applicants fail to adequately account for possible differences between the rate of increase or decrease of consumption in the primarily rural area to be serviced by the proposed facilities, and those rates in the overall statewide areas utilized in applicants' load calculations.

2. Applicants fail to adequately consider alternative sources of energy, especially that of coal-fired power plants. By 1987, the year the proposed facilities will be ready to go on line, the cost per kilowatt hours of nuclear-powered electricity will be approximately 60% more expensive than that of coal-powered electricity. Further, Applicants have failed to adequately consider the consequences of bypassing this alternative, as the world supply of uranium may be wholly depleted prior to the cessation of the expected lifetime of the facilities, and Applicants' customers may face serious brownouts or service interruptions as a direct result thereof.

3. Applicants have not demonstrated that they have the capital required or are otherwise financially qualified to build the facilities.

4. The oldest commercial nuclear power reactor is Dresden I, which is approaching an age of 20 years. The proposed decontamination of Dresden I piping, necessary for continued operation of the Dresden plant, is as yet undemonstrated; there is no assurance that it will work. Hence there is no assurance that the operating life of the Carroll County plants will be 40 years (as assumed by Applicants), or that it will even approach that figure. Therefore, any overall summary cost-benefit analysis for the station which assumes a 40-year operating life is invalid.

5. The recent history of applicant Commonwealth Edison rate hike requests, and the motivations for them, indicates that construction of the Carroll County nuclear plants will require large rate increases. Thus the construction of the Carroll County plant will impose severe financial hardships on large sectors of our society--especially those poor people whose finances are strained to the breaking point as a result of the continuing inflation.

6. Construction of the Carroll County plant will tie up large amounts of capital, which will not be serving any useful purpose since the need for the power from Carroll County has not been demonstrated. This capital could be more profitably invested in other sectors of the economy in which there is a demonstrated need for new growth. Since nuclear power is one of the most capital-intensive and the least labor-intensive of the sectors of our economy, building the Carroll County plant will result in a net loss of jobs. Were the capital Applicants propose to invest in the construction and operation of alternative sources of electricity such as photovoltaic cells, wind turbines, fluidized-bed boilers, and cogeneration and other conservation technologies, the number of jobs created would be far greater than if that capital is invested in the Carroll County plant.

7. Applicants have not indicated how much spent fuel will be stored on site, nor for how long it will be stored there.

8. Applicants have not indicated the specific place the spent fuel from Carroll County will be taken to. Currently there is only one place in the U. S. which accepts shipments of spent fuel--General Electric's Morris Operation, 50 miles southwest of downtown Chicago. There is no assurance of the continued operation of the Morris Operation, not of any room in the Morris Operation in the event of its continued operation, nor of the creation of any other repositories for spent fuel.

Furthermore, there is no demonstrated technology for treatment and ultimate safe disposal of these spent fuel wastes, and there is no assurance that such a technology will ever be found.

Therefore, it is entirely possible that the Carroll County plant will become a permanent high-level radioactive waste dump. There is no provision in the regulations for the NRC to grant applicants a license for creating a permanent high-level radioactive waste dump.

9. Applicants have not indicated where the radioactive wastes produced by Carroll County will be taken. Although there are several sites currently operating for the burial of these wastes, there is no assurance that these will continue to operate. (These sites could be found to fail to meet current NRC safety standards, or the standards could be changed to require other methods of disposal.) There is no assurance that any other burial sites will be licensed. Therefore, the Carroll County plant could become a permanent low- and intermediate-level radioactive waste dump, and this possibility is not allowed for in NRC regulations.

10. Applicants have not indicated how decommissioning the plant will be carried out. The successful decommissioning of such a large nuclear plant has never before been attempted or completed. Thus there is no assurance that Applicants will be able to successfully decommission the plant.

11. Since the ultimate methods of disposal of the spent fuel and other radioactive wastes produced by the Carroll County plant is not known, there is no way that the costs of such disposal can be known. Since the ultimate method of decommissioning of the plant is not known, there is no way that the costs of such decommissioning can be known. Since these costs are unknown, there is no assurance that they will not be much larger than Applicants projected. Hence, much larger rate increases will be needed to pay for the ultimate cost of the Carroll County plant, and any summary cost-benefit analysis produced before the exact magnitude of these costs are known must be invalid.

12. The recent disclosures concerning health and safety conditions at Commonwealth Edison's uranium mine and mill in Colorado indicate that Com Ed may be unable to obtain fuel for the Carroll County plant without causing unacceptable releases of tailings-originated radioactivity to the environment and without causing unacceptable radiation exposures to the workers in the uranium mine and mill. Applicant Commonwealth Edison has presented no evidence that it will safely be able to obtain fuel for the Carroll County plant.

13. The accident record of U. S. commercial nuclear power reactors indicates a strong possibility of meltdown of the Carroll County reactor cores, if they are built. Reactors which have either suffered severe accidents and/or came close to meltdowns include the Fermi I reactor (partial core meltdown, 1966), the Browns Ferry reactors (fire leading to disabling of the cooling systems, 1975), the Duane Arnold reactor (cracks discovered in main coolant inlet pipes, 1977), and the Three Mile Island II reactor (loss of coolant accident, 1979). A catastrophic accident could result in the atmospheric release of substantial fractions of the reactors fission product inventory, leading to radiation levels high enough to cause acute radiation sickness among thousands of people, and epidemics of cancers, birth defects, and genetic diseases in the following years. The consequences of such an accident are unacceptable, and regulations do not allow the licensing of plants which can result in such catastrophic outcomes.

14. The Price-Anderson Act is inadequate to provide full insurance coverage for such accidents, and Applicants are unable and unwilling to obtain insurance to cover the full costs and consequences of catastrophic accidents involving Carroll County. Government estimates indicate that a catastrophic accident could cause damages to property in the range of tens of billions of dollars.

15. Illinois has no federally approved plan for evacuating populations in the event of catastrophic accident. No such plans exist for the Carroll County area, and it is likely that no suitable evacuation plan will be found.

#### IV. Conclusion

Petitioners attach their respective affidavits to this amended petition and incorporate the same by reference.

Wherefore, for the foregoing reasons, Petitioners respectfully request leave to intervene herein and request a hearing on the matters contained in this petition.

Respectfully submitted,

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Edward Gogol,  
individually and on behalf  
of and as Director of Citizens  
Against Nuclear Power, Inc.,  
Box 6625, Chicago, IL

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James Runyon,  
Box 307, Rock Island, IL



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NUCLEAR REGULATORY COMMISSION

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| Review, Hearing, and Partial Initial | ) |                     |
| Decision on Site Suitability         | ) |                     |

A F F I D A V I T

I, Edward Gogol, Petitioner in the foregoing petition, and as Director and on behalf of Citizens Against Nuclear Power, Inc., also a Petitioner herein, being duly sworn and under oath, do hereby state:

- 1) that I am a resident of Chicago, Illinois, mailing address being Box 6625, Chicago, Illinois;
- 2) that I am a Director of Citizens Against Nuclear Power, Inc., and am duly authorized to act on its behalf, and that the mailing address of said organization being Box 6625, Chicago, Illinois;
- 3) that I have read the foregoing petition and am familiar with the contents thereof, and that said contents are true and correct to the best of my knowledge.

\_\_\_\_\_  
Edward Gogol

Subscribed and sworn to before  
me this \_\_\_\_ day of \_\_\_\_\_,  
1979.

\_\_\_\_\_  
Notary Public

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(SEAL)



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A F F I D A V I T

I, James Runyon, Petitioner in the foregoing petition,  
being duly sworn and under oath, do hereby state:

1) that I am a resident of Rock Island, Illinois, mail-  
ing address being Box 307, Rock Island, Illinois;

2) that I have read the foregoing petition and am famil-  
iar with the contents thereof, and that said contents are true and  
correct to the best of my knowledge.

\_\_\_\_\_  
James Runyon

Subscribed and sworn to before  
me this \_\_\_\_ day of \_\_\_\_\_,  
1979.

\_\_\_\_\_  
Notary Public

(SEAL)

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PROOF OF SERVICE

I, Jan L. Kodner, attorney for Petitioners herein, do hereby certify that I filed this Amended Petition by mailing the same to the following parties on the \_\_\_\_ day of \_\_\_\_\_, 1979:

Secretary, U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555  
Attention: Chief, Docketing & Service Section

Staff, Nuclear Regulatory Commission  
Washington, D. C. 20555  
Attention: Mr. Steven Goldberg, Esq.

Phillip Steptoe, Esq.  
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Attorney General, State of Illinois  
188 W. Randolph  
Chicago, IL

James R. Schwab  
Iowa Public Interest Research Group, Inc.  
Memorial Union, Room 36  
Iowa State University  
Ames, Iowa 50010

PLEASE SERVE & ADDRESS  
CORRESPONDENCE TO:

\_\_\_\_\_  
Jan L. Kodner  
Attorney for Petitioners,  
230 W. Monroe, Suite 2026,  
Chicago, IL 60626

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