

The SASSAFRAS AUDUBON SOCIETY
of LAWRENCE - GREENE - MONROE - BROWN -
MORGAN & OWEN COUNTIES
INDIANA



September 4, 1979

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Denton:

With reference to your letter of August 15, 1979, we accepted your assertion that the suspension of certain construction activities at Marble Hill by the Office of Inspection and Enforcement (NRC) under the ORDER CONFIRMING SUSPENSION OF CONSTRUCTION, while granting our petition of June 29, 1979, in one respect, did not automatically establish our right to a Hearing under the Order itself.

Therefore, we have sent to Mr. Victor Stello, Jr., Director, Office of Inspection and Enforcement (IE), a request for a Hearing presenting arguments to support the contention that our interest, synonymous with that of the public health and safety, would be affected were certain provisions of the Order sustained.

We included in our Request to Mr. Stello a list of questions concerning the Report of the National Board of Boiler and Pressure Vessel Inspectors to the American Society of Mechanical Engineers (ASME). This seemed a proper place to include them and by so doing we consider our statement in the letter to you of July 27, 1979, "...we will file a detailed listing of concerns with the NRC." to be fulfilled.

We should also like to add several items to the list of those we submitted to you on June 29, 1979 (Request to Suspend, page 2), stating that they justified a Hearing on Marble Hill.

1) SITING CRITERIA

Limestone water-bearing layers underly the Marble Hill site and the entire regional area. The strata are porous and faulted. Workers on-site, as well as observers in a helicopter above the site, have observed what would appear to be "ground-water problems" at Marble Hill.

Mr. Charles Cutshall described in an affidavit an instance in which water was leaking into a concrete structure for a long period of time at a point where the wall joined the floor. As far as we know this was not reported by an NRC inspector, although an inspector was present when the water was running through the structure.

Southern Indiana has had heavy summer rains (1979) and the helicopter was assigned to assess the extent of the flood waters when certain observations were made.

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The Advisory Committee on Reactor Safeguards (NRC) was concerned with

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the issue of ground water as related to the siting of nuclear reactors at their July 12, 1979 meeting, for the Three Mile Island accident had made the idea of a meltdown going through the floor of the containment building a definite possibility. The Advisory Committee discussed steam explosions resulting from the core melting through the floor of a containment building and hitting the water table causing a burst of steam to throw radioactive materials into the atmosphere and exacerbate the consequences of a Class 9 accident. Advisory Committee members said that it would be advisable to research the safety consequences of having moving ground water under a nuclear plant. The potential consequences of such an accident on the Ohio River takes little imagination to visualize.

The burden of proof of demonstrating whether ground water problems do or do not exist at Marble Hill should not be on the public. A hearing on safety problems would, however, give the public the opportunity to raise this concern, learn what the facts of the situation are, and determine whether a study is needed.

2) SITE EVACUATION

Can Madison, Indiana be evacuated in case of a Class 9 accident or any accident involving a significant release of radiation? This question has grown in stature since Three Mile Island and the initial Hearing on Marble Hill.

Anyone familiar with the roads which lead in and out of Madison, Indiana, know their potential for slowing traffic many hours of the day and under the best of circumstances.

The House Government Operations Committee Report on Emergency Planning for Nuclear Accidents (August 1979) recommends that a FULL SCALE STUDY BE MADE OF THE FEASIBILITY OF EVACUATION AT EACH US NUCLEAR PLANT. We ask that such a study be made for Marble Hill as soon as possible and that the issue of site evacuation be considered at a full-scale safety hearing on Marble Hill prior to consideration of whether safety-related construction should resume at Marble Hill.

3) IS MARBLE HILL NEEDED? AND WHAT WILL BE THE COST?

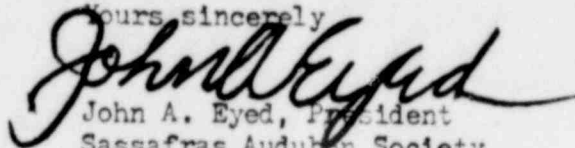
PSI's rationale for Marble Hill has always been based on highly inflated growth rates of future electric consumption. By 1979, PSI had lowered their estimate to a 6% growth rate, still far above less-biased growth-rate estimates. Many groups are working to establish energy conservation programs in Indiana which will negate the need for Marble Hill completely as far as Indiana citizens are concerned.

While the growth rate of electrical consumption is declining, the cost of construction of a nuclear plant is rising sharply. The Nuclear Regulatory Commission approved Marble Hill's Units 1 and 2 at a projected cost of \$1.4 billion while the total cost at completion is likely to be approximately \$4 billion based on the I.U. Bupp, et al, study of Trends in Light Water Reactor Capital Costs in the United States: Causes and Consequences, Center for Policy Alternatives, Massachusetts Institute of Technology, Cambridge, MA, December 18, 1974.

If Marble Hill is not needed, and promises to be an excessive economic burden to the ratepayers, should construction be allowed to continue?

The Sassafras Audubon Society strongly protests the decision of the Nuclear Regulatory Commission to restrict a possible Hearing on the Marble Hill Project to the failure of PSI to institute a quality assurance program for the construction of Marble Hill. The poor-quality construction of critical buildings has caused a potentially dangerous situation, but the shortcutting of quality construction is symptomatic of deeper ills which warrant a full-scale Hearing of public concerns. We request the Atomic Safety and Licensing Appeal Board to hold a Hearing on whether the construction license of Marble Hill should be revoked.

Yours sincerely



John A. Eyed, President
Sassafras Audubon Society
10 O'clock Ridge Road
Nashville, Indiana 47448

ccs: Marble Hill service list

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INDIANA



June 29, 1979

*check and
copy of signed letter
to be sent on back*

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

TO: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

RE: Public Service Indiana, Inc.
(Marble Hill Nuclear Generating Station,
Units 1 & 2

)
) Docket Nos. STN 50-546
50-547

A REQUEST TO SUSPEND AND REVOKE CONSTRUCTION PERMIT AND TO REOPEN SAFETY HEARINGS
ON MARBLE HILL NUCLEAR GENERATING STATION

The Sassafras Audubon Society petitions the Director of Nuclear Reactor Regulation pursuant to 10 CFR 2.206 of the Nuclear Regulatory Commission's Regulations to suspend and revoke the construction license for Marble Hill Nuclear Generating Station, Units 1 & 2, and reopen safety hearings on said facility.

Major environmental, health, and safety concerns relative to the construction and operation of Marble Hill have developed since issuance of the construction license. These concerns have either not been addressed, or addressed superficially, at previous hearings, by the Final Environmental Impact Statement, the Preliminary Safety Analysis Report, the Environmental Report-Operating License Stage, and the Final Safety Analysis Report.

According to the decision of the U.S. Court of Appeals, District of Columbia, regarding section 136(a) of the Atomic Energy Act and section 50.100 of 10 CFR in Ft. Pierce Utilities v. United States of America and the Nuclear Regulatory Commission, newly revealed environmental, health, and safety problems constitute valid grounds for a post-construction licensing review "under evolving licensing standards, rather than under the standards applicable when the license was issued", and for asking the Nuclear Regulatory Commission to suspend and revoke a construction permit.

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We seek to be heard at a meaningful point in an early stage of construction, as to whether continued construction in suspension of the construction license, pending consideration of public concerns, "around the clock", 24 hours-a-day, 7 would constitute justice denied.

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Appendix 1

DUPLICATE DOCUMENT

Entire document previously
entered into system under:

ANO 7907100559

No. of pages: 13