



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	§	
	§	
HOUSTON LIGHTING & POWER COMPANY	§	Docket No. 50-466
	§	
(Allens Creek Nuclear Generating	§	
Station, Unit 1)	§	

APPLICANT'S RESPONSE TO  
CONTENTIONS OF JUDITH A. DURKIN

Applicant files this response to the four contentions<sup>\*/</sup> of Judith A. Durkin.

In Contention 1, Petitioner states that she is concerned with low level radiation. She fails, however, to provide any specific basis for the concern as required by 10 CFR § 2.714. Moreover, it appears that Petitioner may be seeking to challenge the Commission's regulations in 10 CFR Part 50, Appendix I. If so, she has not demonstrated any "special circumstances" as required by 10 CFR § 2.758. The contention should be dismissed.

---

\*/ The Durkin contentions appear to be untimely. Although the contentions are dated September 14, 1979, they were not received and docketed by the NRC Docketing and Service Section until October 3, 1979. If mailed on September 14, it seems unlikely that the filing would take 19 days to reach the NRC in Washington.

1292 120

7911070 385

G

Likewise, Contention II, which suggests solar energy as an alternative, lacks the requisite specificity and basis as required by the Commission's regulations. In addition, Petitioner has failed to allege that this alternative is environmentally preferable to the proposed ACNGS. Consumers Power Co. (Midland Plant, Units 1 and 2), ALAB-458, 7 NRC 155, 162-63 (1978). The contention should be rejected.

Contention III, which raises a concern about flooding, lacks both specificity and basis and further, was extensively dealt with in the Board's Partial Initial Decision, ¶26-33. Petitioner has made no showing why these findings should be reconsidered. Therefore, this contention should be rejected.

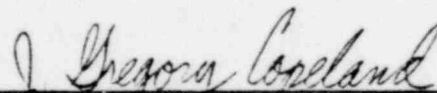
Contention IV relating to real estate values is an economic concern which is not cognizable in this proceeding. February 9 Order Ruling on Intervention Petitions, page 18 and cases cited therein. Accordingly, it should be dismissed.

Respectfully submitted,

OF COUNSEL:

BAKER & BOTTS  
3000 One Shell Plaza  
Houston, Texas 77002

LOWENSTEIN, NEWMAN, REIS,  
AXELRAD & TOLL  
1025 Connecticut Ave., N.W.  
Washington, D. C. 20036

  
\_\_\_\_\_  
J. Gregory Copeland  
C. Thomas Biddle, Jr.  
Charles G. Thrash, Jr.  
3000 One Shell Plaza  
Houston, Texas 77002

Jack R. Newman  
Robert H. Culp  
1025 Connecticut Ave., N.W.  
Washington, D. C. 20036

ATTORNEYS FOR APPLICANT  
HOUSTON LIGHTING & POWER COMPANY

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	\$	
	\$	
HOUSTON LIGHTING & POWER COMPANY	\$	Docket No. 50-466
	\$	
(Allens Creek Nuclear Generating	\$	
Station, Unit 1)	\$	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Applicant's Response to Contentions of Judith A. Durkin in the above-captioned proceeding were served on the following by deposit in the United States mail, postage prepaid, or by hand-delivery this 12th day of October, 1979.

Sheldon J. Wolfe, Esq., Chairman  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. E. Leonard Cheatum  
Route 3, Box 350A  
Watkinsville, Georgia 30677

Mr. Gustave A. Linenberger  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Chase R. Stephens  
Docketing and Service Section  
Office of the Secretary of the  
Commission  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

R. Gordon Gooch, Esq.  
Baker & Botts  
1701 Pennsylvania Avenue, N. W.  
Washington, D. C. 20006

Richard Lowerre, Esq.  
Assistant Attorney General  
for the State of Texas  
P. O. Box 12548  
Capitol Station  
Austin, Texas 78711

Hon. Charles J. Dusek  
Mayor, City of Wallis  
P. O. Box 312  
Wallis, Texas 77485

Hon. Leroy H. Grebe  
County Judge, Austin County  
P. O. Box 99  
Bellville, Texas 77418

Atomic Safety and Licensing  
Appeal Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

Steve Sohinki, Esq.  
Staff Counsel  
U. S. Nuclear Regulatory  
Commission  
Washington, D. C. 20555

John F. Doherty  
4327 Alconbury St.  
Houston, Texas 77021

Madeline Bass Framson  
4822 Waynesboro Drive  
Houston, Texas 77035

Robert S. Framson  
4822 Waynesboro Drive  
Houston, Texas 77035

Carro Hinderstein  
8739 Link Terrace  
Houston, Texas 77025

D. Marrack  
420 Mulberry Lane  
Bellaire, Texas 77401

Brenda McCorkle  
6140 Darnell  
Houston, Texas 77074

F. H. Potthoff, III  
7200 Shady Villa, #110  
Houston, Texas 77055

Wayne E. Rentfro  
P. O. Box 1335  
Rosenberg, Texas 77471

James M. Scott, Jr.  
8302 Albacore  
Houston, Texas 77074

Charles Perez  
1014 Montrose Blvd.  
Houston, Texas 77019

Nancy L. Durham  
Box 328  
Simonton, Texas 77476

Mrs. Karen L. Stade  
P. O. Box 395  
Guy, Texas 77444

Gayle De Gregori  
2327 Goldsmith  
Houston, Texas 77030

Jon D. Pittman, Sr.  
2311 Bamore  
Rosenberg, Texas 77471

Mrs. W. S. Cleaves  
8141 Joplin Street  
Houston, Texas 77017

Ms. Ann Wharton  
1424 Kipling  
Houston, Texas 77006

Vesta Eidman  
1117 River Bend Drive  
Houston, Texas 77063

Ms. Kathy Mohnke  
1411 Lamonte  
Houston, Texas 77018

Mr. James H. Robinson  
1228 Bomar  
Houston, Texas 77024

Dick Day  
3603 Drummond  
Houston, Texas 77025

Ms. Bonny Wallace  
614 Meadowlawn  
LaPorte, Texas 77571

Niami Hanson  
6441 1/2 Mercer  
Houston, Texas 77005

Elinore P. Cumings  
Route 1, Box 138V  
Rosenberg, Texas 77471

Mr. & Mrs. Bruce A. Palmiter  
P. O. Box 183  
302 South Missouri Street  
Orchard, Texas 77464

Fern Barnes  
2406 Morning Glory  
Pasadena, Texas 77503

Jeanne Robertson  
23 Nueces Street  
Bay City, Texas 77417

Eugene E. Mueller  
15602 Corsair Rd.  
Houston, Texas 77053

J. Michael Ancarrow  
4130 Bell  
Houston, Texas 77023

John Beverage  
Jeanette Beverage  
13031 Harwin  
Houston, Texas 77072

Barabara Blatt  
4314 1/2 Bell  
Houston, Texas 77023

Laura Brode  
5422 Olana Dr.  
Houston, Texas 77032

James D. Chilcoat  
4310 Bell  
Houston, Texas 77023

Gabriella Cosgriff  
5203 Crystall Bay  
Houston, Texas 77043

Abraham Davidson  
704 Hyde Park  
Houston, Texas 77006

J. Cl. De Bremaecker  
2128 Addison  
Houston, Texas 77030

Robert C. Kuehm  
Rachael Kuehm  
1155 Curtin  
Houston, Texas 77018

William Schuessler  
5810 Darnell  
Houston, Texas 77074

Dana Erichson  
Pat Erichson  
327 Hedwig  
Houston, Texas 77024

Stephen A. Doggett, Esq.  
P. O. Box 592  
Rosenberg, Texas 77471

Bryan L. Baker  
1118 Montrose  
Houston, Texas 77019

J. Morgan Bishop  
Margaret Bishop  
11418 Oak Spring  
Houston, Texas 77043

Janice Blue  
1708 Rosewood  
Houston, Texas 77004

Stephanie M. Brown  
3510 E. Broadway #612  
Pearland, Texas 77518

Carolina Conn  
1414 Scenic Ridge  
Houston, Texas 77043

Fortes Johnston  
1407 Scenic Ridge  
Houston, Texas 77043

Gregory J. Kainer  
11118 Wickwood  
Houston, Texas 77024

Barbara Karkabi  
1917 Wentworth  
Houston, Texas 77004



T. E. Elder  
2205 Hazard  
Houston, Texas 77019

Helen Foley  
3923 Law #16  
Houston, Texas 77005

Mary L. Fuller  
614 Bienville  
Houston, Texas 77015

Barbara J. Ginn  
4309 Bell  
Houston, Texas 77023

Robin Griffith  
1034 Sally Ann  
Rosenberg, Texas 77471

Marjorie A. Gurasich  
Rt. 1, Box 410  
Wallis, Texas 77405

W. Matthew Perrenod  
4070 Merrick  
Houston, Texas 77025

Dorothy J. Ryan  
4309 Bell  
Houston, Texas 77023

Glen Van Slyke  
1739 Marshall  
Houston, Texas 77098

Marlene R. Warner  
6026 Beaudry  
Houston, Texas 77035

Jeffery R. West  
10903 Sageberry  
Houston, Texas 77039

Darby T. Sidie  
1509 South Post Oak Ln. Apt 4A  
Houston, Texas 77056

Rosemary N. Lemmer  
11423 Oak Spring  
Houston, Texas 77043

Laura Lewis  
1203 Bartlett #4  
Houston, Texas 77006

Susan S. McGuire  
8837 Larston  
Houston, Texas 77055

Frances Pavlovic  
111 Datonia  
Bellaire, Texas 77401

Virginia Perrenod  
2704 Beatty #112  
Houston, Texas 77023

Connie Wilson  
11427 Oak Spring  
Houston, Texas 77043

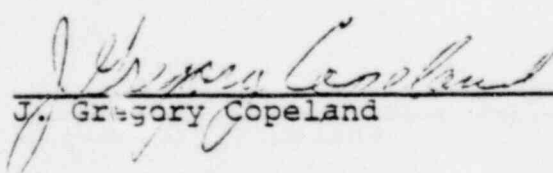
James R. Piepmeier  
618 West Drew  
Houston, Texas 77006

Patricia L. Strelein  
Route 2, Box 395-C  
Richmond, Texas

D. B. Waller  
1708 Kipling  
Houston, Texas 77098

Ron Waters  
3620 Washington Ave., No. 362  
Houston, Texas 77007

Dorothy F. Carrick  
Box 409 Wagon Rd. Rfd. #1  
Wallis, Texas 77045

  
J. Gregory Copeland