

# Forelaws on Board

*Our conscience teaches us it is right,  
our reason teaches us it is useful,  
that men should live according to  
the Golden Rule.*

*W. Winwood Reade*

19142 S. Bakers Ferry Rd.  
Boring, Oregon 97009  
(503) 637-3549

## \*THE FOUR LAWS OF ECOLOGY

1. Everything is connected to everything else.
2. Everything must go somewhere.
3. Nature knows best.
4. There is no such thing as a free lunch.

\* Reprinted by permission from THE CLOSING CIRCLE  
by Barry Commoner, a Boreas Book, published by  
Alfred A. Knopf, Inc.

## UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD  
Before Administrative Judges:  
Ivan W. Smith, Chairman  
Dr. Walter M. Jordan  
Dr. Oscar M. Paris

In the Matter of

PORTLAND GENERAL ELECTRIC COMPANY

(Pebble Springs Nuclear Plant,  
Units 1 and 2)

Docket Nos. 50-514  
50-515

April 15, 1982

### FORELAWS ON BOARD MOTION      TERMINATE FURTHER HEARINGS IN THIS PROCEEDING AND TO DENY THE PEBBLE SPRINGS LICENSING APPLICATION

Forelaws On Board, pursuant to 10 CFR 2.730 and 2.749, hereby moves the Atomic Safety and Licensing Board to terminate further hearings in this proceeding and to deny the Pebble Springs Licensing Application before the Nuclear Regulatory Commission of the United States of America.

### STATEMENT OF MATERIAL FACTS

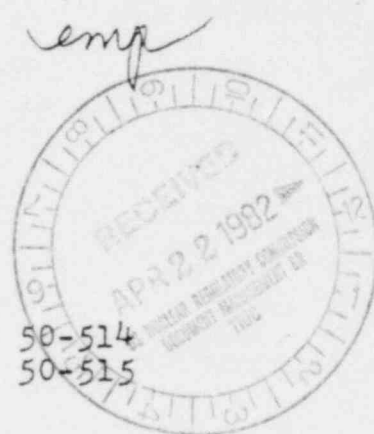
On April 12, 1982, Portland General Electric, through its counsel Warren Hastings, transmitted a letter notifying the Board of the withdrawal of "its Application to the State of Oregon for a Site Certificate for the Pebble Springs Nuclear Plant." Attached to PGE's letter is a copy of the Oregon Energy Facility Siting Council's April 9, 1982 Order in which the Council stated:

A REVERENCE FOR ALL LIFE   •   THE GOLDEN RULE   •   THE FOUR LAWS OF ECOLOGY

GUIDELINES OF CREATIVE ENVIRONMENTALISM

FORELAWS ON BOARD

820423 0567



DS03  
1/6

(1) All further proceedings in the Pebble Springs site certificate application pending before the Council are hereby terminated;

(2) The application by the Portland General Electric Company for a site certificate is hereby denied; and

(3) The Portland General Electric Company is directed to advise the Federal Nuclear Regulatory Commission of the action taken by this Council in order to obviate the need for the hearing scheduled for April 20, 1992, and it is further ordered that the Portland General Electric Company take such action before the Federal Nuclear Regulatory Commission to carry out the intention of this order.

In addition, Portland General Electric "enclosed for the Board's and Staff's information a copy of an Order of the Oregon Public Utility Commissioner directing Portland General Electric Company to write off its financial investment in such plant or to show cause why it should not be required to do so."

Portland General Electric's response to the Orders of both the Oregon Energy Facility Siting Council and the Oregon Public Utility Commissioner has been to inform this Board that "the Application to the Nuclear Regulatory Commission for a Construction Permit for these units is not being withdrawn since the project could be continued at another location in another state." (emphasis added). Forelaws On Board contends that this action on the part of PGE is contrary to the intent of the Orders expressed above.

The Pebble Springs Application has been denied by the State of Oregon and all further hearings terminated. Portland General Electric cannot obtain a license to construct the Pebble Springs plants in Oregon. Thus the Application before the Nuclear Regulatory Commission has been rendered moot and any further licensing proceedings should be terminated with the Board's denial of the Pebble Springs Application. If Portland General Electric or any other so-called Applicant intends to locate

these proposed nuclear plants "at another location in another state" they may do so by reapplying with a new application before the Nuclear Regulatory Commission. To allow this Application to languish before this Board any longer is to prejudice our interests as a party to this proceeding as well as the overall public interest. (10 CFR 2.759).

Thus we pray that the Board end these protracted hearings and deny this Application as being without further merit.

Respectfully submitted,



---

Lloyd K. Marbet  
Forelaws On Board

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )

PORTLAND GENERAL ELECTRIC )  
COMPANY, ET AL. )

(Pebble Springs Nuclear Plant, )  
Units 1 and 2) )

Docket Nos. 50-514

50-515 20 1982

*emp*

CERTIFICATE OF SERVICE

I hereby certify that copies of "Forelaws On Board Motion to <sup>1</sup> minute Further Hearings in this Proceeding and to Deny the Pebble Springs Licensing Application" dated April 15, 1982 in the above captioned proceedings have been served on the following by deposit in the United States mail, first class, this 15th day of April, 1982:

Mr. Ivan W. Smith, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Dr. Oscar H. Paris  
Atomic Safety & Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Walter M. Jordan  
881 West Outer Drive  
Oak Ridge, TN 37830

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

Atomic Safety & Licensing  
Appeal Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Bernard H. Lordenick, Esq.  
Counsel for PGES  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

James W. Durham, Esq.  
Warren Hastings, Esq.  
Portland General Electric Company  
121 SW Salmon St., TB17  
Portland, Oregon 97204

Frank W. Ostrander, Jr., Esq.  
Department of Justice  
520 SW Yamhill  
Portland, Oregon 97204

J. Carl Freedman  
Box 553  
Cannon Beach, Oregon 97110

Frank Josselson, Esq.  
William L. Hallmark, Esq.  
R. Elaine Hallmark, Esq.  
1 SW Columbia, 8th Floor  
Portland, Oregon 97258

Kathleen H. Shea, Esq.  
Lowenstein, Newman, Reis, & Axelrad  
1025 Connecticut Ave., N.W.  
Washington, DC 20036

Docketing and Service Section \*  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

*Lloyd K. Harbet*  
Lloyd K. Harbet  
Forelaws On Board