

6/12/82

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
Louisiana Power & Light Company	)	
(Waterford Steam Electric	)	Docket No. 50-382
Station, Unit No.3)	)	

JOINT INTERVENORS MOTION TO RECONSIDER  
ATOMIC SAFETY AND LICENSING BOARD  
ORDER OF SEPTEMBER 13, 1979 AND  
RULING OF MAY 12, 1982, TO REOPEN  
OPERATING LICENSE HEARINGS AND/OR  
HOLD NEW OPERATING LICENSE HEARINGS

Now into court comes Joint Intervenors, Save Our Wetlands and Oystershell Alliance, and upon suggesting the Atomic Safety and Licensing Board (ASLB) that its ruling of September 13, 1979 excluding Joint Intervenors contentions 10, 11, 13, and 14 and that its ruling of May 12, 1982 overruling Joint Intervenors motions to keep the record open and to hold further hearings on nuclear wastes are erroneous and in violation of the Administrative Procedures Act, the National Environmental Protection Act, The Atomic Energy Act, and all acts amendatory thereof, for reasons including but not limited to all reasons set forth in Natural Resources Defense Council v. United States Nuclear Regulatory Commission and United States of America; Baltimore Gas and Electric et al [74-1586] and Consolidated Cases nos. 77-1448, 79-2110, and 79-2131, which decision is hereby incorporated herein as if copied and set forth herein in extenso, and were in violation of petitioners 5th Amendment rights to due

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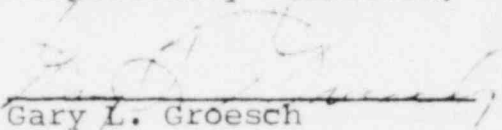
Joint Intervenors' participation will broaden the issues since neither Applicant nor Staff has raised questions concerning numerous and huge uncertainties in the disposal of high-level and transuranic wastes.

Joint Intervenors motion is not advanced for dilatory purposes. Joint Intervenors' participation as a party in the hearings on all aforementioned contentions is necessary to complete the record and resolve issues which must be dealt with as a pre-condition to this Board making its recommendation and the NRC making its decision whether to grant an operating license.

In the alternative only that the NRC finds that any of the aforementioned contentions is untimely, petitioners move that the record be reopened and hearings held on such contentions pursuant to 10 CFR 2.714 (a) (i-v) and 10 CFR 2.714 (d) and all other pertinent regulations and laws of the United States for the aforementioned reasons and:

- (a) The recentness of the NRDC v. USNRC and USA, et al. decision declaring NRC regulation on high-level and transuranic waste disposal invalid and illegal.
- (b) the magnitude of the waste problem. [see NRDC v. USNRC et al. (Edwards, J. concurring)].
- (c) the magnitude of the risk to the public from high-level and transuranic wastes from Waterford 3 [see NRDC v. NRC et al. (Edwards, J. concurring)].
- (d) to restore public confidence in the integrity and fairness of the Nuclear Regulatory Commission's Licensing Process and to allay public concern that the NRC hearing process is not concerned with the health and safety of the people of Louisiana.

Respectfully submitted,

  
Gary L. Groesch

Acting Counsel for Joint Intervenors



