

July 14, 1983

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board



In the Matter of)
DUQUESNE LIGHT COMPANY, ET AL.) Docket No. 50-412
(Beaver Valley Power Station,) (Operating License)
Unit 2))

APPLICANTS' ANSWER TO ENVIRONMENTAL
COALITION ON NUCLEAR POWER REQUEST
FOR OPERATING LICENSE HEARING AND
PETITION FOR LEAVE TO INTERVENE THEREIN

By filing dated June 30, 1983, Environmental Coalition on Nuclear Power ("ECNP") submitted its "Request for Operating License Hearing and Petition for Leave to Intervene Therein". Applicants respectfully submit that ECNP has not made the requisite showing of interest required by 10 C.F.R. §2.714.

While ECNP has named a number of individuals claimed to be members of the organization and has generally averred that they "reside well within the fifty-mile radius of Beaver Valley, Unit 2", more is required to demonstrate standing under the standards established by the Commission. An organization can establish standing through its members whose interests may be affected. Public Service Co. of Indiana (Marble Hill Nuclear Generating Station, Units 1 and 2), ALAB-322, 3 N.R.C. 238, 330 (1976).

To satisfy this requirement,

[B]oth the Board and the other parties were entitled to be provided with sufficient information to enable them to determine for themselves, by independent inquiry if thought warranted, whether a basis existed for a formal challenge to the truthfulness of the assertions in the. . . petition.

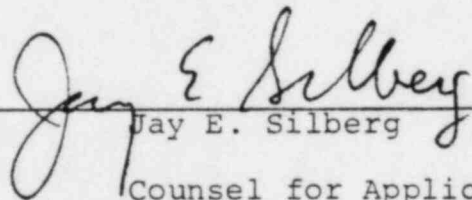
Houston Lighting and Power Co. (Allens Creek Nuclear Generating Station, Unit 1), ALAB-535, 9 N.R.C. 377, 393 (1979) (emphasis in original). Each identified member must "explicitly identify the nature of the invasion of [the member's] personal interest which might flow from the proposed licensing action." Id. at 393. The mere fact that an individual lives "in close proximity" to the reactor in question is not enough to confer standing. The names and addresses of individual members must be provided. Id. And the individual members must confirm that they have authorized ECNP to represent their interests in the proceeding. Id. at 396. In addition to having failed to demonstrate its standing to intervene as a matter of right, ECNP has made no attempt to satisfy the discretionary intervention standards established by the Commission in Portland General Electric Co. (Pebble Springs Nuclear Plant, Units 1 and 2), CLI-76-27, 4 N.R.C. 610 (1976). For all these reasons, ECNP's petition should be denied.

ECNP's filing also contains a request for financial assistance from the NRC. As ECNP has been informed in other proceedings, the Commission does not grant financial assistance in a proceeding of this type. Pennsylvania Power & Light Co. (Susquehanna Steam Electric Station, Units 1 and 2), LBP-79-6, 9 N.R.C. 291, 326 (1979); see also Pennsylvania Power & Light Co. (Susquehanna Steam Electric Station, Units 1 and 2), ALAB-613, 12 N.R.C. 317, 336 (1980); Financial Assistance to Participants in Commission Proceedings, CLI-76-23, 4 N.R.C. 949 (1976).

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE

By:


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Dated: July 14, 1983

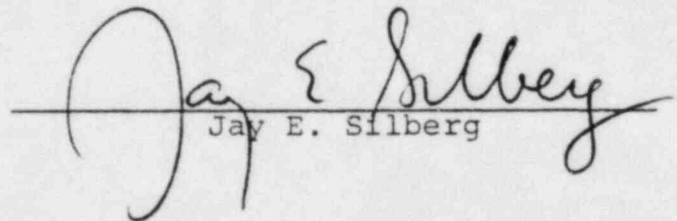
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CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Answer to Environmental Coalition on Nuclear Power Request for Operating License Hearing and Petition for Leave to Intervene Therein" were served upon those persons on the attached Service List by deposit in the United States mail, postage prepaid, this 14th day of July, 1983.


Jay E. Silberg

Dated: July 14, 1983

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SERVICE LIST

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