

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Morton B. Margulies, Chairman  
Dr. George A. Ferguson  
Dr. Jerry R. Kline

In the Matter of  
LONG ISLAND LIGHTING COMPANY  
Shoreham Nuclear Power  
Station, Unit 1)

Docket No. 50-322-OLA-2

(Possession Only License)

AFFIDAVIT OF ANDREW P. HULL

Andrew P. Hull, being duly sworn, says as follows:

1. I, Andrew P. Hull, reside at 2 Harvard Road, Shoreham, New York 11786 which is just over one mile from the Shoreham Nuclear Power Station ("Shoreham Plant"). I have owned this property for twenty-eight years. Thus, I live within the fifty mile geographical zone utilized by the U.S. Nuclear Regulatory Commission ("NRC") to determine whether a party is sufficiently threatened by the radiological hazard and other environmental impacts of the proposal to establish the requisite interest and standing for intervention as of right.
2. I have been employed for the past twenty-eight years at Brookhaven National Laboratory, Upton, New York 11786, located about six miles from the Shoreham Plant. I am a Health Physicist

and work as a Group Leader in the Emergency Planning and Radiological Assistance Program. I have an interest in, and have published papers concerning, the comparative risks of alternative energy sources. As a Health Physicist, I am familiar with both the benefits and risks of nuclear power plants. I strongly support the use of nuclear power to meet our nation's energy needs in a safe, economical, and environmentally benign manner.

3. I have been a member of Scientists and Engineers for Secure Energy, Inc. ("SE<sub>2</sub>") since 1985. I authorize SE<sub>2</sub> to represent my interests, as described herein, in any proceedings to be held in connection with the Long Island Lighting Company ("LILCO") application for a possession only license amendment ("the amendment") for the Shoreham Plant.

4. I am concerned that the amendment would constitute another step in the decommissioning process presently underway at Shoreham in violation of my rights under the National Environmental Policy Act ("NEPA"). The amendment would reaffirm and further the previous NRC decisions allowing LILCO to reduce staffing and maintenance to a level clearly inconsistent with the terms of the full power operating license and NRC regulations. SE<sub>2</sub> submitted a Section 2.206 request in conjunction with the Shoreham-Wading River Central School District in July of 1989 when the destaffing and plant disassembly activities had only just been announced and were yet to be implemented. The Request

asserted that these actions should not be allowed to go forward before publication of a Final Environmental Impact Statement ("FEIS") pursuant to the dictates of NEPA and because they were inimical to the public health and safety due to their inconsistency with LILCO's license obligations as a full-power licensee. I separately reaffirm that principle with respect to the amendment.

5. I do not believe that any steps in furtherance of the Shoreham Plant's decommissioning should be implemented until a FEIS evaluating, among other things, the direct and indirect impacts of, and alternatives to, the entire decommissioning proposal has been completed in compliance with the terms of NEPA and the NRC's own regulations in a single proceeding. If the NRC allows steps which are clearly in furtherance of decommissioning, and have no necessary independent utility, to be implemented at the Shoreham Plant prior to the necessary NEPA review, my rights and the rights of those similarly situated to have an opportunity for meaningful comment on the environmental consideration of the decommissioning proposal will be prejudiced, if not completely denied. Besides reaffirming past actions aimed at removing the Shoreham Plant from service and, therefore, in furtherance of decommissioning, the amendment also sets the stage for yet other actions in furtherance of decommissioning. LILCO has applied for a license amendment to transfer the plant to the Long Island Power Authority. The amendment is a further link in a chain of

actions directed towards decommissioning. The issuance of a possession only license would be a further step in removing the plant from service which is part of "decommissioning" as defined by the NRC regulations.

6. The amendment also represents a threat to my personal radiological health and safety and to my real and personal property in violation of my rights under the Atomic Energy Act of 1954, as amended, since neither the financial responsibility nor safety planning requirements of the regulations have been approved although they are prerequisites for the amendment.

7. As a Long Island resident, I am also interested in actions which will have a direct effect on the availability of reliable and environmentally benign electric generation to meet my needs and those of my family and the community as a whole. I understand that Long Island is presently at the full capacity of the existing natural gas pipelines which supply this area and that there is inadequate reserve capacity for the growing electric energy demand of the area. Thus, either the Shoreham Plant must be operated or alternative generating facilities will have to be built and operated. Because natural gas supplies cannot easily be increased, oil-burning plants will inevitably be needed to replace the Shoreham Plant thereby increasing our reliance on foreign oil and thus reducing the security of our energy supply, among other things. These plants, in turn, will

emit pollution lowering air quality in the region and contributing to global warming and acid rain. These effects of the Shoreham Plant's decommissioning will have detrimental effects on my health and on the quality of the natural environment in which I live day-to-day. This calls for serious consideration of the alternatives to decommissioning.

8. And if the scope of this proceeding is narrowed to its relationship to the choice among the alternatives for decommissioning mode, I believe my health, safety and environmental interests would be harmed by any actions inconsistent with mothballing the plant ("SAFSTOR").

9. I understand that SE<sub>2</sub> has been joined by the Shoreham-Wading River Central School District ("School District") in seeking to intervene in hearings on other issues. I also understand that the issues raised by all of these actions significantly overlap due to the fact that each of the actions constitute another step in the decommissioning process underway at the Shoreham Plant. I would favor the consolidation of all of these proceedings to consider the issues raised by the School District and SE<sub>2</sub>. Consolidation would be the most efficient and expeditious way to proceed for all concerned. I also submit that such consolidation is demanded by NEPA because all of these segmented proposals and actions are, in fact, part of a single



proposal, are cumulatively significant, and have no utility independent of the decommissioning proposal.

Andrew P. Hull  
Andrew P. Hull

SUBSCRIBED AND SWORN BEFORE ME, on this 5 day of April, 1991.

Susan T. Carlsen  
Notary Public  
My Commission expires: 8/31/91

SUSAN T. CARLSEN  
Notary Public  
Suffolk County, N.Y. 91  
4664226 August 31, 1991

UNITED STATES OF AMERICA  
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Before Administrative Judges:

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OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of

LONG ISLAND LIGHTING COMPANY

(Shoreham Nuclear Power Station,  
Unit 1

Docket No. 50-322-OLA-2

(Possession Only License  
Amendment)

CERTIFICATE OF SERVICE

I hereby certify that copies of the Amendment to Its Request for Hearing and Petition to Intervene by Scientists and Engineers for Secure Energy, Inc., and affidavits of Professor Miro M. Todorovich, Dr. John L. Bateman, Eena-Mai Franz, Andrew P. Hull, Dr. Stephen V. Musolino, Joseph Scrandis, and Dr. John Stehn, in the above-captioned matter were served upon the following by first-class mail, postage prepaid on this 8th day of April, 1991:

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

Administrative Judge  
Jerry R. Kline  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Edwin J. Reis, Esq.  
Deputy Assistant General Counsel  
for Reactor Licensing  
Mitzi A. Young, Esq.  
Senior Supervisory Trial Attorney  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Administrative Judge  
Morton B. Margulies, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Administrative Judge  
George A. Ferguson  
ASLBP  
5307 A1 Jones Drive  
Columbia Beach, Maryland 20764

Stanley B. Klimberg, Esq.  
Executive Director and General Counsel  
Long Island Power Authority  
Suite 201  
200 Garden City Plaza  
Garden City, New York 11530

Carl R. Schenker, Jr., Esq.  
Counsel, Long Island Power Authority  
O'Melveny & Myers  
555 13th Street, N.W.  
Washington, D.C. 20004

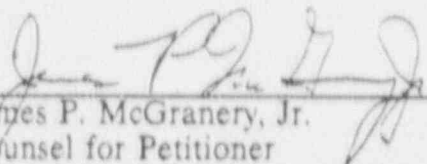
Donald P. Irwin, Esq.  
Hunton & Williams  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, Virginia 23219-4074

Gerald C. Goldstein, Esq.  
Office of General Counsel  
New York Power Authority  
1633 Broadway  
New York, New York 10019

Stephen A. Wakefield, Esq.  
General Counsel  
U.S. Department of Energy  
Washington, D.C. 20585

Nicholas S. Reynolds, Esq.  
David A. Repka, Esq.  
Winston & Strawn  
1400 L Street, N.W.  
Washington, D.C. 20005

Samuel A. Cherniak, Esq.  
NYS Department of Law  
Bureau of Consumer  
Frauds and Protection  
120 Broadway  
New York, New York 10271

  
James P. McGranery, Jr.  
Counsel for Petitioner  
Scientists and Engineers for  
Secure Energy, Inc.