

April 8, 1983

Mr. Charles Barth
Counsel for NRC Staff
United States Nuclear Regulatory Commission
Washington, D.C. 20555

*Barth / Karmen
Tieby
FE*

Dear Mr. Barth:

I would like to recant the addendum I sent to you dated March 19, 1983 and replace it with the addendum enclosed herein.

Sincerely,

Doug Gillman

Doug Gillman
2109 St. James Pl.
Cincinnati, Ohio 45206

PROCEDURAL REASONS FOR ACCEPTANCE OF DOUG GILLMAN'S FIVE
PROFFERED CONTENTIONS

"(1) Good cause, if any, for failure to file on time"

There was no outstanding alleged and uncorroborated structural alteration existing prior to October 24, 1975. Secondly, the engineering validity of the Zimmer Power Station - Unit 1 may not have been in question in 1975 whereas 1982 engineering research raises serious questions addressed by Doug Gillman's five contentions and, responsibly, must be raised belatedly.

"(ii) The availability of other means whereby the petitioner's interest will be protected."

Doug Gillman does not have the funds or legal knowledge to raise the questions of engineering problems in a court of law that would address design problems at the Zimmer Power Station - Unit 1 (ZPS-1).

"(iii) The extent to which the petitioner's participation may reasonably be expected to assist in developing a sound record."

Doug Gillman's participation as a petitioner will develop a sound record because his five proffered contentions are directly concerned with the engineering design, construction and alterations of ZPS-1.

"(iv) The extent to which the petitioner's participation will be represented by existing parties."

At the present time Doug Gillman maintains that the issues he has raised in his five contentions are not being represented by any of the parties involved in the ZPS-1, nor is Doug Gillman himself being represented by any of the existing parties.

"(v) The extent to which the petitioner's participation will broaden the issues or delay the proceeding"

The proceeding accepting the logic of Contention 2 alone would disburse all remaining funds slated to the Zimmer plant to a set of solar furnaces and a seasonal industrial experience. The other contentions serve to address the obsolescent structures viewable in the Zimmer plant.

The interest or standing of Doug Gillman in filing his five contentions is many-fold. Any individual capable or engaging any possible mechanisms of discussion or due process regarding some fuel cycle commonly accepted as being potentially damaging of the biosphere or humans strengthens the notions of individual responsibility in any governmental setting by engaging any available mechanisms of due process. Secondly, the question of accepting wanton consumerism

or striving towards responsible consumerism is a question of decisive standing. Thirdly, the mechanisms of accountability by individuals for any institutions of which the individuals are consumers is such that those mechanisms of accountability by individuals for institutions of their consumption or others consumption are capable of disintegration following lack of interest or standing by any individuals.

The matter of standing to intervene involves finding a socially acceptable forum to recognize the evolutionary structure of some eminent domain consumer item such as centralized electricity distribution by the National Grid (Institute of Electronic and Electrical Engineers, Transactions in Power Apparatus and Systems). Within this evolutionary structure the power of the individual as entrepreneur to engage industry and commerce to create popular consumption raises the spectre of encroachments of areas of human habitation by long lived mutagenic and disease causing by-products which thus decrease the area of habitable earth. This is an injury which Doug Gillman allows will irreparably damage the quality of his life. In addition, those measures used to safeguard the fuel cycle of the ZPS-1 and the financial interests of the utilities and electricity reliability councils and the investors have damaged Doug Gillman's physical and mental health and the physical and mental health of friends and relations of Doug Gillman and will continue to do so unless checked.

The matter of standing to intervene with respect to an interest 'arguably within the zone of interest' is addressed by noting that the Constitution of the United States mandates two eminent domain structures: post roads construction for the post office and the raising and supporting of individuals for the army. Centralized electricity is a structure which has achieved the status of eminent domain much as the telegraph, telephone, cable television and other consumer moieties. There is nothing constitutional about centralized electricity or the other non-mandated eminent domains. All that is reasonably apparent is that people are displaced and their lives ruined by the wanton consumerism inherent in non-mandated eminent domains. Further, it may be the case that eminent domain structures are undergoing a structural evolution to provide services for technological information flow specialists engaged in political, social or other harassment and/or control, and buy-ins by organized elements of the society of people unaware of information flow structures, in particular the advertising sector, by using certain eminent domain structures as antennas for bioelectromagnetic radiation propagation for the purpose of psychophysical signalling or an electromagnetic hookup of machinery to the non-consenting human sensorium. Although the main problem of the ZPS-1 plant is structural defects and poisonous by-products, failing to address the evolution of The National Grid is most certain to be disastrous.

Doug Gillman, the movant, claims that his motion is timely because the obsolescence demonstrated by the references of his contentions did not exist until 1982. The motion is directed to a significant safety or environment set of issues because the allegations regarding structural alterations to the ZPS-1 suppression pool deal with a

safety related structure, and the obsolescence of the design of the Zimmer plant is critical with respect to alleged alterations of a safety structure.

Doug Gillman, the movant, maintains that a different result would have been reached initially if these five contentions and these legal issues had been considered in weighing the notion of industrial self-sufficiency on a seasonal basis.

Finally, these issues could not have been raised earlier because Doug Gillman was awaiting confirmation of reports of alleged structural alterations to the suppression pool of the Zimmer plant which did not materialize in the NRC inspector reports. Secondly, these issues could not have been raised earlier because the Bureau of Radiological Health of the Department of Health and Human Services had not published anything about bioelectromagnetic radiation until after 1980. Finally these issues could not have been raised earlier because the Three Mile Island incident established that the ion exchange resin (polisher) system is actually a safety related system and that assimilation of this fact by Doug Gillman leads him to bring forth Contentions 3, 4, and 5 which deal with the fact that the ion exchange resin transferring system in the ZPS-1 plant is safety-related.