

# ENVIRONMENTAL COALITION ON NUCLEAR POWER

Co-Directors: Ms. Phyllis Zitzer—Box 781, Pottstown, Pa. 19464 215-326-9122

Dr. Judith Johnsrud—433 Orlando Avenue, State College, Pa. 16801 814-237-3900

## UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

DOCKETED  
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In the Matter of )

DUQUESNE LIGHT COMPANY, et al. )

( Beaver Valley Nuclear Power Station, Unit 2 )

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Docket No. 50-412  
Operating License

### SUPPLEMENT TO THE REQUEST OF THE ENVIRONMENTAL COALITION ON NUCLEAR POWER FOR AN OPERATING LICENSE HEARING AND PETITION FOR LEAVE TO INTERVENE

In accordance with the Memorandum and Order of the Atomic Safety and Licensing Board (ASLB), dated August 4, 1983, the Environmental Coalition on Nuclear Power (ECNP) here supplements its June 30th, 1983, Request for an Operating Licensing Hearing and Petition for Leave to Intervene.

At page four of its Memorandum and Order, the Board states, "It is requested of Staff that it have set up promptly a local Public Document Room in State College, Pennsylvania of the type sought by ECNP." The ECNP representative has now delayed completion of this filing for more than a month, in the expectation that the Board's order would be fulfilled. According to the librarian of the Schlow Memorial Library on September 6, 1983, no documents pertaining to Beaver Valley have been provided, as of that date. ECNP has therefore been severely hampered in its ability to comply with the Board's schedule for the filing of contentions, due to other responsibilities and transportation limitations. We request the Board to permit additions to this filing, within reasonable limits, after the Staff has fulfilled its obligations to provide the documents and records pertinent to this proceeding.

ECNP members residing within the fifty-mile radius of Beaver Valley 2 have been notified to submit affidavits regarding their interest and authorization of this organization to act on their behalf. Those affidavits are being sent to the Board Chairman separately.

The following matters are raised in contention that the Beaver Valley Unit 2 reactor should not receive an Operating License or be permitted to operate until these issues have been properly and completely resolved.

1. It is contended that interrelated financial associations and ownerships among the Applicant, the reactor vendor and other suppliers, specifically the Westinghouse Corporation, and financial institutions, specifically the Mellon Bank headquartered in Pittsburgh, are sufficiently great to constitute conflicts of interest with respect to the safe construction and quality of equipment utilized in the construction of

Beaver Valley 2 and with respect to adequate assurance of safe operation of the plant.

2. It is contended that the economics of safe disposal of radioactive wastes that will be generated by the operation of Beaver Valley 2 remain uncertain and that, in the continuing absence of either approved sites or demonstrated effectiveness of such waste disposal, the Beaver Valley 2 nuclear reactor must not be permitted to receive an operating license. This cost uncertainty has not been fully and properly evaluated in the cost-benefit comparison with alternatives to the reactor as is required by the National Environmental Policy Act of 1969, and as is indicated in the California decision by the Supreme Court.

3. In view of the uncertainties remaining about the costs of safe disposal of the radioactive wastes generated by the Beaver Valley 2 reactor, the Applicant's projections of sales of electricity to be generated by this plant are not adequate or accurate enough to sustain the issuance of an operating license for Beaver Valley 2.

4. The failure of the Commonwealth of Pennsylvania to assure the provision of safe isolation of low level radioactive wastes which will be generated by the Beaver Valley 2 reactor, the failure of the Applicant to provide assured isolation of such wastes, and the mandate of the Congressional Low Level Radioactive Waste Policy Act of 1980 that each state must be responsible for the management of these wastes after January 1, 1986, taken in combination, give insufficient assurance that the low level wastes which will be generated by the operation of Beaver Valley 2 will be properly and safely isolated from the environment; hence, the license must be denied.

5. It is contended that the health effects caused by the emission of radon gas into the environment as a result of the mining and milling and mill tailings piles created in support of the annual operations of Beaver Valley 2 remain uncertain in the absence of resolution of this issue (10 CFR 51.20 (e) Table S-3), and that the long-term impact of this radon gas will be unacceptably detrimental to the health of future human beings. Absent resolution of this issue by the Courts, a license to operate Beaver Valley 2 should not be granted.

6. It is contended that the issue of systems interaction has not been resolved by the Nuclear Regulatory Commission and that the uncertainties of safe operation of Beaver Valley 2 are therefore too great to permit issuance of an operating license for this reactor until the Commission has actually solved this issue.

7. It is contended that operability of auxiliary equipment necessary to the safe operation and shutdown of Beaver Valley 2 is dependent in part upon non-safety grade equipment whose performance cannot be relied upon to provide adequate protection of the public.

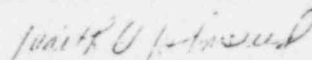
8. It is contended that the probability and consequences of the occurrence of pressurized thermal shock in Beaver Valley 2 have been inadequately and incompletely addressed by the Nuclear Regulatory Commission. In the absence of demonstrated proof testing in sufficient quantity to establish a margin of certainty, the risk of major accident to Beaver Valley 2 from this cause remains too great to permit the issuance of an operating license.

9. It is contended that the operational record of Beaver Valley 1 constitutes a basis for uncertainty as to the management capability of the Applicant to operate safely two reactors at this site. In the absence of improved performance of management, an operating license for Beaver Valley 2 should be withheld.

10. Evacuation planning and emergency response capability in the event of an accident exceeding design basis are insufficient to assure the health and safety of the public. A license should be withheld pending demonstration of full evacuation in which the entire population within the emergency planning zone has participated under adverse conditions constituting a worst case evacuation.

11. The potential for cumulative radiation exposures of residents of the Beaver Valley area in excess of permitted levels as a result of the operation of the two Beaver Valley units plus activities associated with the proposed and pending decommissioning of Shippingport has not been properly assessed. Until the Applicant has demonstrated that such potential multiple exposures will not result in adverse health effects for the residents of the surrounding area, an operating license should not issue.

Respectfully submitted,



Dr. Judith H. Johnsrud  
Representative for the ECNP Petitioners

Dated this 6<sup>th</sup> day  
of September, 1983

CERTIFICATE OF SERVICE

DOCKETED  
USNRC

I certify that copies of SUPPLEMENT TO THE REQUEST OF THE ENVIRONMENTAL COALITION ON NUCLEAR POWER FOR AN OPERATING LICENSE HEARING AND PETITION FOR LEAVE TO INTERVENE have been served on the parties by express mail or deposit in the U.S. Mail, first class, this 9th day of September 1983. \*82 SEP 9 P3:44  
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BRANCH

*John H. [Signature]*

SERVICE LIST

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

Administrative Judge Ernest E. Hill  
210 Montego Drive  
Danville, California 94526

Administrative Judge Paul W. Purdom  
235 Columbia Drive  
Decatur, Georgia 30030

Robert Perlis, Esquire  
Office of the Executive  
Legal Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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

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

Docketing and Service Section  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

William A. Lochstet  
119 East Aaron Drive  
State College, Pennsylvania 16801

George S. White  
Box 58  
Shippingport, PA 15077

Ralph F. Walker  
1518 Fifth Street  
New Brighton, PA 15066

Susan L. Hiatt  
8275 Munson Road  
Mentor, Ohio 44060

Jay Silberg, Esq.  
Shaw, Potts, Pittman, & Trowbridge  
1800 M Street NW  
Washington, D.C. 20036

Thomas D. Rees, Esquire  
Deputy General Counsel  
17th Floor, Harrisburg 2  
333 Market Street  
Harrisburg, PA 17120

Maxine Woelfling, Esquire  
Assistant Counsel  
505 Executive House  
Post Office Box 2357  
Harrisburg, PA 17120