

September 30, 1983
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'83 OCT -3 P2:31

Docket No. 50-293 OFFICE OF SECRETARY
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JOHN F. DOHERTY'S REQUEST FOR A HEARING AND PETITION FOR LEAVE TO
INTERVENE.

Standing

Petitioner resides 43 miles from Applicant's reactor, and thus is within the zone of possible radiation exposure in event of a radioactivity releasing event, such as an accident, and is also effected by radiation release from the plant in the form of gaseous emissions. Petitioner frequently travels closer to said plant on vacation trips to the near Cape Cod. Petitioner also consumes fish caught in the Massachusetts Bay, in which Applicant's nuclear reactor routinely releases effluents of radioactive and non-radioactive nature. As such effluent frequently concentrate in the muscle tissue of fish and other marine edible organisms Petitioner is thus effected, if he should consume such fish. Petitioner's standing is furthered by the fact that he is a rate payer of the Boston Edison Company.

The license amendment would permit operation with a single recirculation loop operating up to 75% power level. Petitioner's safety interest is affected because operation with a single recirculation loop will mean the reactor has one less major source of coolant than under normal two-loop operation. The removal of one

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increases the likelihood of a radiation releasing accident, which affects Petitioner's health and safety interests due to the unhealthy effects of ionizing and alpha radiation. If the license amendment is granted radiation injury to Petitioner increases in likelihood as a result of introduction into the environment of these harmful substances which originate in the fuel. The result of the proceeding will determine if the plant is permitted operation with a single recirculation loop.

Intervention should be permitted to allow a fuller examination of the effects of the amendment. For the same reason, a hearing should be held. Since the amendment will permit operation in a way formerly forbidden by the license and since the amendment is central to operation of the Pilgrim-I reactor conditions of operation (modification of the safety limit Minimum Critical Power Ratio and the allowable Average Planar Linear Heat Generation Rate are proposed) careful scrutiny by an Atomic Safety & Licensing Board is highly desirable as is public participation in its fullest. Public participation here means intervention in the Administrative Law Sense: assisting the Board in its careful scrutiny.

Nature of Petitioner's right under the Act to be a Party

Petitioner has set out his standing supra. The Act has been construed to permit Intervention by members of the public appearing per se, or represented by council, as a way of assisting the Board's to reach reasonable conclusions on licenses and license amendments. It is in the public's interest as well as this Petitioner's that a hearing be held. (10 CFR 2.105(a)(1))

Nature of Petitioner's interest in the proceeding

Petitioner's Interest in the proceeding is his health, and providing a safe environment for members of his community.

Effect of any order on Petitioner's Interest

The Nuclear Regulatory Commission has sole jurisdiction over the conditions of operation of the Pilgrim-I reactor. Its Order, as a result of the amendment application will determine the reactor's operating conditions. Petitioner has already stated how he believes reactor operation will effect his health interest if the Board permits

the proposed reactor operation modifications.

Subject matter of the proceeding as to which Petitioner wishes to Intervene

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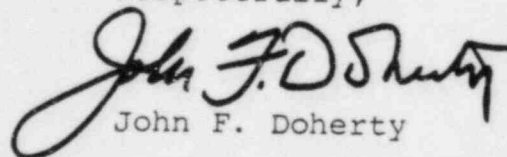
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Petitioner wishes to intervene to show that operation at 70% of rated power is hazardous when one recirculation loop (and pump) is not operating. This means showing that modification of the APRM, and rod block settings will not be satisfactory or meet Commission rules with regard to safe operation of the reactor during such times. In particular that during such operation the reactor will be excessively vulnerable to the effects of design basis accidents.

Conclusion

Because of the significance of the modifications to reactor safety, Petitioner urges that there be hearings, and that he be made a Party to such hearings.

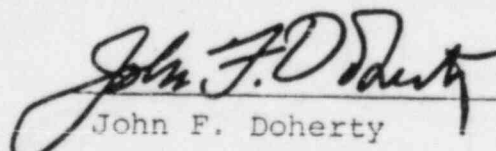
Respectfully,


John F. Doherty

CERTIFICATE OF SERVICE

As per the Federal Register of August 31, 1983, copies of this petition were served via First Class U. S. Postal Service this 30th of September, 1983, from Boston, Massachusetts.

- (1) Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington D. C. 20555.
- (2) W. S. Stowe Esq., Boston Edison Company 800 Boylston Street, 36th Floor, Boston, Mass. 02199.
- *(3) Docketing and Service Branch, U. S. Nuclear Regulatory Commission Washington D. C. 20555.


John F. Doherty

* Operator 744 at (800) 325-600 informed me on 9/30/83 that Datagram Identification Number 377 was in error, four digits being required. See Federal Register, 8/31/83, on page 39,538. Thus Mr. Vassallo was not notified.