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UNITED STATES OF AMERICA

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NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)

KANSAS GAS AND ELECTRIC COMPANY, et al.)

Docket No. STN 50-482

(Wolf Creek Generating Station)

Unit No. 1))

INTERVENORS' MOTION TO ADD CONTENTION AND WITNESSES

1. The Intervenor, Wanda Christy and Mary Ellen Salava, ask that the Board include as an additional contention the following: "The emergency planning zone for the plume exposure pathway does not include the town of Waverly and the Waverly Unified School District No. 242 schools located in Waverly. The city and that part of the school district should be included in the plume exposure pathway emergency planning zone." In support of the motion to add that additional contention, the Intervenor state as follows:

(a.) 10 CFR 2.714(b) permits the admission of late filed contentions if certain conditions are met. These conditions are set forth in 10 CFR 2.714(a)(1) and have been adopted by Nuclear Regulatory Commission Appeal Board in Duke Power Co. (Catawba Nuclear Station, units 1 and 2), ALAB - 687, 16 NRC 460, at 466 (1982). Additionally, this board has recognized that the Duke Power Co. case is the

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standard to determine if additional contentions should be admitted. See Memorandum and Order Ruling Upon Intervenor's Objection to Prehearing Conference Order, dated May 5, 1983. The Intervenor's have met these conditions for the reasons specified in this paragraph 1.

(b.) The Coffey County Plan of November 1982 included the City of Waverly and the schools in that city in the emergency planning zone.

(c.) The City of Waverly is only 11 miles from the Wolf Creek Generating Station. See the attached page 0-5 from the September 1983 Coffey County Plan.

(d.) The EPZ as defined in the September 1983 plan comes right to the city limits of Waverly.

(e.) The town of Waverly has a population of 700 people. See page 0-3, November 1982 draft of the Coffey County Plan.

(f.) 270 children attend the schools in Waverly. See the November 1982 draft of the Coffey County Plan, page 3-44.

(g.) South winds are the prevailing wind in Coffey County in the months of March - November. Waverly is almost due north of the Wolf Creek plant.

(h.) A substantial number of the children attending schools in Waverly live within the EPZ as it is designated in the latest draft of the Coffey County Plan. Because of this, parents will likely assume that children will be evacuated as part of the evacuation plan. Therefore, in order to avoid confusion, the city and the school district should be in the Emergency Planning Zone. Additionally, the residents of Waverly will perhaps assume that they are in the evacuation plan. Therefore, to avoid confusion, they should be included.

(i.) The Intervenor did not file this contention at an earlier time because the city and the part of the school district in question were previously included in the Emergency Planning Zone. If the motion is not granted, there will be no other way to protect the Intervenor's interests. By granting this motion, the Board will permit the Intervenor to assist in developing a sound record in this matter. Additionally, the Intervenor's interests will not be represented by any other parties in this matter.

2. The Intervenor asks that the Board permit them to call one or more of the following individuals as witnesses in this case: the County Commissioners and the Emergency Planning Coordinators for Franklin, Allen, Anderson, and Lyon Counties. In support of this motion, the Intervenor states as follows:

(a.) In the September 1983 Coffey County Plan, Franklin County, Lyon County, Allen County, and Anderson County are given and have, to some extent, accepted duties and obligations under the Coffey County Plan. The duties and obligations of these counties and the County Commissioners and the Emergency Preparedness Coordinators of the respective counties are set forth in the September 1983 plan of Coffey County in Appendix J and in letter agreements included in Appendix D. pages 3-10.

(b.) The duties and obligations specified in the September 1983 plan were not included in the November 1982 Coffey County Plan. For that reason, the Intervenor did not ask that the proposed witnesses be included on the list of witnesses in the Prehearing Conference Order entered by the Board in this matter.

(c.) The proposed witnesses have very significant roles in the emergency plan for Coffey County, and it is essential that the Intervenor be permitted to call one or more of them as witnesses in order to present a complete record in this case and in order to support various contentions raised by the Intervenor about the registration and sheltering of

evacuees after they leave or after they are taken from the
Coffey County Emergency Planning Zone.

Respectfully submitted,

John M. Simpson
John M. Simpson
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Dated: December 8, 1983.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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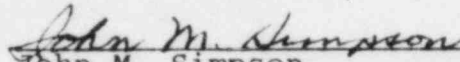
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CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing
"Intervenors' Motion to Add Contention and Witnesses" was served
by deposit in the United States Mail, first class, postage
prepaid, this 8th day of December, 1983, to all those on the
attached Service List.


John M. Simpson

DATED: December 8, 1983

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