

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE COMMISSION

In the Matter of)	
)	
GEORGIA INSTITUTE OF)	
TECHNOLOGY,)	
Atlanta, Georgia)	Docket No. 50-160-Ren
)	
Georgia Tech Research Reactor)	
)	
(Renewal of Facility License)	
No. R-97))	May 11, 1995

**GEORGIA INSTITUTE OF TECHNOLOGY'S MEMORANDUM
IN SUPPORT OF ITS APPEAL FROM
THE BOARD'S MEMORANDUM AND ORDER DATED APRIL 26, 1995**

Summary

In this licensing renewal proceeding for the Georgia Tech Research Reactor (GTRR), the Atomic Safety and Licensing Board (ASLB or Board) determined that Georgians Against Nuclear Energy (GANE) has standing to intervene and admitted two of GANE's contentions. That decision should be reversed.

GANE attempts to derive its standing from one individual, Robert Johnson. Mr. Johnson was not a member of GANE at the time GANE's original petition was filed. GANE officials testified at the hearing that he did not become a member until the time of the filing of the amended petition, and only then for the purpose of correcting GANE's deficient standing. GANE cannot derive standing from an individual whose membership was so contrived. In addition, Mr. Johnson has not demonstrated any plausible scenario in which he would be injured

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of)	
)	
GEORGIA INSTITUTE OF)	
TECHNOLOGY,)	
Atlanta, Georgia)	Docket No. 50-160-Ren
)	
Georgia Tech Research Reactor)	
)	
(Renewal of Facility License)	
No. R-97))	May 11, 1995

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Notice of Appeal and Memorandum in Support Thereof have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of Commission
Appellate Adjudication
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

Sherwin E. Turk, Esq.
Susan S. Chidakel, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Glenn Carroll
Georgians Against Nuclear Energy
P.O. Box 8574
Atlanta, Georgia 30306

Administrative Judge
Charles Bechhoefer, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Administrative Judge Peter S. Lam
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555