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NRC PUBLIC DOCUMENT ROOM

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9546685 (evening)
CU MES. 10/1

IN THE MATTER OF DOCKET # SC-229,
FURTHER AMENDMENTS TO PETITION TO INTERVIEW.

POOR ORIGINAL

THE NRC STAFF STATES IN ITS 9/13/79 RESPONSE
"MR LEWIS HAS OBVIOUSLY FAILED TO MEET THE
REQTS OF 10 CFR § 2.714 (c)."

(I shall not mention THAT THE NRC STAFF IS
THE GROUP THAT RECOMMENDED THAT TMI #2
BE ALLOWED TO OPERATE 3 MONTHS BEFORE
IT HAD A CLASS 9 ACCIDENT.)

THE HECK I WON'T MENTION IT!

THE NRC STAFF IS THE GROUP THAT
RECOMMENDED THAT THE TMI #2 BE
ALLOWED TO OPERATE 3 MONTHS BEFORE
IT HAD A CLASS 9 ACCIDENT!

I REALLY SHOULD NOT HONOR A GROUP, WHICH
RECOMMENDED THAT TMI #2 BE ALLOWED
TO OPERATE THREE MONTHS BEFORE IT HAD
A CLASS 9 ACCIDENT, WITH AN ANSWER.
HOWEVER, I SHALL ANSWER THE NRC STAFF
IN THE INTERESTS OF A COMPLETE RECORD.

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FIRST, THE STAFF EVALUATED ONLY A SHORT, HASTILY
WRITTEN PETITION. I SENT THE AUG 21 PETITION
IN QUICKLY UNTIL I HAD TIME TO STUDY THE
SCHEDULE AND SUBMIT MORE DEFINITIVE AMENDMENTS.

MY SUBMITTAL OF 9-9-79 WAS 7 PAGES + ENCLOSURE. ALTHOUGH IT IS STILL NOT COMPLETE, I AM SURE IT ANSWERS SOME OR ALL OF THE STAFF'S HIT-PICKING. I BRING UP POINTS ON (1) INTERVIEWER AID OR LACK OF IT PRODUCING AN UNFAIR ADVANTAGE TO LICENSEE, (2) EXPAND RELIABILITY OF PIM GRID OBJECTION, (3) NEPA, (4) MY OWN LIFE, (5) RADIOACTIVE IODINE [PLEASE NOTE; I AM NOT SOLELY DISCUSSING MILK. I AM POINTING OUT THAT THIS IS ONE OF MANY ROUTES BY WHICH RADIOACTIVITY CAN REACH THE PUBLIC. THIS AND MANY ROUTES ARE IGNORED BY THE STAFF AS THEY HAVE DONE IN THEIR REPLY TO MY PETITION.] (6) CONTINUING ACCIDENT AT SAME SITE IS STILL GIVING OFF MORE RADIOACTIVITY (7) FILTERS (8) UPGRADING OF TMI #1 TO MINIMIZE EMISSIONS & CHANCE OF CLASS 9 (9) ETC.

I COULD PUT DOWN ALL THE ITEMS WHICH I SPEAK OF IN MY 9.9.79 AMENDMENT. HOWEVER, ITS JUST AS EASY TO READ MY 9.9.79 AMENDMENT.

I WISH, HERE AND NOW, TO POINT OUT THE WEAKNESSES (IF ANY) IN THE NRC STAFF'S AND THE LICENSEE'S OBJECTION TO FULL PARTICIPANT/INTERVIEWER STATUS TO MARVIN LEWIS.

POOR ORIGINAL

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3.

THE STAFF POINTS OUT THAT I LIVE 90 MILES FROM ~~THE~~ TMI IN PHILA. THAT SOUNDS LIKE I AM VERY FAR AWAY. HOWEVER, I POINT OUT THAT 90 MILES OR ~150 KM IS FAIRLY CLOSE WHEN YOU ARE WALKING, RADIOACTIVITY TRAVELS AS FAST AS THE WIND. THE WRITERS OF WASH 740, 1965 REVISION, "THE CRITICAL POSSIBILITIES & CONSEQUENCES OF MAJOR ACCIDENTS IN LARGE NUCLEAR POWER PLANTS," P3 OF MINUTES OF STEERING COMMITTEE ON REVISION OF WASH 740 AT BRUCKHAUSEN NATL LAB, 10.21.64. "THE RESULT IF A CITY WERE INVOLVED WOULD BE CATASTROPHIC AND THERE WOULD BE DEATHS OUT TO 150 KM."

APPARENTLY, THE STAFF DOES NOT AGREE THAT ENDANGERING OF MY LIFE GIVES ME SOME BASIS TO PARTICIPATE.

WHAT STRONGER BASIS CAN THERE BE?

~~APP~~ ALSO, THE STAFF HAS ENUMERATED SEVERAL PRECEDENTS BY WHICH THEY SAY I AM NOT AN ELIGIBLE PARTICIPANT.

REBUTTAL, I POINT OUT THAT THESE RULES AND PRECEDENTS ARE DIRECTLY RESPONSIBLE FOR THE CONTINUING CLASS OF ACCIDENTS. THE STAFF MUST RECOGNIZE THE COMMISSION RULES IN ALL DISCUSSING TERMINOLOGY WHICH STATES THAT CLASS-Y ACCIDENTS WERE "TO REQUIRE A POSSIBILITY OF CONTINUING."

THIS CLASS 9 EXCLUSION GAVE RISE TO
 MANY OF THE PRECEDENTS WHICH DISALLOW
 PARTICIPATION OF INDIVIDUALS LIVING MORE
 THAN A FEW MILES AWAY FROM THE REACTOR
 IN LITIGATION. HOWEVER, A CLASS 9 ACCIDENT
 DID HAPPEN, AND IT HAPPENED AT THE
 CLASS 9 REACTOR. CLASS 9
 IS NOT TOO REMOTE A DISTANCE TO
 CONSIDER BECAUSE "IT HAPPENED."
 THEREFORE, AND ALL PRECEDENTS BASED
 ON A CLASS 9 EXCLUSION MUST EVAPORATE
 IN THE HEAT OF MELTED FUEL RODS.
 THIS CLASS 9 EXCLUSION AND MANY OTHER
 NRC RULES, REGULATIONS, AND REGULATORY
 GUIDES PROMOTED THE CLASS 9 ACCIDENT
 AT TMI#2.

BY MAKING THE INTRODUCTION OF MATERIAL
 PERTINENT TO A CLASS 9 ACCIDENT DIFFICULT
 OR IMPOSSIBLE, THE NRC STOPPED INTERVENORS
 FROM RAISING ISSUES THAT COULD HAVE
 PREVENTED A CLASS 9 ACCIDENT.

I BELIEVE IN LAW.
 I BELIEVE IN OUR SYSTEM OF GOVERNMENT.
 I ALSO BELIEVE IN THE CONSTITUTIONAL
 GUARANTEE OF PETITION FOR REDRESS
 OF GRIEVANCES.

CARL SCHLES- FRIEND OF THE LINCOLN-
 COUNTY- FOLK- RIGHT- IN- A-
 RIGHT- I'LL FIGHT FOR IT.

WRONG I'LL WORK TO MAKE IT RIGHT
 I AM WORKING NOW TO GET THE NRC
 TO RIGHT THE MANY WRONGS IT HAS DONE
 TO AMERICA

IF BY SOME MIRACLE WE CAN, LET US REASON

POOR ORIGINAL

THE BEST WAY THAT I IMAGINE WE CAN
REASON TOGETHER IS TO GRANT ME
FULL INTERVENOR / PARTICIPANT STATUS.

FINALLY, PLEASE TAKE THE STAFF'S OBJECTIONS
TO MY PARTICIPATION WITH THESE POINTS:

THE STAFF IS WORKING FOR A U.S. REGULATORY
AGENCY. THE STAFF IS NOT WORKING FOR
THE UTILITY. READING THE STAFF SUBMITTALS
GIVES ME THE FEELING THAT THE STAFF
IS PREJUDICED IN FAVOR OF THE LICENSEE.
IF THE STAFF WERE FAIR, THEY WOULD
TRY AS HARD TO SEE HOW I CAN QUALIFY
AS AN INTERVENOR AS THEY GRATUITOUSLY
ATTEMPT TO DISQUALIFY ME.

NOW I WISH TO ANSWER LICENSEE'S ANSWER
TO MY PETITION DATED SEPT 12.

ONE OBJECTION COMMON TO LICENSEE AND STAFF
IS THAT I AM A MEMBER OF ECNP. THEREFORE,
I CAN PARTICIPATE EVEN IF I AM NOT GRANTED
FULL INTERVENOR STATUS.

THIS OBJECTION IS A SUBTERFUGE LOVINGLY
EXPLOITED BY REGULATORS AND LICENSEE.
FIRST, I LIVE IN PHILA. PAPERS SERVED
TO ECNP IN STATE COLLEGE ARE NOT
EVEN AVAILABLE TO ME ^{IN PHILA.} THEY MUST BE
XEROXED OR COPIED & MAILED OR I MUST
TRAVEL TO ST COLLEGE WITH ATTENDED
LOSS OF WORKING TIME AND PAY
I COULDN'T AFFORD IT.

POOR ORIGINAL

SECOND, CONSOLIDATION IS A PLOY TO REDUCE
MEANINGFUL PARTICIPATION. EVEN CONSOLIDATING
WITH A GROUP - SUCH AS ECNP - WHICH HAS
SIMILAR PHILOSOPHIES MEANS THAT I MUST
COORDINATE MY INPUT - & OBJECTING OVER
DISTANCE AND TIME. ALSO, MANY OF THE
ITEMS, SUCH AS PIPE CROSSING, WHICH I
CONSIDER OF PRIMARY SAFETY IMPORT, MAY BE
LOW ON ECNP'S LIST OF PRIORITIES (and
FOR ALL I GUESS, RIGHTLY SO.)
THIRD, SEVERAL INDIVIDUALS AND GROUPS
HAVE ASKED ME TO PARTICIPATE IN THESE
HEARINGS. I HAVE NOT USED THEIR NAMES
HEREIN. I DID NOT WISH TO BE
BRANDED AS STRICTLY A PROPONENT OF
PHILADELPHIA CONCERNS. HOWEVER, PHILA IS
A BIG CITY. ALTHOUGH I AM NOT IN
ANYWAY REPRESENTING THE GREATER PHILA
AREA OFFICIALLY, I AM ATTEMPTING TO
REPRESENT MY AREA AS A CITIZEN
PARTICIPANT.

IF THE BOARD SO PREFERENCES, I SHALL BE
GLAD TO SUPPLY A LIST OF NAMES OF
THE PEOPLE IN PHILA WHO HAVE ASKED
ME TO PRESENT PHILA AREA CONCERNS
IN THESE PROCEEDINGS. MANY OF THESE
PEOPLE & GROUPS ARE NOT ECNP MEMBERS.
FIFTH, I RESPECT THE LICENSEE CLEAR RESPONSE
IN HIS SEPT 14 ANSWER. THIS ANSWER
DEMONSTRATES THE LICENSEE REAL REASON
TO ELIMINATE PUBLIC INTERVENTORS.
SEPT 14 ANSWER BY LICENSEE, 23 include, licensee states,
"The Commission should adopt these procedures
which would allow the earliest possible decision on request."

POOR ORIGINAL

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THIS ATTITUDE OF MINIMAL REGARD TO
HEALTH AND SAFETY PERMEATES THE
SEPT 14, 74 SUBMITAL OF LICENSEE:

P. 2. "NECESSARY & SUFFICIENT TO PROVIDE
REASONABLE(!) ASSURANCE . . . WITHOUT
ENDANGERING HEALTH AND SAFETY OF THE
PUBLIC."

OBVIOUSLY, THE LICENSEE HAS FORGOTTEN
THAT THE PUBLIC IS BEING CONTINUOUSLY
ENDANGERED BY THE CONTINUOUS ACCIDENT
AT TMI#2. ALTHOUGH THE PUBLIC HAS
NOT BEEN INFORMED OF THE RADIOACTIVE
RELEASES STILL COMING OUT OF TMI#2,
THE PUBLIC IS STILL BEING ENDANGERED.
"WHAT YOU DON'T KNOW, WON'T HURT YOU"
IS NOT A TRUISM WHERE RADIOACTIVE
IODINE IS INVOLVED.

THIS ATTITUDE OR "MIND-SET" IS
DISCUSSED AND CRITICISED AS A
CAUSE OF THE ACCIDENT AT TMI
IN NRC REPORT "INVESTIGATION INTO
3/28/79 TMI-ACCIDENT by INSPECTION &
ENFORCEMENT," P2, FOREWARD.

"NECESSARY & SUFFICIENT" CAN NO
LONGER BE ACCEPTED. MINIMUM AND
MINIMAL STANDARDS PROMOTE MINIMAL
COMPLIANCE.

E.

SIXTH, I AM ONLY FIGHTING MY OWN MONEY, MY TAXES & ELECTRIC RATES PAY FOR THE NRC STAFF AND THE UTILITY'S LAWYERS. I MUST SUPPORT THEIR OPPOSITION TO MY PARTICIPATION WITH MY TAXES AND ELECTRIC PAYMENTS.

IF THIS IS NOT AN UNFAIR SITUATION, I DON'T KNOW WHAT IS!

I AM NOT A LAWYER NOR CAN I AFFORD ONE. THIS IS COUPLED ~~WITH~~ WITH THE UNFAIR PRACTICES OF LICENSING BOARDS SUCH AS IN DOCKET # 50-337 and 50-383 ~~WHERE~~ WHERE INTERVENORS WERE REQUIRED TO ANSWER 2700 LENGTHY, REDUNDANT, REPETITIVE QUESTIONS IN A FEW WEEKS. A LARGE LAW FIRM WITH FREE ACCESS TO THE RATEPAYERS TILL WOULD HAVE LITTLE DIFFICULTY. OF COURSE, CITIZEN INTERVENORS RESOURCES ARE STRETCHED TO THE LIMIT ON PURPOSE.

I DO NOT FOOL MYSELF. I COULD NOT MUSTER THE TIME NOR MONEY TO OVERCOME THIS SORT OF HARASSMENT. IF A GLIMMERING OF FAIRNESS CAN BE FOUND IN THE BOARD'S COLLECTIVE CONSCIENCE, THAT GLIMMERING WILL REQUIRE THE BOARD TO ALLOW ME FULL PARTICIPANT STATUS.

SEVENTH, THE RULE OF LAW HAS OFTEN BEEN PERVERTED. THE CONSTITUTION WAS INTERPRETED LOOSELY IN ^{THE} PRE CIVIL WAR SOUTH.

POOR ORIGINAL

SLAVES COULD BE TORTURED, MAIMED AND KILLED AT THE DISCRETION (OR LACK OF IT) by their masters "Unusually cruel & unjust" did not apply to slaves. The same perversion of justice was seen in NAZI GERMANY where the law was rewritten to agree with Hitler's will.

A small perversion in these proceedings will endanger millions of lives.

We have been lucky

A CLASS 9 accident occurred without any "cold" (bodies immediately dead in the vicinity of plant) corpses. OF COURSE, CANCERS WILL OCCUR IN THE POPULATION FROM THE RADIOACTIVE RELEASES. LET'S THANK OUR LUCKY STARS, AND STOP TRYING FOR ANOTHER CLASS 9 AT THIS MOST DANGEROUS SITE.

THIS SITE WAS DANGEROUS LONG BEFORE THE CLASS 9 ACCIDENT. LITIGATION, BECAUSE TMI IS ON THE FLIGHT PATH OF HARRISBURG AIRPORT, IS STILL CURRENT & CONTINUING. THE OPERATING LICENSE WAS DELIVERED AFTER THE CLOSE OF BUSINESS HOURS 2/2/78 WITHOUT INFORMING INTERVIEWERS SO THAT FUEL LEADING COULD COMMENCE THAT EVENING. SEVENTH, PLEASE DO NOT FEEL YOU OPPOSITED TO TMI IS MERELY MORAL AND PHILOSOPHICAL. AS A REGISTERED, GRADUATE ENGINEER FOR 2 DECADES, I HAVE MANY TECHNICAL, NUTS AND BOLTS, OBJECTIONS TO THE OPERATION OF TMI.

POOR ORIGINAL