

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN RE: : DOCKET NO. 265

**PROPOSAL OF DOMINION NUCLEAR :
CONNECTICUT, INC. TO MODIFY THE :
EXISTING MILLSTONE [NUCLEAR] :
POWER STATION TO ESTABLISH :
AN INDEPENDENT SPENT FUEL :
STORAGE INSTALLATION (DRY :
STORAGE SYSTEM) ON PROPERTY :
LOCATED OFF ROPE FERRY ROAD :
IN THE TOWN OF WATERFORD, :
CONNECTICUT :**

RECEIVED
SEP 18 2003
CONNECTICUT
SITING COUNCIL

SEPTEMBER 17, 2003

**PETITION OF CONNECTICUT COALITION AGAINST MILLSTONE
TO BE DESIGNATED A PARTY**

In accordance with the provisions of the Regulations of State Agencies §16-50j-14, the Connecticut Coalition Against Millstone ("CCAM") hereby petitions to be designated a party to these proceedings.

In support of this petition, CCAM represents as follows:

1. The Connecticut Coalition Against Millstone is an organization whose membership consists of statewide safe-energy and environmental organizations, Millstone whistleblowers and families throughout the State of Connecticut including families residing within the priority emergency evacuation zone of the Millstone Nuclear Power Station.

2. Since its creation in September 1999, the Coalition has participated as a party and as an intervenor in numerous proceedings before the U.S. Nuclear Regulatory Commission, the Connecticut Department of Public Utility Control and

in proceedings brought to the Superior and Supreme Courts of the State of Connecticut.

3. CCAM is presently based in Niantic, Connecticut, where it maintains a post office box, P.O. Box 415, Niantic, Connecticut.

4. These proceedings concern the application of Dominion Nuclear Connecticut, Inc. to establish a dry storage system for spent nuclear fuel at the Millstone Nuclear Power Station in Waterford.

5. CCAM submits the following contentions regarding the application:

a. The application violates the Town of Waterford Zoning Regulations, which prohibit new facilities for long-term storage of high-level radioactive waste. As there is presently no “permanent” location available for storage of the spent fuel rods, and none is presently planned nor approved for construction, the application is in reality an application for *de facto* long-term storage of radioactive waste, which is forbidden by the Town of Waterford Zoning Regulations. (See sections 2.4, 3.1 and 11.2 and Memorandum of Thomas V. Wagner, Planning Director, Town of Waterford, August 1, 2003.) (“The Millstone site has not been approved for long term storage of spent fuel.”)

b. The applicant cannot demonstrate environmental compatibility for the project, given its projected increase in routine radiation emissions to the environment and the potential for thermal pollution of the groundwater and nearby wetlands.

c. The applicant cannot demonstrate public need for the project, given the recent entry of new electricity generators in the State of Connecticut and their

contribution of in excess of 3,000 megawatts, far in excess of the generating capacity of Millstone Units 2 and 3 combined.

d. To the extent that the application is intended to extend the life of Millstone Unit 2 by providing storage capacity for nuclear waste to be generated after 2005, when Unit 2 will have been in operation for 30 years, the application should be rejected. Given the trouble-plagued operational history of Unit 2, its repeated interruptions in service, its repeated equipment failures, its repeated unplanned releases of radiation to the environment, and its ongoing difficulties in maintaining the operability of the reactor cooling system components, Unit 2 should be retired as soon as possible.

e. The application increases levels of airborne radiation emitted from the Millstone Nuclear Power Station to the community, according to Dominion officials. Given that any exposure to radiation increases the risk of biological harm, and given the population density in the immediate vicinity of the plant, this poses an unacceptable risk.

f. The application assumes continued, unmitigated harm to the environment due to ongoing Millstone operations. These adverse impacts include devastation of the native fish stocks, illegal releases of deadly chemicals to the environment, and routine releases of radioactive effluent to the air and water. CCAM contends that the high incidences of cancer and immune system disorders within the Millstone community are directly linked to these activities.

g. The application is incomplete. It fails to provide sufficient information by

which the Siting Council can adequately assess whether the new facility is appropriately designed to withstand terrorist attack.

h. CCAM reserves the right to submit additional contentions during the course of the proceedings.

i. To the extent that CCAM's membership includes families and individuals who reside and work in close proximity to the Millstone Nuclear Power Station and the site of the proposed nuclear waste storage facility, and thus are within a zone of heightened danger from the nuclear installation. CCAM possesses legal standing to be designated a party in these proceedings to represent their rights and interests.

6. CCAM respectfully represents that the rights and interests of its membership are not adequately represented by other parties to these proceedings. The applicant and the Town of Waterford favor approval of the application without adequate consideration of the pertinent issues.

7. CCAM intends to present the testimony of its membership and pertinent documents during the course of the proceedings. CCAM reserves the right to present expert testimony in further support of its contentions.

8. CCAM's participation will be devoted to advocating rejection of the present application by Dominion Nuclear Connecticut, Inc. on grounds there is not a public need for the facility and the nature of the probable environmental impact conflicts with the policies of the state, without prejudice to the submission of a detailed application to phase out the Millstone operations and construct a

terrorist-proof dry storage facility should the Town of Waterford approve necessary enabling amendments to its Zoning Regulations.

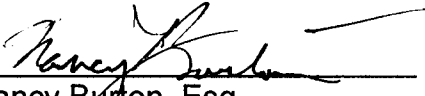
9. The Council possesses statutory authorization to designate CCAM as a party to these proceedings (see Connecticut Regulations of State Agencies, Sec. 16-50j-15a) as well as to reject the present application (see Connecticut General Statutes §16-50p).

11. The Affidavit of Lawrence H. Roberts accompanies this petition.

Respectfully submitted,

**CONNECTICUT COALITION AGAINST
MILLSTONE**

By:


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CERTIFICATION

This is to certify that a copy of the foregoing was mailed on September 17, 2003 to the following via U.S. Mail, postage pre-paid:

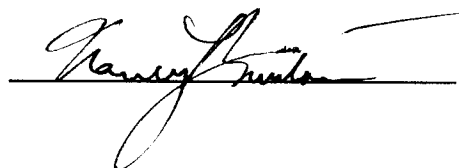
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A handwritten signature in black ink, appearing to read "Robert A. Avena", is written over a horizontal line.

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LOCATED OFF ROPE FERRY ROAD :
IN THE TOWN OF WATERFORD, :
CONNECTICUT : SEPTEMBER 16, 2003**

AFFIDAVIT OF LAWRENCE H. ROBERTS

I, Lawrence H. Roberts, having been duly sworn, do hereby depose as follows:

1. I am above the age of eighteen (18) years and I believe in the obligation of an oath.
2. I am a member of the Connecticut Coalition Against Millstone.
3. The Connecticut Coalition Against Millstone is an organization whose membership consists of statewide safe-energy and environmental organizations, Millstone whistleblowers and families throughout the State of Connecticut including families residing within the priority emergency evacuation zone of the Millstone Nuclear Power Station.
4. Since its creation in September 1999, the Coalition has participated as a party and as an intervenor in numerous proceedings before the U.S. Nuclear Regulatory Commission, the Connecticut Department of Public Utility Control and

in proceedings brought to the Superior and Supreme Courts of the State of Connecticut.

5. I submit this affidavit as a member of the Connecticut Coalition Against Millstone in support of its petition to intervene as a party in the above-referenced proceedings before the Connecticut Siting Council.

6. I reside with my family at 4 Jordan Cove Circle in Waterford, Connecticut.

7. My home is located within one (1) mile of the Millstone Nuclear Power Station.

8. My home is located northeast from and directly downwind from the Millstone Nuclear Power Station and thus is in the path of the prevailing winds traveling north from Millstone.

9. Given the location of my home and its close proximity to the Millstone Nuclear Power Station, my family and I are at significant risk of harm in the event of an accident involving dispersal of radiological emissions emanating from Millstone as well as from routine radiological emissions.

10. I am familiar with the above-referenced application by Dominion Nuclear Connecticut, Inc., owner and operator of the Millstone Nuclear Power Station, to the Connecticut Siting Council for approval to construct an "interim" storage facility for high-level radioactive waste in the form of spent fuel rods at its site on Rope Ferry Road in the Town of Waterford, less than one (1) mile from my home.

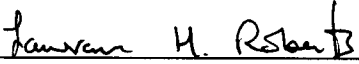
11. I understand that the spent nuclear fuel will routinely emit radiation to the environment even if the facility is built and maintained properly, and that because of the location of my home to the northeast of Millstone and the direction of

prevailing winds, my family and I will suffer greater exposure to radiation than presently if the facility is approved.

12. My family and I enjoy recreational use of Jordan Cove and surrounding coastal areas.

13. Our enjoyment of such recreational use will be diminished if the facility is approved because of the potential adverse effects, including thermal pollution, from locating the facility upslope from wetlands and groundwater which drain into such coastal areas.

14. In the event of an accident or terrorist attack upon the proposed facility, my family and I will be at grave risk of harm, given the proximity of our home to Millstone, because of the likely dispersal of unsafe levels of radiation.



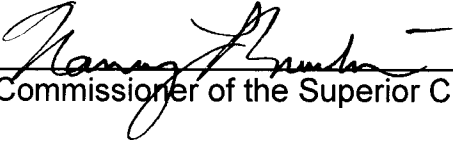
Lawrence H. Roberts

STATE OF CONNECTICUT

ss: ~~East Lyme~~ *Westerford*

COUNTY OF NEW LONDON

Sworn to and subscribed before me this 16th day of September, 2003.



Commissioner of the Superior Court