

**BEFORE THE UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

---

**Douglas B. Ritter's  
Request for a Public Hearing on  
the Application for Approval of the  
Indirect License Transfer of  
Susquehanna Steam Electric Station, Units 1 and 2  
Facility Operating License No's. NPF-14 and NPF-22;  
NRC Docket No's. 50-387, 50-388, and 72-28**

---

October 24, 2014

Secretary of the U.S. Nuclear Regulatory Commission  
U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-0001

Dear Secretary:

Enclosed please find for filing an original of "Douglas B. Ritter's Request for a Public Hearing on the Application for Approval of the Indirect License Transfer of Susquehanna Steam Electric Station Station, Units 1 and 2, Facility Operating License No's. NPF-14 and NPF-22, NRC Docket No's. 50-387, 50-388, and 72-28" pursuant to 52 Pa. Code S 5.71, to intervene under the 10 CFR NRC, Section 50: 80 § 2.309.

Respectfully submitted,

Douglas B. Ritter  
44 Blackberry Lane  
Berwick, PA, 18603  
(570) 759-2227 Phone

DATED: October 24, 2014

**Table of Contents**

**Table of Contents** .....pp. 2-3

**I. Introduction**.....pp. 4-5

**II. History**.....pp. 4-5

**III. Timeliness**.....p. 6

**IV. Standing**.....p. 7

**V. Precedent**

**VI. Contentions**.....p. 8

**Contention # 1:**  
**Decommissioning Funding Assurance will be adversely affected by the proposed Indirect License Transfers, and the future Talen Energy Corporation’s decommissioning savings levels at Susquehanna will be inadequate**.....pp. 8-10

**Contention # 2:**  
**Continuing operation of both Susquehanna units will be adversely affected by the proposed Indirect License Transfers, and the future Talen Energy Corporation’s operating fund levels will be adversely impacted by the proposed license transfers**.....pp. 11-12

**Contention # 3:**

**The proposed license transfers fail to demonstrate that Susquehanna has capability to store Classes B and C low level radioactive waste (“LLRW”) throughout its entire operating lifetime.....pp. 13-15**

**VII. Remedies.....p. 15**

**VIII. Conclusions.....p. 15**

**IX. Request for exemption from electronic filing requirements.....p. 16**

## **I. Introduction; and II. History**

The Nuclear Regulatory Commission (“NRC”) convened a Pre-Submittal Meeting with PPL Susquehanna (“PPL”), Limited Liability Corporation (“LLC”), regarding future submittal for a License Transfer Amendment for Susquehanna Steam Electric Station (“SSES”), Units 1 and 2, on July 2, 2014.

The meeting featured PPL Susquehanna, LLC's plans and schedule regarding a future submittal of a license transfer license amendment request. PPL Susquehanna and Riverstone Holdings, LLC, have announced a definitive agreement to combine their merchant power generation businesses to create a new stand-alone, publicly listed Independent Power Producer that, in the future, following closing, will be called Talen Energy Corporation.

However, based on PPL’s submittal entitled “Completing the Transformation: PPL Energy Supply to Combine with Riverstone Generation Business to form Talen Energy Corporation,” dated July 10, 2014, and Susquehanna Steam Electric Station Request for Order Approving Indirect Transfer of Control and Conforming License Amendments submitted to the NRC on July 11, 2014 (Dockets 50-387, 50-388, and 72-28), it is clear that the application is fatally flawed.

PPL’s Application for Approval of Indirect License Transfers has precipitated the NRC to contact the Susquehanna Steam Electric Station, Units 1 and 2 - and place a Request for Additional Information RE: Request For Order Approving Indirect Transfer of Control and Conforming License Amendments (Tac Nos. MF4426 and MF4427) on October 9, 2014.

The NRC’s request for “Additional Information for License Transfer Applications” (“RAI”), of October 9, 2014, also demonstrates the plan is fatally flawed, and requires a thorough and transparent hearing to address numerous outstanding issues associated with safe operation of Susquehanna Steam Electric Station. Within this request, specific RAI 1 requests additional financial data from PPL, thus emphasizing the inadequacy of the original PPL submission in the aspects of financial detail and fulfillment of financial obligations and responsibilities.

The core issues and sub issues identified in PPL’s deficient Application include: 1) The potential for adverse impact on the Susquehanna Steam Electric Station; 2) Further erosion of managerial or technical qualifications of nuclear units on the NRC’s poor performing list; 3) Impairment of PPL and the future Talen Energy’s financial qualifications as owner and operator of the Susquehanna Steam Electric Station; 4) Inability to pay for nuclear decommissioning and radioactive waste isolation.

On October 6, 2014, in the Federal Register, the NRC published an opportunity for a hearing relating to the application filed by PPL Susquehanna, LLC, on July 11, 2014. “The application seeks NRC approval of the indirect transfer of NPF–14 and NPF–22 for Susquehanna Steam Electric Station, Units 1 and 2 (SSES), as well as the general license for the SSES Independent Spent Fuel Storage Installation, from the current holder, PPL Corporation to the future Talen Energy Corporation. The NRC is also considering

amending the combined licenses for administrative purposes to reflect the proposed transfer.” (Federal Register Vol. 79, No, 193, p. 60192).

Under the 10 CFR NRC, Section 50: 80 § 2.309 Hearing Requests, petitions to intervene, requirements for standing, and contentions (1) I Douglas Ritter of 44 Blackberry Lane, Berwick, PA, 18603, am formally requesting a public hearing in regard to the proposed Indirect License Transfer of Susquehanna Steam Electric Station, Units 1 and 2 - Request For Order Approving Indirect Transfer of Control and Conforming License Amendments (Tac Nos. MF4426 and MF4427). (1)

---

1 Subpart C--Rules of General Applicability: Hearing Requests, Petitions to Intervene, Availability of Documents, Selection of Specific Hearing Procedures, Presiding Officer Powers, and General Hearing Management for NRC Adjudicatory Hearings:

(a) General requirements: Any person whose interest may be affected by a proceeding and who desires to participate as a party must file a written request for hearing or petition for leave to intervene and a specification of the contentions which the person seeks to have litigated in the hearing. Except as provided in paragraph (e) of this section, the Commission, presiding officer or the Atomic Safety and Licensing Board designated to rule on the request for hearing and/or petition for leave to intervene will grant the request/petition if it determines that the requestor/petitioner has standing under the provisions of paragraph (d) of this section and has proposed at least one admissible contention that meets the requirements of paragraph (f) of this section. In ruling on the request for hearing/petition to intervene submitted by petitioners seeking to intervene in the proceeding on the HLW repository, the Commission, the presiding officer or the Atomic Safety and Licensing Board shall also consider any failure of the petitioner to participate as a potential party in the pre-license application phase under subpart J of this part in addition to the factors in paragraph (d) of this section. If a request for hearing or petition to intervene is filed in response to any notice of hearing or opportunity for hearing, the applicant/licensee shall be deemed to be a party.

### **III. Timeliness**

Mr. Ritter's request is timely based on Subpart C--Rules of General Applicability: Hearing Requests, Petitions to Intervene, Availability of Documents, Selection of Specific Hearing Procedures, Presiding Officer Powers, and General Hearing Management for NRC Adjudicatory Hearings:

(b) Timing. Unless otherwise provided by the Commission, the request and/or petition and the list of contentions must be filed as follows:

The NRC announcement in the Federal Register on October 6, 2014 Vol. 79, No 193, p. 60193:

#### **IV. Opportunity To Request a Hearing; Petition for Leave To Intervene**

Within 20 days from the date of publication of this notice, any person(s) whose interest may be affected by the Commission's action on the application may request a hearing and intervention... Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart C "Rules of General Applicability: Hearing Requests, Petitions to Intervene, Availability of Documents, Selection of Specific Hearing Procedures, Presiding Officer Powers, and General Hearing Management for NRC Adjudicatory Hearings," of 10 CFR part 2.

Mr. Ritter's request is consistent with the deadlines established in §2.306 and the Federal Notice published on October 6, 2014.

#### **IV. Standing**

Douglas Ritter Meets Proximity Standing Requirements.

Mr. Ritter has lived in his current residence at 44 Blackberry Lane, Berwick, Pennsylvania, since 1986. This residence is approximately 4 air-miles from the Susquehanna Steam Electric Station. Additionally, he worked at the Susquehanna Steam Electric Station in Berwick from 1979 - 2013.

As the Commission has applied this standard, an individual demonstrates an interest in a reactor licensing proceeding sufficient to establish standing by showing that his or her residence is within the geographical area that might be affected by an accidental release of fission products. This "proximity approach" presumes that the elements of standing are satisfied if an individual lives within the zone of possible harm from the source of radioactivity. See Virginia Elec. And Power Co., 9 NRC 54, 56 (1979) ("close proximity [to a facility] has always been deemed to be enough, standing alone, to establish the requisite interest" to confer standing).

The Commission's "rule of thumb" in reactor licensing proceedings is that "persons who reside or frequent the area within a 50-mile radius of the facility" are presumed to have standing. Sequoyah Fuels Corp., 40 NRC 64. 75 n.22 (1994); See also, Duke Energy Corp., 48 NRC 381, 385 n.1 (1998).

In Georgia Power Co. (Vogle Electric Generating Plant, Units 1 and 2), LBP-93-5, 37 NRC 96 (1993), aff'd, CLI-93-16, 38 NRC 25 (1993), the Nuclear Regulatory Commission (NRC) approved standing for a petitioner living 35 miles from the plant one week per month.

In the CFC Logistics proceeding, the Atomic Safety and Licensing Board (ASL&B) "hasten[ed] to add...that the 'obvious potential' aspect of 'proximity-plus' standing is not a concept that can be applied with engineering or scientific precision..." 60 NRC 475, 485 (2004), p. 487.

"[A] minor exposure to radiation, even one within regulatory limits, is sufficient to state an injury in fact" for standing purposes. Duke Cogema Stone & Webster (Savannah River Mixed Oxide Fuel Fabrication Facility), LBP-01-35, 54 NRC 403, 417 (2001), rev'd on other grounds, CLI-02-24, 56 N.R.C. 335 (2002) (citing Yankee Atomic Electric Co. (Yankee Nuclear Power Station), CLI- 96-7, 43 NRC 235, 247-48 (1996)); see also id. at 420 (standing inquiry does not require precision regarding probability of petitioner receiving unwanted dose of radiation). The asserted harm – injury to the health and safety – is clearly encompassed by the health and safety interests protected by the Atomic Energy Act. Id. at 417; see also 42 U.S.C. § 2013.

Mr. Ritter has satisfied the NRC requirements for standing, and has also submitted admissible contentions.

## VI.. Contentions

### Contention # 1:

**Decommissioning Funding Assurance will be adversely affected by the proposed Indirect License Transfers, and the future Talen Energy Corporation's decommissioning savings levels at Susquehanna will be inadequate.**

*(i) Provide a specific statement of the issue of law or fact to be raised or controverted.*

Under 10 C.F.R. § 50.33(f) & (k), the owner and operator of a nuclear power facility must demonstrate that it has the financial qualification to carry out the activities authorized by the operating license for the facility, including the capacity to pay costs associated with the personnel and equipment needed to safely operate the facility, its reactor, and its spent fuel pool and casks. In addition, 10 C.F.R. § 50.75 requires the owner and operator of such a facility to demonstrate that it has sufficient funds to properly decommission the facility.

*(ii) Provide a brief explanation of the basis for the contention.*

Mr. Ritter respectfully requests that as part of this proceeding, NRC examine the revenue attributable to Susquehanna Steam Electric Station power, the interconnection among Riverstone Holdings, LLC and the future Talen Energy Corporation and associated business entities, and anticipated costs for facility operations, repairs, spent fuel storage and decommissioning. While publicly available information is severely limited, the information that is available, which is outlined in this submission, raises sufficient questions to merit an NRC examination of this issue.

*(iii) Demonstrate that the issue raised in the contention is within the scope of the proceeding.*

Because the future Talen Energy Corporation will operate the SSES as an independent power producer, NRC must consider the financial and operational interrelationships between PPL Energy Supply, Riverstone Generation Business, the future Talen Energy Corporation, and other family subsidiaries that market the electric power generated by these reactors. This inquiry should include an examination of the assets, revenue streams, and obligations between and among these subsidiaries. As PPL files a consolidated financial statement with the U.S. Securities and Exchange Commission, information related to the assets, revenue streams and obligations of specific PPL subsidiaries are not publicly available. That information must be obtained by NRC from PPL.

*(iv) Demonstrate that the issue raised in the contention is material to the findings the NRC must make to support the action that is involved in the proceeding;*



Such an examination should be conducted in a transparent manner and, at the end of the proceeding, NRC should detail and explain for Mr. Ritter how the financial ability of these entities will safely operate, maintain and decommission the facility, its reactor, and its spent fuel pool and casks.

*(v) Provide a concise statement of the alleged facts or expert opinions which support the requester's/petitioner's position on the issue and on which the petitioner intends to rely at hearing, together with references to the specific sources and documents on which the requester/petitioner intends to rely to support its position on the issue;*

The NRC's request for "Additional Information for License Transfer Applications" ("RAI"), of October 9, 2014, demonstrates that the submitted plan is inadequate, and requires a thorough and transparent hearing to address numerous outstanding issues associated with safe decommissioning of Susquehanna Steam Electric Station. Within this request, specific RAI 1 requests additional financial data from PPL, thus emphasizing the inadequacy of the original PPL submission in the aspects of financial detail and fulfillment of financial obligations and responsibilities.

*(vi) Provide sufficient information to show that a genuine dispute exists with the applicant/licensee on a material issue of law or fact. This information must include references to specific portions of the application (including the applicant's environmental report and safety report) that the petitioner disputes and the supporting reasons for each dispute, or, if the petitioner believes that the application fails to contain information on a relevant matter as required by law, the identification of each failure and the supporting reasons for the petitioner's belief.*

The Susquehanna Steam Electric Station reactors employ a boiling water reactor design ("BWR") and have Mark 2 containments that need capital improvements. In March 5 and 9, 1992, PP&L received \$55 million in a settlement with General Electric over the Mark II containment structure. ("Electric Utility Week" and "Nucleonics Week").

The NRC's assessment of the financial qualification of the future Talen Energy Corporation and PPL and Riverstone should examine the cost of certain and probable future Fukushima improvements at the Susquehanna Steam Electric Station.

PPL also owns separate independent spent fuel storage installations ("ISFSIs"), adjacent to its reactors. As PPL currently maintains and operates these ISFSIs, it is anticipated that their custody and obligations are intended to be transferred to the future Talen Energy Corporation.

ISFSIs do not produce income. A retired power reactor does not produce income. NRC's assessment of the financial qualifications should address current and future ISFSI maintenance and operation expenses, as well as funding for the maintenance and operation of the ISFSI between retirement and the remediation of Susquehanna Steam Electric Station.

PPL's nuclear trust funds are also on shaky ground.

“At December 31, 2011, Asset Requirement Obligations (AROs) totaling \$497 million were recorded on the balance sheet, of which \$13 million is included within “other current liabilities.” Of the total amount, \$282 million, or 59%, relates to the nuclear decommissioning ARO. The most significant assumptions surrounding AROs are the forecasted retirement costs, the discount rates, and the inflation rates. A variance in any of these could have a significant impact on the ARO liabilities.” (PPL Corporation Annual Report, 2011, p. 53).”

“The accrued nuclear decommissioning obligation was \$292 million and \$270 million at December 31, 2011 and 2010, and is included in “Asset retirement obligations” on the Balance Sheets. The fair value of investments that are legally restricted for the decommissioning of the Susquehanna nuclear plant was \$640 million and \$618 million at December 31, 2011 and 2010, and is included in “Nuclear decommissioning trust funds” on the balance sheets. (PPL Corp. Annual Report, 2011, pp. 211-212).

PPL’s 2013 Annual Report recorded another gloomy outlook:

“To the extent that the actual costs for decommissioning exceed the amounts in the nuclear decommissioning trust funds, PPL Susquehanna would be obligated to pick up 90% of the shortfall...”

“The NRC requires that nuclear decommissioning trusts be managed by independent managers, with discretion to buy and sell securities in the trusts. As a result, PPL and PPL Energy Supply have been unable to demonstrate the ability to hold an impaired asset security until it recovers its value. Therefore, unrealized losses in equity securities for all periods presented represent other-than-temporary impairment that requires a current period charge to earnings.” (PPL Corp. Annual Report, 2013, pp. 221).

**Contention # 2:**

**Continuing operation of both Susquehanna units will be adversely affected by the proposed Indirect License Transfers, and the future Talen Energy Corporation's operating fund levels will be adversely impacted by the proposed license transfers**

*(i) Provide a specific statement of the issue of law or fact to be raised or controverted.*

Under 10 C.F.R. § 50.33(f) & (k), the owner and operator of a nuclear power facility must demonstrate that it has the financial qualification to carry out the activities authorized by the operating license for the facility, including the capacity to pay costs associated with the personnel and equipment needed to safely operate the facility, its reactor, and its spent fuel pool and casks. In addition, 10 C.F.R. § 50.75 requires the owner and operator of such a facility to demonstrate that it has sufficient funds to properly decommission the facility.

*(ii) Provide a brief explanation of the basis for the contention.*

Mr. Ritter respectfully requests that as part of this proceeding, NRC examine the revenue attributable to Susquehanna Steam Electric Station power, the interconnection among Riverstone Holdings, LLC and the future Talen Energy Corporation and associated business entities, and anticipated costs for facility operations, repairs, spent fuel storage and decommissioning. While publicly available information is severely limited, the information that is available, which is outlined in this submission, raises sufficient questions to merit an NRC examination of this issue.

*(iii) Demonstrate that the issue raised in the contention is within the scope of the proceeding.*

Because the future Talen Energy Corporation will operate the SSES as an independent power producer, NRC must consider the financial and operational interrelationships between PPL Energy Supply, Riverstone Generation Business, the future Talen Energy Corporation, and other family subsidiaries that market the electric power generated by these reactors. This inquiry should include an examination of the assets, revenue streams, and obligations between and among these subsidiaries. As PPL files a consolidated financial statement with the U.S. Securities and Exchange Commission, information related to the assets, revenue streams and obligations of specific PPL subsidiaries are not publicly available. That information must be obtained by NRC from PPL.

*(iv) Demonstrate that the issue raised in the contention is material to the findings the NRC must make to support the action that is involved in the proceeding;*

Such an examination should be conducted in a transparent manner and, at the end of the proceeding, NRC should detail and explain for Mr. Ritter how the financial ability of these entities will safely operate, maintain and decommission the facility, its reactor, and its spent fuel pool and casks.

*(v) Provide a concise statement of the alleged facts or expert opinions which support the requester's/petitioner's position on the issue and on which the petitioner intends to rely at hearing, together with references to the specific sources and documents on which the requester/petitioner intends to rely to support its position on the issue;*

The NRC's request for "Additional Information for License Transfer Applications" ("RAI"), of October 9, 2014, demonstrates that the submitted plan is inadequate, and requires a thorough and transparent hearing to address numerous outstanding issues associated with safe operation and maintenance of Susquehanna Steam Electric Station. Within this request, specific RAI 1 requests additional financial data from PPL, thus emphasizing the inadequacy of the original PPL submission in the aspects of financial detail and fulfillment of financial obligations and responsibilities.

*(vi) Provide sufficient information to show that a genuine dispute exists with the applicant/licensee on a material issue of law or fact. This information must include references to specific portions of the application (including the applicant's environmental report and safety report) that the petitioner disputes and the supporting reasons for each dispute, or, if the petitioner believes that the application fails to contain information on a relevant matter as required by law, the identification of each failure and the supporting reasons for the petitioner's belief.*

The Susquehanna Steam Electric Station reactors employ a boiling water reactor design ("BWR") and have Mark 2 containments that need capital improvements. In March 5 and 9, 1992, PP&L received \$55 million in a settlement with General Electric over the Mark II containment structure. ("Electric Utility Week" and "Nucleonics Week").

The NRC's assessment of the financial qualification of the future Talen Energy Corporation and PPL and Riverstone should examine the cost of certain and probable future Fukushima improvements at the Susquehanna Steam Electric Station.

On July 30, 1992, federal regulators said that a safety mechanism used by three Pennsylvania nuclear power plants [including Susquehanna] might fail to alert operators about a drop in the water level -- a condition which could lead to a nuclear accident." Similarly, on October 1, 1993 - During an NRC presentation, David Lochbaum and Donald Prevatte postulated that failure in spent fuel pool cooling could possibly lead to safety-related equipment failure and a full core meltdown.

PPL also owns separate independent spent fuel storage installations ("ISFSIs"), adjacent to its reactors. As PPL currently maintains and operates these ISFSIs, it is anticipated that their custody and obligations are intended to be transferred to the future Talen Energy Corporation.

ISFSIs do not produce income. A retired power reactor does not produce income. NRC's assessment of the financial qualifications should address current and future ISFSI maintenance and operation expenses, as well as funding for the maintenance and operation of the ISFSI between retirement and the remediation of Susquehanna Steam Electric Station.

**Contention # 3:**

**The proposed license transfers fail to demonstrate that Susquehanna has capability to store Classes B and C low level radioactive waste (“LLRW”) throughout its entire operating lifetime.**

*(i) Provide a specific statement of the issue of law or fact to be raised or controverted.*

The proposed license transfer fails to demonstrate that the site has the capability to store Class B and C low level radioactive waste (“LLRW”) during the entire operating life of the plant and beyond in the event Barnwell remains closed to PPL; in the event Clive, Utah (operated by Energy Solutions) “no longer becomes cost effective,” (9); and no other waste disposal options are developed or available.

In light of the current lack of a licensed offsite disposal facility, and the uncertainty of whether a new disposal facility will become available during the license term, the Environmental Report must describe how the Applicant will store Class B and C wastes either onsite, with the environmental consequences of extended onsite storage; or how it will transfer its Class B and C wastes to another facility for storage of LLRW.

*(ii) Provide a brief explanation of the basis for the contention.*

The Applicant's Environmental Report is deficient by omission and fails to offer a realistic plan for the disposal of Class B and C low level radioactive waste, with the closure of Barnwell to Appalachian Compact waste and the potential “economic” barriers to disposing of said waste at Energy Solution in Clive, Utah.

PPL's 10-K acknowledged, “The Barnwell facility stopped receiving most wastes, including Pennsylvania in June 2008.

PPL plans to send low-level radioactive waste to the Clive, Utah facility. The remainder will be stored on-site. PPL stated that “in the event the Clive site closes or other emergent disposal options become unavailable or are no longer-cost effective, low level radioactive waste will be stored onsite at Susquehanna... PPL Susquehanna cannot predict the future availability of disposal at such facilities.”

The closure of the LLRW facility at Barnwell has significantly limited available waste disposal options. The future Talen Energy Corporation must offer a plan that details how it will safely manage LLRW during the operational life of the plant, and for an indefinite period of time following cessation of operations. Those details have been omitted in the license transfer application.

*(iii) Demonstrate that the issue raised in the contention is within the scope of the proceeding.*

This issue is squarely within the scope of this proceeding.

The Commission has no “waste confidence rule” in play for low-level radioactive waste and stated, “we do not rule out that, in a future...proceeding, a petitioner could proffer an application-specific contention suitable for litigation on the subject of onsite storage of low level radioactive waste...[t]he questions of the safety of, and the environmental impacts of onsite low-level waste storage are, in our view, largely site specific and design-specific, and appropriately decided in an individual licensing proceeding, provided the litigants proffer properly framed and supported contentions.” (1)

---

1 US NRC ASLBP, In the Matter of Calvert Cliffs 3 Nuclear Project, LLC and Unistar Nuclear Operating Services, LLC (COL) Docket No. 52--16-COL, ASLBP No. 09-874--02-COL-BDO1, Memorandum and Order, March 24, 2009, p. 65.

*(iv) Demonstrate that the issue raised in the contention is material to the findings the NRC must make to support the action that is involved in the proceeding.*

This issue is material because in order to receive a construction permit and/or license to operate a nuclear reactor the applicant must demonstrate how low-level waste will be safely disposed during the operation of SSES. PPL’s plan is vague, is limited; and could provide, at the most, only interim storage.

PPL, Riverstone, and the future Talen Energy Corporation’s “no plan” plan option relies on speculation, the magical “elimination” of waste generation, and an unsubstantiated hope that a disposal site will be developed by an unidentified vendor at an undisclosed site in the future.

PPL enclosed no supporting evidence to demonstrate it has capability and capacity to store low level waste. Certainly a Company of PPL’s resources can prepare and provide a plan with empirical evidence to demonstrate how it will isolate and dispose of radioactive waste.

*(v) Provide a concise statement of the alleged facts or expert opinions which support the requester's/petitioner's position on the issue and on which the petitioner intends to rely at hearing, together with references to the specific sources and documents on which the requester/petitioner intends to rely to support its position on the issue.*

This contention refers to documents and other authorities which support Mr. Ritter's argument that PPL has failed to demonstrate that Susquehanna has the capability to store Class B and C low level waste during the entire operating life of the plant and beyond, in the event Barnwell remains closed to PPL; Clive, Utah “no longer becomes cost effective”; and no other waste disposal options are developed or available.

*(vi) Provide sufficient information to show that a genuine dispute exists with the applicant/licensee on a material issue of law or fact. This information must include references to specific portions of the application (including the applicant's environmental report and safety report) that the petitioner disputes and the supporting reasons for each dispute, or, if the petitioner believes that the application*

*fails to contain information on a relevant matter as required by law, the identification of each failure and the supporting reasons for the petitioner's belief.*

Mr. Ritter's contention refers to the failure to provide a plan of action to dispose of the low level radioactive waste. This omission and the lack of supporting factual data to support a realistic storage alternative, constitute deficiencies in the application for indirect transfer of license, pursuant to NEPA and NRC COLA guidelines, indicating a genuine dispute exists as to a material issue of law or fact.

## **VII.. Remedies**

It is critical for public confidence and NRC's regulatory credibility that the agency investigate, understand, and report its findings regarding the financial structures as they pertain to the ability of the future Talen Energy Corporation and its corporate subsidiaries to safely operate, maintain, and decommission the Susquehanna Steam Electric Station.

## **VIII.. Conclusions**

Such an examination should be conducted in a transparent manner and, at the end of the proceeding, NRC should detail and explain how the financial ability of these entities will safely operate, maintain and decommission the SSES.

A sense of fair play and fiduciary obligation necessitate that the NRC provide the following relief:

- 1) Publish notice of an opportunity for comment and a public hearing in the Federal Register;
- 2) Convene a public hearing under the auspices of the Atomic Safety and Licensing Board in the Susquehanna SSES area to examine the proposed Indirect License Transfer under more rigorous and in-depth filters;
- 3) Grant Mr. Douglas B Ritter Intervener Status; and,
- 4) Admit all three of Mr. Ritter's contentions, based on the above evidence.

## **IX.. Request for Exemption from Electronic Filing Requirements**

Mr. Ritter cannot file this Request for a Public Hearing electronically because of insufficient computer expertise to utilize the prescribed USNRC website(s) and internet facilities for the electronic filing process. This computer technological inadequacy is the basis for this request for exemption from NRC electronic filing requirements.

Respectfully submitted,

Douglas B. Ritter  
44 Blackberry Lane  
Berwick, PA, 18603  
(570) 759-2227 Phone

DATED: October 24, 2014