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May 28, 1981

50-443/444



Harold R. Denton, Director
Office of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Washington, DC 20555

RE: In the Matter of Public Service Company of
New Hampshire, et al
Construction Permits CPPR-135 and CPPR-136

Dear Mr. Denton:

As you know, on June 30, 1980, SAPL filed with the NRC a request that the Commissioners review a decision rendered by your office on February 11, 1980. The latter decision denied a request to issue a show cause order requested by SAPL on May 2, 1979 which sought an Order to show cause why construction permits for the proposed nuclear power plant at Seabrook should not be suspended or revoked.

In October of 1980, the Commission, although deciding not to review your denial of our Petition, directed the Staff to treat the June 30th SAPL request for Commission review as a new Petition for a Show Cause Order under 10 C.F.R. §2.206.

As everyone appears to agree, the May 2, 1979 request for a show cause order, and the Commission's directive to the Staff to reconsider its position on that in October of 1980 reflects an extremely grave problem of successfully implementing emergency measures within the so-called Emergency Planning Zone around the Seabrook reactors. The problem is acute at Seabrook both because of the limitations of the transportation network, and the high density of population, particularly on the resort beaches just two miles from the reactors.

On January 29, 1981, I forwarded to you an extensive videotape, which I understand was specifically available for use on machines at your agency, and a large number of photographs, showing the traffic congestion, at the points indicated during the summer of 1980. On February 3rd, I sent you a key showing the places and times the photographs were taken. On February 13th, you acknowledged receipt of the videotape and the photographs.

XE03
5/01

LUKE S O'NEILL JR ROBERT A BACKUS JOHN P SHEA ELIZABETH CAZDEN

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I am at this time writing to again ask, in the strongest possible terms, prompt action on the evacuation question with regard to the Seabrook reactors. As I understand the present NRC regulations on emergency planning, as promulgated in the August 19, 1980 Federal Register, there remains the possibility of facilities modification if a determination that an adequate emergency plan, meaning in this case primarily evacuation, cannot be carried out in a manner sufficient to adequately protect the public. Facilities modification becomes evermore unlikely to be seriously considered as construction on the units progresses.

This, coupled with your duty to act on this matter within a reasonable period, prompts this letter. If my clients do not have action from your office by July 15, 1981, we will ask the Commission to intervene, or take other appropriate steps.

Very truly yours,


Robert A. Backus

RAB/sld

cc: All Parties on Attached
Certificate of Service

May 28, 1981

CERTIFICATE OF SERVICE

I, Robert A. Backus, certify that I have mailed, postage prepaid, first class or airmail of the within to:

Alan S. Rosenthal, Chairman
Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

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