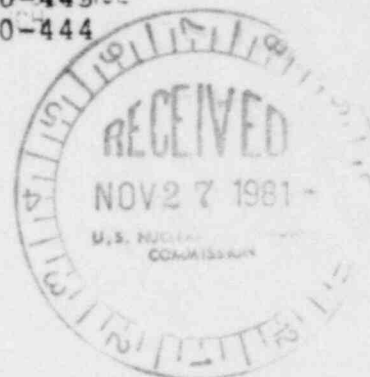


UNITED STATES OF AMERICA DOCKETED  
 USNRC  
 NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
 PUBLIC SERVICE COMPANY )  
 OF NEW HAMPSHIRE, et al. )  
 )  
 Seabrook Station, Units 1 and 2 )  
 )  
 )

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 Docket Nos.  
 50-443ICE  
 50-444



PETITION OF THE MASSACHUSETTS  
 ATTORNEY GENERAL TO  
 INTERVENE IN  
 OPERATING LICENSE PROCEEDING

Francis X. Bellotti, Attorney General of the Commonwealth of Massachusetts, hereby petitions the Commission for leave to intervene in the operating license proceeding for the Seabrook Station, Units 1 and 2. Attorney General Bellotti is a duly elected representative of the citizens of Massachusetts and seeks to participate in this proceeding on their behalf with respect to the subject areas of accident prevention and mitigation and emergency response.

In its regulations on emergency planning the Commission requires that plume exposure pathway and ingestion pathway emergency planning zones be established around each light-water nuclear power plant. 10 C.F.R. §50.33 and §50.47(c)(2). The rules provide that "[g]enerally, the plume exposure pathway EPZ for nuclear power reactors shall consist of an area about 10 miles (16 km) in radius and the ingestion pathway EPZ shall

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consist of an area about 50 miles (80 km) in radius." And no operating license will be issued until the Commission finds that "[a] range of protective actions have been developed for the plume exposure pathway EPZ for emergency workers and the public . . . and protective actions for the ingestion exposure pathway EPZ appropriate to the locale have been developed." 10 C.F.R. § 10.47(b)(10).

The Commission recognizes, then, that citizens within 50 miles of a reactor (and particularly those within 10 miles) are within the zone of danger in the event of a severe accident and that protective actions may be necessary within those areas to prevent or mitigate adverse consequences to public health and welfare. Since the Commonwealth of Massachusetts has several communities located within ten miles of the Seabrook site, and since a large portion of the state (including much of the metropolitan Boston area) is within fifty miles of the site, the citizens of Massachusetts have a clear and significant interest in the safe operation of these plants.

In addition, many citizens of Massachusetts have an interest in the safe operation of and the emergency plans for the Seabrook Station because they frequently visit the beaches located within five miles of the site. In a document already on file in this matter, "Memorandum of the Commonwealth of Massachusetts in Support of Seacoast Anti-Pollution League's Request for an Order to Show Cause dated June 30, 1980"

["Memorandum"], Attorney General Bellotti discusses in some detail the severe difficulties associated with evacuation of these beaches and the inadequacy of current evidence as to the feasibility of safe evacuation. The difficulties associated with evacuating the beaches have long been recognized by the NRC Staff, the Advisory Committee on Reactor Safeguards, and other parties. See Memorandum, at 6. Recently two members of the Commission concluded that the beaches in the vicinity of Seabrook pose "difficult, and perhaps unique, emergency planning problems" and that "if emergency preparedness is not improved sufficiently . . . , Seabrook's operation may be contingent on restricted use of the beaches." See Separate Views of Commissioner Gilinsky, Commissioner Bradford concurring, on September 11, 1981 Commission vote declining review of decision DD-81-14, Docket Nos. 50-443, 50-444.

The problems posed by the beaches in the Seabrook vicinity alone give rise to serious concern for the safety of Massachusetts citizens. Only by participating fully as a party to this proceeding can Attorney General Bellotti help ensure that adequate steps are taken to prevent and to mitigate the effects of a severe accident at the Seabrook Station. Attorney General Bellotti will seek to ensure that proposed protective actions are feasible and will adequately protect the public and that the citizens of Massachusetts are receiving the benefit of the lessons to be learned from the accident at Three Mile Island.


The Atomic Energy Act, at 42 U.S.C. §2021(1), specifically recognizes the right of states having an interest in the proposed construction or operation of nuclear power plants to participate in the proceedings relating thereto. For the reasons outlined above, the Commonwealth of Massachusetts clearly has such an interest in this proceeding and is entitled to participate fully therein through its Attorney General.

Respectfully submitted,

FRANCIS X. BELLOTTI  
ATTORNEY GENERAL

By: PAULA GOLD  
Assistant Attorney General  
Chief, Public Protection Bureau

STEPHEN M. LEONARD  
Assistant Attorney General  
Chief, Environmental Protection Division

  
JO ANN SHOTWELL  
Assistant Attorney General  
Environmental Protection Division  
Public Protection Bureau  
Department of the Attorney General  
One Ashburton Place, 19th Floor  
Boston, Massachusetts 02108  
(617) 727-2265


Dated: November 18, 1981

CERTIFICATE OF SERVICE

I, Jo Ann Shotwell, hereby certify that I have this day served a copy of the foregoing Petition on the NRC Staff by mailing a copy thereof, postage prepaid, to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Signed under the pains and penalties of perjury this 18th day of November, 1981.

By:

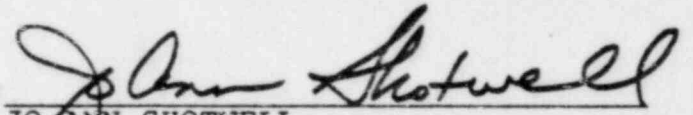
  
JO ANN SHOTWELL  
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(617) 727-2265

CERTIFICATE OF SERVICE

I, Jo Ann Shotwell, hereby certify that I have this day served a copy of the foregoing Petition on the Applicants by mailing a copy thereof, postage prepaid, to their attorney, Thomas G. Dignan, Esq., Ropes and Gray, 225 Franklin Street, Boston, Massachusetts 02110.

Signed under the pains and penalties of perjury this 13th day of November, 1981.

By:

  
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