

11023

RECEIVED
USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION NOV -6 A10:04

PUBLIC SERVICE CO. OF NEW HAMPSHIRE, ET AL.

Seabrook Station, Units 1 and 2

(Emergency Planning - ALS Patients) SERVED NOV - 6 1990

Docket Nos. 50-443-OL-R5 and 50-444-OL-R5

ASLBP No. 91-624-01-OL-R5

ESTABLISHMENT OF A SEPARATE
ATOMIC SAFETY AND LICENSING BOARD
TO PRESIDE IN PROCEEDING

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 F.R. 28710 (1972), and Sections 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717 and 2.721 of the Commission's Regulations, all as amended, and pursuant to the Statement of Policy on Conduct of Licensing Proceedings, 13 N.R.C. 452 (1981), and the request of the Atomic Safety and Licensing Board already established to preside in this operating license proceeding, a separate Atomic Safety and Licensing Board is being established to preside over the proceeding on the issue of evacuation time estimates for special facility Advanced Life Support patients.

PUBLIC SERVICE CO. OF NEW HAMPSHIRE, ET AL.

Seabrook Station, Units 1 and 2

(Emergency Planning - ALS Patients)

Construction Permit Nos. CPPR-135 and CPPR-136

9011270136 901105
PDR ADDCK 05000443
G PDR

502

This Board is being established pursuant to the Atomic Safety and Licensing Appeal Board's November 7, 1989 Decision concerning the New Hampshire Radiological Emergency Response Plan (NHRERP). ALAB-924, 30 NRC 331 (1989). One of the issues that the Appeal Board remanded for further proceedings in ALAB-924 was the Licensing Board's finding in LBP-88-32, 28 NRC 667 (1988) that intervenor SAFPL's concerns regarding evacuation time estimates for special facility Advanced Life Support (ALS) patients were adequately reflected in the NHRERP's evacuation time assumptions.

The separate Board is comprised of the following Administrative Judges:

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

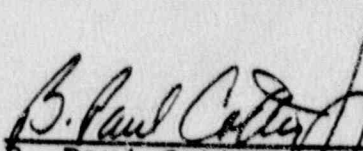
Dr. Richard F. Cole, Member
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Harry Foreman, Member
1564 Burton Avenue
St. Paul, Minnesota 55108

All correspondence, documents and other materials shall be filed with the Board in accordance with 10 C.F.R. § 2.701 (1980).

This separate Licensing Board of limited jurisdiction (to be referred to for convenience as the "ALS" Board), exists solely to hear and resolve issues related to evacuation time estimates for special Facility Advanced Life Support (ALS) patients.

The Licensing Board comprised of Administrative Judges Smith, Cole and McCollom, sometimes referred to for convenience as the "offsite EP Board", stands in the shoes of the original Licensing Board constituted November 30, 1981 in response to the October 19, 1981 notice of hearing. See 46 Fed. Reg. 51,330 (1981). Thus, that Licensing Board has general jurisdiction over all matters pertaining now or in the future to the application for a license to operate Units 1 and 2 of the Seabrook Station not otherwise expressly assigned to the new separate "ALS" Board.



B. Paul Cotter, Jr.
Chief Administrative Judge
Atomic Safety and Licensing
Board Panel

Dated at Bethesda, Maryland,
this 5th day of November 1990.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

PUBLIC SERVICE COMPANY OF NEW
HAMPSHIRE, ET AL.
(Seabrook Station, Units 1 and 2)

Docket No. (s) 50-443/444-OL-R5

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ESTABLISHMENT DTD 11/5/90 have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Peter B. Bloch, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Richard F. Cole
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Law Judge
Ivan W. Smith
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Harry Foreman
ASLB
1564 Burton Avenue
St. Paul, MN 55108

Edwin J. Reis, Esq.
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Diane Curran, Esq.
Harmon, Curran & Toussley
2001 S Street, N.W., Suite 430
Washington, DC 20009

Thomas B. Dignan, Jr., Esq.
Ropes & Gray
One International Place
Boston, MA 02110

Robert A. Backus, Esq.
Backus, Meyer & Solomon
116 Lowell Street
Manchester, NH 03106

Paul McEachern, Esq.
Shaines & McEachern
25 Maplewood Avenue, P.O. Box 360
Portsmouth, NH 03801

Gary W. Holmes, Esq.
Holmes & Ellis
47 Winnacunnet Road
Hampton, NH 03842

Barton Z. Cowan, Esq.
Eckert, Seamans, Cherin & Mellott
600 Grant Street, 42 Floor
Pittsburgh, PA 15219

Jane Doughty
Seacoast Anti-Pollution League
5 Market Street
Portsmouth, NH 03801

George W. Watson, Esq.
Federal Emergency Management Agency
500 C Street, S.W.
Washington, DC 20472

Edward A. Thomas
Federal Emergency Management Agency
442 J.W. McCormack (PDDH)
Boston, MA 02109

George D. Bisbee, Esq.
Assistant Attorney General
Office of the Attorney General
25 Capitol Street
Concord, NH 03301

Suzanne Breiseth
Board of Selectmen
Town of Hampton Falls
Drinkwater Road
Hampton Falls, NH 03844

Leslie Greer, Esq.
Nuclear Safety Unit
Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Matthew T. Brock, Esq.
Assistant Attorney General
Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Philip Ahrens, Esq.
Assistant Attorney General
Office of the Attorney General
State House Station, #6
Augusta, ME 04333

Allen Lampert
Civil Defense Director
Town of Brentwood
20 Franklin Street
Exeter, NH 03833

William Armstrong
Civil Defense Director
Town of Exeter
10 Front Street
Exeter, NH 03833

Anne Goodman, Chairman
Board of Selectmen
13-15 Newmarket Road
Durham, NH 03824

Peter J. Matthews
Mayor of Newburyport
City Hall
Newburyport, MA 01950

Docket No. (s) 50-443/444-OL-R5
LB ESTABLISHMENT DTD 11/5/90

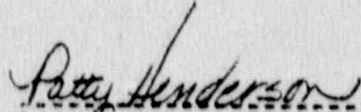
Michael Santosuosso, Chairman
Board of Selectmen
South Hampton, NH 03827

R. Scott Hill-Whilton, Esquire
Lagoulis, Hill-Whilton & Rotondi
79 State Street
Newburyport, MA 01950

Stanley W. Knowles, Chairman
Board of Selectmen
P.O. Box 710
North Hampton, NH 03862

The Honorable
Gordon J. Humphrey
ATTN: Janet Doit
United States Senate
Washington, DC 20510

Dated at Rockville, Md. this
6 day of November 1990



Office of the Secretary of the Commission