

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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Before the  
ATOMIC SAFETY AND LICENSING BOARD

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In the matter of: )

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE )  
ET AL. )

(Seabrook Station, Units 1 and 2) )  
\_\_\_\_\_ )

Docket Nos.: 50-443  
and  
50-444

March 23, 1983

THE STATE OF NEW HAMPSHIRE'S ANSWER TO APPLICANT'S SIXTH MOTION  
FOR SUMMARY DISPOSITION AND TO THE STAFF'S MOTION FOR  
PARTIAL SUMMARY DISPOSITION OF CONTENTION NH-13

Pursuant to 10 C.F.R. §2.749 the State of New Hampshire hereby answers the Applicant's motion for full summary disposition, and the Staff's partial motion for summary disposition, of Contention NH-13.

Insofar as the Applicant has asserted its commitment to implementing fully the special training for mitigating core damage required by NUREG-0737, Item II.B.4, as interpreted in Enclosure 3 to H.R. Denton's March 28, 1980 letter, and in light of its submission of an acceptable outline of such training, New Hampshire no longer asserts non-compliance with that NUREG-0737 requirement with regard to the listed operations personnel.

New Hampshire opposes, however, both summary disposition motions as to NUREG-0737, Item I.C.1. The Staff and the Applicant assert

that the Applicant has complied with this requirement since it has committed to follow the Westinghouse Owners Group recommendations for developing emergency procedures. However, as the Applicant's affiant, George S. Thomas, stated in his affidavit accompanying the Applicant's summary disposition motion, the Westinghouse Owners Group is still "in the process of finalizing emergency response guidelines." Until such time as these guidelines are completed, there is no assurance that the Applicant's "commitment" to implementing them will satisfy the mandate of NUREG-0737, Item I.C.1. Therefore, as a matter of law, the Applicant's and Staff's motions for summary disposition on this issue should be denied.

The Applicant also is not entitled to summary disposition in its favor as to its compliance with NUREG-0737, I.A.1.1.<sup>1/</sup> By its own admission it is still seeking staff approval to obviate the need for a separate Shift Technical Advisor (STA) (see George S. Thomas affidavit), so that this NUREG-0737 requirement has not been met.

The Applicant must provide an STA as required by Item I.A.1.1 until such time as "the qualifications of the shift supervisors and senior operators have been upgraded, and the man-machine interface in the control room has been acceptably upgraded." NUREG-0737, Item I.A.1.1. (Emphasis added.) At the present time the Applicant has not demonstrated that the control room design as it pertains to "man-machine interface" has been acceptably upgraded, and it is not,

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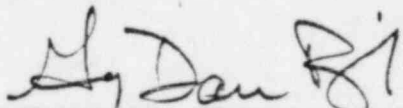
<sup>1/</sup> The Staff has not moved for summary disposition on this issue. See Staff's February 14, 1982 Motion for Partial Summary Disposition, at pp. 2, 3.

therefore, in compliance with NUREG-0737, Item I.A.1.1. On this basis the Applicant's Motion for Summary Disposition as to this NUREG-0737 requirement must be denied.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

GREGORY H. SMITH  
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Dated: March 23, 1983

STATEMENT OF FACTS AS TO WHICH THERE IS DISPUTE

1. Because the Applicant has not demonstrated that the qualifications of shift supervisors and senior operators have been upgraded and that the "man-machine interface" in the control room has also been adequately upgraded, it has not complied with NUREG-0737, Item I.A.1.1 in providing for shift technical advisors.
2. Because the Applicant, through the Westinghouse Owners Group, has not finalized emergency response guidelines based on an analysis of transients and accidents, it has not complied with NUREG-0737, Item I.C.1.