

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD ^{DOCKETED}

In the matter of:

'83 JAN 21 A10:38

PUBLIC SERVICE COMPANY OF
NEW HAMPSHIRE, et al

Docket Nos. 50-443 OL
50-444 OL

(Seabrook Station, Units 1 and 2)

SAPL'S RESPONSES TO APPLICANT'S INTERROGATORIES AND
REQUEST FOR THE PRODUCTION OF DOCUMENTS

I. DEFINITIONS.

A. "No."

In answering "No." to any of the applicant's specific interrogatories, the Seacoast Anti-Pollution League does not waive its right to cross examine witnesses or to urge the denial (or allowance subject to conditions) of the pending application on the basis of the topic or contention. In other words, the Seacoast Anti-Pollution League retains its rights under the Prairie Island Rule, found at 2 NRC 392 footnote 6. (In the Matter of Northern States Power Company) SAPL further asserts that it has discernible interests in the resolution of all contentions admitted in the above-named proceedings.

II. ANSWERS.

- I. "No."
- II. "No."
- III. "No."
- IV. "No."
- V. "No."
- VI. "No."
- VII. "No."

DS03

- VIII. "No."
- IX. "No."
- X. "No."
- XI. "No."
- XII. "No."
- XIII. "No."
- XIV. "No."
- XV. "No."
- XVI. "No."
- XVII. "No."
- XVIII. "No."
- XIX. "No."
- XX. "No."
- XXI. "No."
- XXII. "No."
- XXIII. "No."
- XXIV. "No."
- XXV-1. "Yes."
- XXV-2.

First, SAPL believes that it's contention relates to the staff's compliance with requirements of the National Environmental Policy Act, as specified in the Commission's Interim Policy Statement and not to the Applicant's environmental report. However, in regard to the environmental report, SAPL believes that the analysis would fail to comply with the Commission's policy statement, if the policy statement in fact related to the environmental report, in the following respects:

a. The Commission's Policy Statement requires that "approximately equal attention shall be given" to the consequences of accidents and to the probability of their occurrence. In addition, the Commission's statement requires that accidents whose consequences be analyzed should "not be limited" to those that can reasonably be expected to occur.

b. The Environmental Report does not disclose the full consequences of a "Class 9" accident. Throughout the discussion in Section 7.4, "Determination of Release Category Consequences", the applicant discusses the consequences only in combination with the claimed low probability of the accident events.

c. The consequences are not presented on a worst case basis, contrary to the policy statement's requirement that the accident sequence "not be" limited to those that can be reasonably expected to occur. For example, the applicant has chosen to use average wind speed, and to use weekday transient compilation concentrations.

d. Contrary to the requirements of the Interim Policy Statement, the environmental report does not discuss the extent to which events arising from causes external to the plant may be considered possible contributors to the risk.

The Interim Policy Statement states at page 40103, : "The extent to which events arising from causes external to the plant which are considered possible contributors to the risk associated with the particular plant shall also be discussed." The applicant has failed to comply with this provision of the Interim Policy Statement. The applicant has failed to consider the potential consequences of off-site factors which might cause a Class 9 accident, specifically those

events related to sabotage activities. Determination of the worst case consequences of a sabotage attack seriously impairing the ability of safety systems designed to safeguard the public from radiation exposure is not precluded by a limited state of the art with respect to probability analysis. The applicant has classified an act of sabotage as a "unusual occurrence". (See section 11.2 of the FSAR Radiological Emergency Plan.) Consequently, it appears that the applicant is confident in its classification of sabotage activities with respect to emergency planning. Consequently, SAPL asserts that the applicant should be required to disclose the full environmental consequences of the worst case sabotage incident in which emergency systems designed to safeguard the public from radiological exposure were seriously impaired.

e. The accident consequences are mitigated by the assumption of the "benefits of evacuation", again precluding the disclosure of the full consequences of a worst case accident. In any event, the applicant's analysis of the worst case consequences of a core melt accident are premature given that state and local emergency plans have not yet been completed or disclosed. Due to the status of the plans, an accurate analysis of their mitigating effects upon environmental consequences is impossible.

XXV-3. SAPL contends that the applicant is required to discuss separately.

1. The probability of occurrence of a "worst case" core-melt accident in which the full radio-nuclide inventory of the reactor core is released into the atmosphere, and

2. A full, complete, clear and concise analysis of the environmental consequences of a "worst case" core melt accident in which the full radio-nuclide inventory of the reactor core is released into the atmosphere.

With respect to the second analysis, the applicant should assume the highest population density of the year with respect to the ten-mile radius from the site. The highest population density for the year should be determined from reference to the most recent data available. The applicant should also assume "worst case" weather conditions which would bring the largest body of radio-nuclides into contact with the greatest numbers of people. Included in the applicant's analysis of the environmental consequences of a worst case "core melt" accident should be an assessment of property damages assuming highest possible population densities and "worst case" weather conditions noted above.

XXV-4. It is not SAPL's responsibility to determine each and every consequence that would result from a "worst case" core-melt accident in which either reactor's complete core radio-nuclide inventory were released. The responsibility for that determination lies with the Commission's staff and the applicant. To date, the applicant's Environmental Report has not yet included that determination.

XXV-5. SAPL contends that for purposes of analyzing the environmental consequences of a "worst case" core melt accident (see XXV-3, above), the applicant should assume a probability of one occurrence per reactor a year.

XXV-6. This is consistent with SAPL's contention that the applicant's analysis of worst case accident consequences should be

separate and distinct from its analysis of their probability of occurrence.

XXV-7. "Yes."

XXV-8. The accident scenario mandating the requirements would be a "worst case" core melt accident in which

1. The full radio-nuclide content of the reactor were released to the atmosphere, water and land surrounding the plant, and

2. "Worst case" weather conditions created maximum radiation exposure levels among

3. the highest population densities predictable within the ten-mile radius from the site.

SITE FEATURES

1. Construction of shelters of sufficient size, location and design to protect maximum populations from injury caused by a Class 9 accident.

2. Expansion of existing roadway and bridge networks to permit a rapid evacuation of the beaches and towns with the ten-mile radius from the site.

3. Full shutdown of the plant from Memorial Day to Labor Day each year. The extent to which any of the above recommended license conditions would mitigate the property and health damage consequences of a worst case "core melt" accident is unknown. The costs associated with the recommended conditions are also unknown.

XXV-9. "Yes."

A. Richard Kaufman. Age not presently available. Mailing address: Room 105, Demeritt Hall, University of New Hampshire, Durham, N.H. 03824. Full professor, Physics Department, UNH, 1960-

63 Lieutenant, United States Air Force, Special Weapons Center.
Formal Education: PhD Yale 1960 Chemistry, MS Yale 1958 Chemistry,
BS California Technical Institute, 1957, Chemistry.

SAPL reserves the right to supplement this response should it decide to offer testimony of additional expert witnesses with respect to this contention.

B. SAPL is unable to answer subparts B-H since it has not yet received responses to its recent Interrogatories and Request for Documents directed to the Commission.

XXVI-1. Yes.

XXVI-2. (1) The radiological emergency plan prepared by the Applicant indicates appropriate procedures to be used for emergency notification. (See FSAR Radiological Emergency Plan §11.2.) Section 11.2 reads as follows: "Notification systems for the areas around Seabrook Station will be extensively investigated. A determination of an appropriate system or combination of systems will result from this investigation. Each community within the Plume EPZ will review proposed system details and agreements will be reached between Public Service Company of New Hampshire and local communities prior to installation. Local community emergency plans will reflect the final improved systems."

(1)SAPL contends that the notification systems referred to in § 11.2 of the FSAR Radiological Emergency Plan have not been negotiated for all affected towns, and that such systems should be tested and in place prior to the issuance of an operating license.

(2) The Applicant has not yet produced completed State and local emergency preparedness and response plans. Consequently,

there is no factual indication that the Applicant has achieved its stated objective of "identifying and developing a system for coordination of Federal, State, and Local Authorities available for assistance" as stated in §3.1 of the FSAR Radiological Emergency Plan (page 3-1.)

(3) The Applicant has failed to achieve objective No. 4 as stated in §3.1 of the FSAR for the same reason as stated in (2) above.

(4) The Applicant has failed to achieve objective No. 8 as stated in §3.1 of the FSAR for the same reason as stated in (2) above. SAPL asserts that any "training and emergency plan exercise program" designed to insure the plan's effectiveness must be coordinated with State and Local Emergency Preparedness Plans. The Applicant has yet to state how and when that coordination will be achieved.

(5) SAPL reserves the right to supplement the above responses to specific interrogatory XXVI et. seq. in accordance with Commission regulations.

XXVI-3 SAPL has not yet retained an expert witness with regard to this contention. Should an expert be retained, SAPL will immediately supplement this response with the appropriate data.

XXVII-1 Yes.

XXVII-2 (1) The Applicant has not complied with the standards set forth in 10 C.F.R. §50.47(b). The regulation provides that:

"The on-site and off-site emergency response plans for nuclear power reactors must meet the following standards:

(1) Primary responsibilities for emergency response by the nuclear facility licensee and by state and local organizations within the Emergency Planning Zones have been assigned, the emergency responsibilities of the various supporting organizations have been specifically established, and each principal response organization has staff to augment its initial response on a continuous basis."

Since State and Local Emergency Preparedness and Response Plans have not been completed, and the Applicant has not demonstrated its compliance with the above standards.

(2) The Applicant has failed to demonstrate compliance with 10 C.F.R. §50.47(b)(8). The regulation provides that adequate emergency facilities and equipment to support the emergency response must be provided and maintained. The FSAR Radiological Emergency Plan gives no accounting with respect to State and Local Police, Fire and Ambulance capabilities needed to support an evacuation, should one be deemed necessary. The Applicant indicates only that a "Local Hospital's Support Equipment Kit Checklist" will be included in a future revision to the Emergency Plan.

(3) SAPL reserves the right to supplement the above responses to specific interrogatory XXVII, et. seq.

XXVIII-1. No.

XXIX-1. Yes.

XXIX-2. SAPL adopts as its own the facts and bases set forth in NECNP's Supplemental filing on Emergency Planning Contentions.

XXIX-3.1 (Subparts (a)-(d).) SAPL has not yet finalized its position on this contention, therefore it is unable to answer these

interrogatories at this time. These answers will be supplemented as required by NRC regulations.

XXIX-3 through 25. Similarly SAPL has not yet finalized its position on responses to these interrogatories. These answers will be supplemented as required by NRC regulations.

XXIX-26 As of this date, SAPL has not performed or contracted for the performance on its behalf of any estimates of Seabrook evacuation times.

XXIX-27 N/A

XXIX-28 N/A

XXIX-29 SAPL has not retained an expert witness to present testimony on this issue. SAPL reserves the right to supplement its response to this Interrogatory should an expert be retained.

XXX-1 No.

XXXI-1 Yes.

XXXI-2 SAPL has not yet finalized its position on this contention. Answers to this Interrogatory will be supplemented as required by NRC regulations.

XXXI-3 SAPL has not yet retained an expert witness to present expert testimony with respect to this issue. SAPL reserves the right to supplement its response to this Interrogatory should an expert be retained.

XXXII-1 Yes.

XXXII-2 through 12. SAPL has not yet finalized its position on this contention. Answers to these interrogatories will be supplemented as required by NRC regulations.

XXXII-13. SAPL has not yet retained an expert witness to present testimony with respect to this issue. SAPL reserves the right to supplement its response to this interrogatory should an expert be retained.

XXXIII-1 Yes.

XXXIII-2 through 20. SAPL has not yet finalized its position on this contention. Answers to these interrogatories will be supplemented as required by NRC regulations.

XXXIII-21. SAPL has not yet retained an expert witness to present testimony with respect to this issue. SAPL reserves the right to supplement its response to this Interrogatory should an expert be retained.

III. DEFINITIONS.

Response to the Applicant's request for the production of documents.

SAPL will provide all documents identified above if and when they are received through the discovery process to the offices of Public Service Company of New Hampshire, 1000 Elm Street, Manchester, New Hampshire.

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