

DOCKETED  
USNRC

'83 SEP 12 P1:21

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF REGULATORY  
INFORMATION SERVICES  
WASHINGTON, D.C. 20545

In The Matter Of: )  
Public Service Company of ) Docket Nos. 50-443  
New Hampshire et al ) 50-444  
(Seabrook Station, Units 1 and 2 )  
)

TOWN OF SEABROOK - CONTENTIONS ON THE RADIOLOGICAL  
EMERGENCY RESPONSE PLAN

The Town of Seabrook, designated as an interested municipality, hereby submits the following contentions to the Radiological Emergency Response Plan prepared for the Town.

1. The local emergency plans are based upon inaccurate or misleading information and thus cannot assure that the public will be protected in the event of a radiological emergency.

Basis: According to a report by Alan M. Voorhees & Assoc. prepared for the NRC (hereinafter the Voorhees Report), local officials feel that the numerical strength of the police forces as stated in the local plan is invalid. One example is the Seabrook plan, which assigns significant responsibilities to a Deputy Fire Chief and to a RADEF Officer. There are no such persons or positions. Similarly, plan references to population size are misleading, as in Seabrook, which reflects a mean seasonal peak population of 33,683, when there can be 30,000 people on the beach on a busy summer day.

2. The local emergency response plan for Seabrook, which is within the plume exposure emergency planning zone does not assure that "each principal response

8309130310 830909  
PDR ADOCK 05000443  
G PDR

organization has staff to respond and to augment its initial response on a continuous basis," 10 C.F.R. § 50.47(b)(1), in the following respects:

a. There is no assurance that necessary police and fire department personnel will be reachable or capable of responding promptly in the event of a radiological emergency.

Basis: According to the Voorhees Report, at any given time, much of the police force and fire department will be unreachable or out of the area, and thus incapable of responding promptly to an emergency. There are only twelve full time firemen in Seabrook. In addition, the utility has solicited fire department employees to go to the site and assist during an emergency. Thus, they and any policemen who respond to this solicitation will be unavailable to fulfill their responsibilities under the plan.

b. Under the local plans, the highway departments are responsible for assuring a successful, smooth evacuation by clearing roads of snow, stalled cars, and accidents and otherwise assuring that the roadways remain open for evacuation. The local highway departments do not have sufficient personnel or resources to fulfill these responsibilities, and the common arrangements for ad hoc assistance by private contractors are insufficient to assure that these responsibilities will be met.

Basis: Seabrook has only nine people in the highway department. There is no assurance that the private firms will be available in the event of an emergency. On their face, these resources are inadequate to perform the tasks assigned to highway department personnel. In addition, the road agent is to report to the EOC during an emergency, so he may be delayed or unable to perform his evacuation route maintenance responsibilities. Moreover, the highway agent has stated that he has reviewed both the tasks required in the plan and he has

concluded that the resources and arrangements to obtain private assistance are inadequate to assure that the responsibilities will be met in the event of an emergency.

c. Under the plans, the local fire department is responsible for such tasks as assisting in monitoring the evacuation, for decontamination of affected individuals, operating and maintaining the EOC or the public alert system (PAS), and assessing emergency transportation needs. The Seabrook Fire Department does not have sufficient personnel or resources to fulfill these responsibilities.

Basis: Seabrook has only twelve full time firemen, with twenty-three on call, and the utility has solicited fire department personnel to assist at the site in the event of an emergency, so they may not be available to full their plan responsibilities. To the extent that the plan relies upon volunteers, there is no assurance that the personnel will be reached or available in the event of an emergency. Even if the volunteers respond, however, the personnel and resources will be inadequate to perform their tasks. Moreover, the fire chief in Seabrook has reviewed the tasks for which the fire department is responsible and has stated that his resources are inadequate to meet those responsibilities. And the Voorhees Report indicates that officials have stated concern over the insufficient number of firemen.

d. There is no assurance that local emergency response personnel will be reachable or that they will be able to respond soon enough to assure protection of the public health and safety.

Basis: The Selectmen are given a great deal of responsibility under the response plan, yet they are only part-time officials who may have other full time jobs outside the Town. Also, the positions of Selectmen, being an elected

position, is continually changing from year to year and the ability to learn and train for the responsibilities under the plan is seriously jeopardized. A good example is shown in the Seabrook plan where Walter Randall is listed as Selectman several times in the emergency procedure section. He has resigned as Selectman and has been replaced by another person.

e. The Seabrook plan does not provide for adequate backups or alternates for important positions in the event that assigned personnel are not available.

Basis: In Seabrook, there are no alternatives listed in any of the positions other than police chief. Unless alternatives are specified, the emergency response may break down if any key personnel are unavailable. Moreover, alternatives must be identified to assure that each organization is capable of providing twenty-four hour per day emergency response. NUREG-0654.

3. The local emergency response plan for the Town of Seabrook does not adequately provide for "notification, by the licensee, of State and local response organizations and for notification of emergency response personnel by all organizations," 10 C.F.R. 50.47(b)(5), in the following respects:

a. Provision for notification of the town emergency response organizations and emergency response personnel is inadequate in that it does not assure that key personnel can be reached since in most cases key personnel are contacted by telephone, which will be unreliable in the event of an accident. Back-up provisions for radio contact are also insufficient because they cannot assure that the personnel can be reached. In each instance, there must be a dedicated telephone line from the initial contact point to locations where the relevant key personnel will definitely be available.

Basis: In Seabrook, the only communications link between the Police Dispatcher and some key personnel is by undedicated telephone line. The accident at Three Mile Island demonstrated that an emergency will very quickly result in jammed telephone lines such that non-dedicated lines cannot be relied upon for essential emergency response communication.

4. Procedures to provide early notification and clear instruction to the populace within the plume exposure pathway EPZ, 10 C.F.R. 50.47(b)(5), are inadequate in that:

1. The primary means of notifying the public, the public alert system (PAS), which is to consist of sirens, mobile public address systems, and tone activated radios, has not yet been designed, so that it cannot possibly support a finding of compliance with this requirement. Among other things, it is impossible to determine the range or effectiveness of the equipment that will be employed, to determine whether the sirens will be installed in appropriate locations or provide adequate coverage under all conditions, including adverse weather.

2. There has been no attempt by any of the emergency response organizations to determine or establish the time required for notifying and providing prompt instructions to the public within the plume exposure pathway EPZ. NUREG-0654 at 45.

3. The plans do not provide for bilingual messages for the large numbers of French-speaking individuals who are often in the area in large numbers.

Basis: The basis for this contention is the nonexistence of the essential information in the local plan as well as the underlying requirement for an adequate notification system. An additional basis is local experience with the

serious language barrier, which is so serious that many people in the area cannot read a menu or order a meal, much less respond to an emergency notification.

5. The local plan does not adequately assure protection of the public health and safety in that they make no provision for dealing with the serious language barrier faced by the large numbers of non-English speaking people often in the area and the difficulties that arise from that language barrier. The language barrier creates behavior problems that would seriously hamper the emergency response, rendering an orderly and safe evacuation impossible.

At a minimum, all relevant communications and informational material must be in both English and French. Emergency response personnel who may have to deal with non-English speaking people must be fluent in French, and all such personnel must be trained in handling the behavioral difficulties that may arise as a result of the language barrier.

Basis: In order to assure that people are adequately protected through sheltering, evacuation, or any other means that is found to be required, it is necessary to communicate with them and to obtain their cooperation. Experience with French speaking visitors indicates that many do not understand English well enough to understand communications in English, and that this difficulty often gives rise to fear and hostility that would seriously hamper an emergency response effort. This is particularly important since many French speaking visitors arrive in the area in buses, which leave during the day, and have no independent means of transportation. Thus, they depend entirely upon guidance and actual transportation provided by the emergency response personnel. NUREG-0654 requires that evacuation time estimates consider behavior, but the local plan, including any evacuation time estimates contained within them, do not do so.

6. The local plan fails to demonstrate the existence of adequate provisions for "prompt communications among principal response organizations to emergency personnel and to the public", 10 C.F.R. § 50.47(b)(6), in that:

1. The emergency communications development plan is not yet complete in Seabrook.

2. Nondedicated telephone links relied upon for communication are inadequate.

3. Plans do not include adequate provisions for communication with non-English speaking people who may be in the area.

Basis: The basis of this contention is the fact that the plans states that the emergency communications plan is incomplete. In addition, the Town relies heavily upon nondedicated telephone lines for crucial communications between the EOC and such crucial organizations as the schools, the Rockingham County Dispatch, the police department, the New Hampshire State Patrol, and the Emergency Broadcast System.

7. The local emergency plan does not provide for an adequate range of protective actions, 10 C.F.R. § 50.47(b)(10), because it contains no means of relocation or other protection for those with special needs, those without private transportation, school children, or persons confined to institutions or elsewhere for health or other reasons. Moreover, the resources now available to the Town for these purposes are inadequate to provide a reasonable assurance that the public will be protected in the event of an accident.

Basis: The basis for this contention is the absence from the plan of any such provisions, coupled with the regulatory requirement to develop an adequate protection in the event of a radiological emergency. The plan contains no

specifics concerning the actions that will be taken or the resources available for those actions. Rather, it simply states that internal procedures will eventually be developed to deal with this problem and that transportation deficiencies will be taken care of. In many cases there is a telephone number to call for those without private transportation who need relocation assistance. Such a provision is inadequate not only because of the vulnerability of telephone systems in the event of an emergency, but because even if the telephone works, there is no assurance that the assistance will be available to all who need it.

In addition, there are not enough school buses available to allow evacuation within a reasonable time. In Seabrook, the children go to schools in many other towns. The school buses are provided by a private company in shifts, but there is no priority plan for use of the buses, or the number of shifts that will be needed in the event of an evacuation.

The lack of special transportation arrangements is particularly important because of the large numbers of elderly persons in the area, particularly in adult mobile home parks and the large numbers of one-car families where one spouse and children are at home without transportation during the day.

8. The plan does not contain adequate guidelines for the choice of protective actions or information on which the choice of protective actions could be based in the event of an emergency. 10 C.F.R. § 50.47(b)(10).

Basis: The Seabrook plan contains no information concerning the effectiveness of various protective actions in potential accident situations. In particular, the plan provides no basis for judging the effectiveness of sheltering as a protective action. There is no information concerning the ability

of the various types of structures to provide shelter against radiation exposure, the conditions under which some structures would be acceptable and others would not, or the conditions under which sheltering must be abandoned in favor of evacuation. There is also no assessment of the ability shelter those without easy access to any form of shelter, particularly transients in recreation areas and on the beaches.

9. The local plan fails to meet the requirements of 10 C.F.R. § 50.47 (b) (10) in that:

1. It contains no maps of evacuation routes, predictions of the time required for evacuation, location of relocation centers or shelter areas, all of which are essential for an adequate emergency plan.

2. It does not make adequate provision for notifying and providing follow-up information to those segments of the population that are in recreation areas or otherwise without easy access to television or radio.

3. There has been no attempt to estimate or project traffic capacities for different routes for evacuation under various conditions and in various seasons.

4. The plan fails to designate any traffic or access points for traffic control. Thus, it is not possible to determine either whether the traffic control plan is sufficient, and it is not possible to determine the number of personnel needed to implement the plan.

5. The plan does not adequately provide for registering or monitoring of evacuees.

Basis: The basis for this contention is the underlying regulatory requirement, the provisions of NUREG-0654, particularly II. J-10, and the absence from the local plan of the information described in the contention.

10. The local plan does not adequately provide for requesting and effectively using assistance resources, including private resources as well as the resources of other governmental entities. 10 C.F.R. § 50.47(b)(3).

Basis: Although the plan provides that the town may seek outside assistance for various purposes, including transportation and material deficiencies, there has been no assessment of the scope and extent of aid that may be needed, nor are there any explicit written agreements to confirm the arrangement and the availability of resources. Although the town will rely upon the New Hampshire Civil Defense Agency to fulfill many of these needs, there are no specific agreements to that effect, and there has been no deliniation of how the agency will fulfill this role. According to the Voorhees Report, the local officials do not view reliance upon mutual aid agreements with surrounding localities to be of any use because all localities will be facing the same difficulties and will be unable to provide the requested assistance.

11. The local plan does not fulfill the requirements of 10 C.F.R. § 50.47 (b)(7) in that it does not identify "the principal points of contact with the news media for dissemination of information during and emergency," including the physical location or locations for such contact.

Basis: The basis for this contention is the regulatory provision and the fact that the points of contact have not yet been established, coupled with the fact that the town's plan calls for identifying these points during the emergency.

12. The current state of emergency planning and preparedness do not permit a finding of reasonable assurance that if an evacuation is necessary it can be carried out in a manner that will assure protection of the public health and safety in that both local conditions and aspects of the emergency plan will

result in families being scattered in various areas. The families will clog the evacuation routes and disrupt the evacuation by attempting to reunite before proceeding to evacuate.

Basis: There are many different activities in the recreational areas, including staying on the beach, swimming, shops, and the like. Families often split up to pursue their separate interests, agreeing to rendezvous later. Parents will not depart without gathering their families together. In addition, the children attend schools throughout the area, often with relocation centers different from those that their parents would be sent to. This may cause much confusion and panic. Parents can reasonably be expected to attempt to pick up their children from the schools, or to return to the EPZ from the relocation center when their children do not show up, although this would disrupt an orderly evacuation.

2. The local plans and their evacuation time estimates do not adequately account for the crowds at the Seabrook dog track.

Basis: There may be as many as five thousand at an event at the Seabrook dog track at the same time as there is a large crowd at the beaches. The dog track crowd would hamper evacuation, particularly along Route 107, where it is often nearly impossible even to get out of a local driveway during heavy traffic.

3. Many of the evacuation routes are narrow and would be blocked by an accident or a stalled car.

Basis: Route 286 is a two lane road where the shoulder is commonly used by traffic during busy periods. Since there is no place for a car to go if there is an accident or breakdown, it would clog either the shoulder of the

roadway. The road also suffers from two serious bottlenecks at bridges where three lanes funnel into less than two. Police traffic control is necessary at the intersection of Route 286 and 1A, along the shoulder of 286, and at the intersection of Route 286 and Washington Street. Similar problems exist with respect to many evacuation routes.

4. In order to assure a safe, prompt, and orderly evacuation in case one is ultimately called for, the emergency plans must provide for notification of all emergency response personnel and implementation of traffic control measures before or coincident with any public announcement of an event at the reactor that falls into any of the emergency action levels.

Basis: The experience at Three Mile Island demonstrated that public evacuation will begin soon after an announcement of an unusual condition at the reactor, even when the utility and the Commission are attempting to assure the public that the reactor poses no danger. Under these plans, this premature evacuation would occur before traffic control measures were in place, clogging the evacuation routes and making it difficult for traffic control personnel to reach the control points and implement the controls, thereby delaying or preventing implementation of the controls and significantly hindering the evacuation.

5. The Seabrook plan has no host community so that evacuees will have no idea where to go, no assurance that they will be able to rendezvous with their families and loved ones, and the evacuation will be chaotic.

Basis: According to the town's plan, there is no host community. In fact, Durham, New Hampshire, refused to serve as a host community for Kensington. This

indicates that not only will surrounding communities not be helpful, they may be hostile to evacuees whom they see as contaminated and whom they do not want to have in their midst.

6. The emergency plan does not adequately account for poor driver behavior, which can be expected to hamper a safe and orderly evacuation.

Basis: Any orderly evacuation depends upon the public being willing to respond to traffic controls and other directions by public officials. Under ordinary circumstances, drivers consistently disobey such controls, with the result being gridlock in downtown rush hour situations and near collapse of automobile transportation networks. These driving habits arise from the determination of the driver to assure his or her own advantage regardless of the damage to others or to the good of all. The presence of only a few such drivers would seriously hamper an evacuation by disrupting traffic controls and increasing the likelihood of automobile accidents.

13. The local plan does not contain adequate arrangements for medical services for contaminated injured individuals. 10 C.F.R. § 50.47(b)(12) in that:

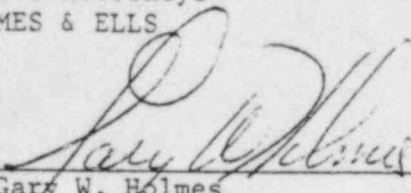
1. In many instances the towns rely on hospitals that are either within the plume exposure emergency planning zone or in Boston.

Basis: The Seabrook plan provides for care for ill or injured persons who are suspected or known to be contaminated at the Portsmouth Hospital, the Exeter Hospital and Brigham and Womans Hospital. The first two hospitals are located within the plume exposure emergency planning zone and can reasonably be expected to close down and transfer its own patients and staff somewhere else during an emergency. The Brigham and Womans Hospital is located over fifty miles away in Boston and transportation to this remote location with

attendant traffic congestion and delay would seriously jeopardize the effectiveness of this plan.

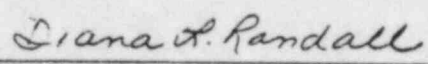
Respectfully submitted.

TOWN OF SEABROOK  
By Its Attorneys  
HOLMES & ELLS

By:   
\_\_\_\_\_  
Gary W. Holmes  
47 Winnacunnet Road  
Hampton, NH 03842  
(603) 926-6162

September 9, 1983

Interested Municipality Representative  
for the Town of Seabrook

  
\_\_\_\_\_  
Diana L. Randall

CERTIFICATE OF SERVICE

DOCKETED  
SEP 12 P1:21

I certify that on September 9, 1983, copies of CONTENTIONS OF THE TOWN OF SEABROOK CONCERNING THE RADIOLOGICAL EMERGENCY EVACUATION RESPONSE PLAN were served by first-class mail or as otherwise indicated on the following:

\*Helen Hoyt, Esq. Chairperson  
Atomic Safety and Licensing Board  
Panel  
U.S. Nuclear Regulatory Commission  
Washington DC 20555

Robert A. Backus, Esq.  
111 Lowell Street  
Manchester NH 03105

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

\*Dr. Emmeth A. Luebke  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington DC 20555

Thomas G. Dignan, Esq.  
R.K. Gad, III, Esq.  
Ropes and Gray  
225 Franklin St.  
Boston MA 02110

\*Dr. Jerry Harbour  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington DC 20555

Dr. Mauray Tye, President  
Sun Valley Association  
209 Summer Street  
Haverhill, MA 01830

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

Roy P. Lessy, Jr., Esq.  
Robert G. Perlis, Esq.  
William F. Patterson  
Office of the Executive  
Legal Director  
U.S. Nuclear Regulatory Commission  
Washington DC 20555

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

Anne Verge, Chair  
Board of Selectmen  
Town Hall  
South Hampton NH 03842

\*Docketing and Service  
U.S. Nuclear Regulatory Commission  
Washington DC 20555

Jo Ann Shotwell, Esq.  
Assistant Attorney General  
Department of the Attorney General  
1 Ashburton Place, 19th Floor  
Boston MA 02108

Town Manager's Office  
Town Hall - Friend St.  
Amesbury MA 01913

John B. Tanzer  
Town of Hampton  
5 Morningside Drive  
Hampton NH 03842

Mr. Angie Machiros, Chairman  
Board of Selectmen  
Town of Newbury  
Newbury MA 09150

Edward F. Meany  
Town of Rye  
155 Washington Road  
Rye NH 03870

Rep. Roberta C. Pevear  
Drinkwater Road  
Hampton Falls NH 03844

Phillip Ahrens, Esq.  
Assistant Attorney General  
State House, Station #6  
Augusta ME 04333

David R. Lewis, Esq.  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington DC 20555

Richard E. Sullivan, Mayor  
City Hall  
Newburyport MA 01950

Alfred V. Sargent, Chairman  
Board of Selectmen  
Town of Salisbury MA 01950

Diana P. Randall  
70 Collins Street  
Seabrook NH 03874

Senator Gordon J. Humphrey  
U.S. Senate  
Washington DC 20510  
(Attn: Tom Burack)

Selectmen of North Hampton  
Town of North Hampton  
New Hampshire 03862

George Dana Bisbee, Esq.  
Edward L. Cross, Jr., Esq.  
Asst. Attorney Generals  
State House Annex  
Concord NH 03301

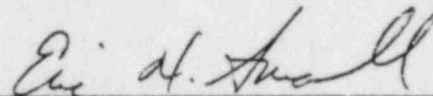
Letty Hett, Selectman  
Town of Brentwood  
RFD Dalton Road  
Brentwood NH 03833

Sandra Gavutis  
Town of Kensington  
RFD 1  
East Kensington NH 03827

Diana P. Sidebotham  
R.F.D. 2  
Putney VT 05346

Donald E. Chick  
Town Manager  
10 Front Street  
Exeter NH 03833

Senator Gordon J. Humphrey  
1 Pillsbury Street  
Concord NH 03301  
(Attn: Herb Boynton)



---

Eric N. Small  
Administrative Assistant

\* Express Mail