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DEPARTMENT OF JUSTICE
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May 31, 1984

Mr. B. Paul Cotter, Jr., Chairman
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Richard F. Cole
Administrative Judge
Atomic Safety and
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U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Mr. Gustave A. Lindenberger
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Re: In The Matter of Gulf States Utilities
Company (River Bend Station, Units 1 & 2)
Docket Nos. 50-458 and 50-459

Gentlemen:

Or May 2, 1984, a conference was held to discuss various matters related to the above licensing proceedings. One matter agreed upon was that a meeting should be held on May 18, 1984 and May 21, if necessary, to discuss the emergency planning contentions. A report was to be submitted by me on, or before today; this is that report.

The meeting was held on May 18, 1984 at the offices of the Department of Environmental Quality, Louisiana Nuclear Energy Division. At the conclusion of the meeting it was decided that no continuation on May 21 would be necessary.

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It is my opinion that the meeting went well and that many issues were clarified. There was no specific agreement reached on any contention. However, there seemed to be a consensus on some as to the action needed, or the direction to be taken. After certain steps have been taken, by way of amending the plan, it may be that the objections raised by certain of the contentions will have ^{been}~~(to be)~~ addressed.

Contention No. 1, covers a lot of areas, but certain of the matters addressed therein may have been resolved. After corrective language has been drafted it will be circulated for comment. Some of the questions dealt with in No. 1 also are raised in No. 2.

Contention No. 2, lists certain items referred to in letters filed by various agencies in the plan. These involve, to a large extent, implementation procedures which are still being developed.

Contention No. 3, addresses the fact that certain agencies have recently undergone name changes, and the plan will need to be amended to reflect this.

Contention No. 4, addresses the manner in which certain populations, to-wit: (a) jail, (b) hospital (c) aged, crippled, sick and (d) persons without vehicles. The

provisions for these populations were discussed, and, after some clarification in the plan, these arrangements may prove acceptable.

Contention No. 5, addresses a perceived need to specifically include the judicial branch in the plan. The issue turns on whether provisions should be made for seeking an injunction, in addition to an executive order, in the event of evacuation. Although I am not totally convinced that such an inclusion is necessary, we are considering whether language changes would be useful.

Contention No. 6, addresses the propriety of using "school lunch program" food to feed refugees. It seems that an entirely different USDA food stock was intended and language changes should remedy this.

Contention No. 7, relative to East Baton Rouge Public Transportation, was discussed and amendments will be made.

Contention No. 8, addressed the issue of the Louisiana Department of Agriculture's role in handling of suspected contamination of food stocks. Clarifying language changes are being drafted. One misunderstanding was cleared up: Agriculture is to point out the food stocks which

may have been exposed to contamination. The Nuclear Division will be in charge of testing and decontamination, as appropriate.

Contention No. 9, addresses notification of industrial and commercial establishments by the Louisiana Department of Commerce and Industry. This is being studied to determine what language changes may be needed, in order to ensure adequate notification.

Contention No. 10, addresses the issue of school buses to be used in an evacuation. We are gathering information on the private buses and are reviewing this question.

Contention No. 11, addresses the need for legislation to allow for the contracting by the state for emergency medical services (and possibly other emergency needs). The applicant is of the opinion that no legislation is needed, intervenor feels it is. I am still not persuaded either way, but feel it is a serious question, and I hope to have a proposed answer soon.

Contention No. 12, involves the legal authority of the East Baton Rouge Metropolitan Council to carry out its responsibilities. This raises the serious question of

authority to authorize emergency workers to incur exposure in excess of that allowed for the general public. It raises the further question of agencies who do not come under the council's authority. As to the first point, we are going to check with the council and make sure this is addressed. On the second point, we are studying whether some change is justified for clarification.

We will continue to develop amendments to the plan to address the issues raised in the contentions. As we complete the amendments we feel are necessary on a particular contention, we will circulate a draft for comments, or meet again, as appropriate. After comments are considered, these amendments will be submitted to the Secretary of the Louisiana Department of Environmental Quality for her review and consideration of scheduling public hearings, as appropriate, prior to submission to FEMA.

In the event we feel that any particular contention does not merit a change in the plan, we will assign reasons and serve them on the service list.

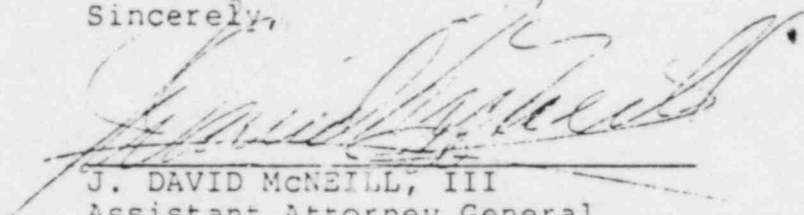
I would like to emphasize the fact that there are certain aspects of the plan that can be amended fairly soon; others will involve an ongoing evolutionary process. At any

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stage of the proceedings, the State of Louisiana invites comments and suggestions from anyone that may improve the plan.

In all, I think our meeting was positive and useful. I am in hopes that at least some of the contentions can be resolved expeditiously to the satisfaction of all, and in a manner that will provide maximum safety for our citizens.

Sincerely,



J. DAVID McNEILL, III
Assistant Attorney General

JDM, III/ck

cc: Service List
Secretary Patricia Norton
Deputy Secretary B. Jim Porter
Louisiana Nuclear Energy Division

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION '84

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
USNRC

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OFFICE OF SERVICE
DOCKETING & SERVICE
BRANCH

In the Matter of

GULF STATES UTILITIES CO.,
et al

Docket Nos. 50-458
50-459

(River Bend Station, Units 1 & 2)

CERTIFICATE OF SERVICE

I hereby certify that copies of the "Report on meeting held on May 18, 1984" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, this 31st day of May, 1984:

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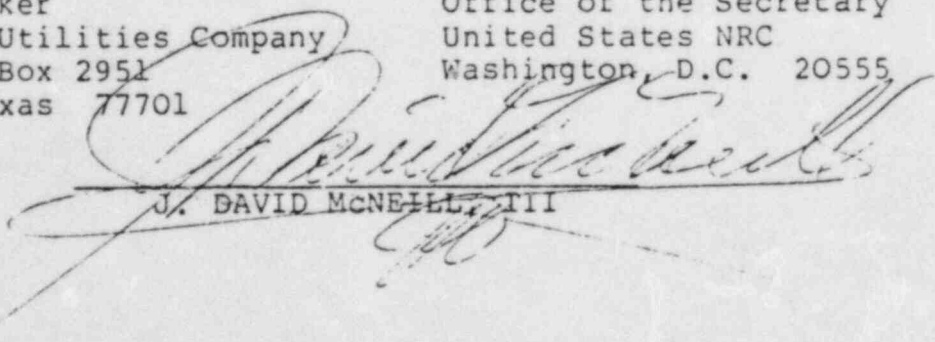
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