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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION
OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

GULF STATES UTILITIES CO.,
ET AL

DOCKET NOS. 50-458;
50-459

loc

(River Bend Station, Units 1 & 2)

JOINT INTERVENORS' MOTION
TO WITHDRAW EMERGENCY PLANNING CONTENTIONS

Joint Intervenors, Louisiana Consumer's League, Inc., Louisianaians for Safe Energy, Inc., and Gretchen Reinike Rothschild, have proposed twelve emergency planning contentions for admission to the River Bend operating license proceeding¹. After discussions among the parties and with the responsible emergency planning officials in the State of Louisiana, these contentions have been resolved by the enactment of legislation (State of Louisiana Acts 1984, No. 825), and by revisions which are to be made to the Louisiana Peacetime Radiological Response Plan ("Plan"). Plan revisions, which have been agreed to by the Louisiana Nuclear Energy Division, Louisiana Department of Environmental Quality, which is responsible for fixed nuclear facility emergency

¹ Letter to the Atomic Safety and Licensing Board from Linda B. Watkins, March 9, 1984.


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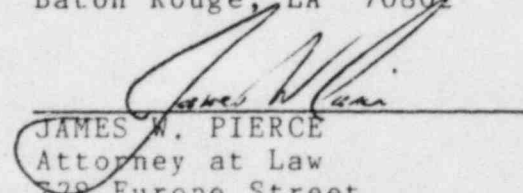
planning with the State of Louisiana, will be incorporated into the plan at an appropriate future time. Attached to this motion is a copy of these changes to be made to the plan. All of the concerns raised by our emergency planning contentions have now been resolved.

Based on these actions, Joint Intervenors hereby immediately withdraw all of their proposed emergency planning contentions. The other parties and participants to this proceeding have no objection to this motion.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing "Joint Intervenors' Motion to Withdraw Emergency Planning Contentions" in the above captioned proceeding, have been served on the following, by deposit in the U.S. Mail, first class, postage prepaid, correctly addressed, to the last known address on this 28th day of September, 1984.

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Administrative Judge
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Washington, D.C. 20555

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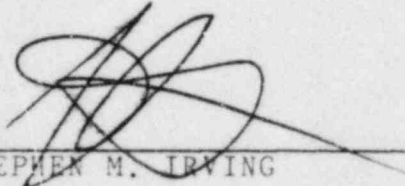
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CONTENTION NO. 3

RESPONSIBILITIES OF STATE AGENCIES IMPROPERLY ASSIGNED

Response: It is recognized, due to legislation which took effect after the plan was submitted, that the plan will have to be updated to reflect the reorganization of state government agencies.

Action Taken: The Department of Public Safety and Department of Corrections have been consolidated. The responsibilities of these agencies will be combined in the LPRRP under the heading of the "Department of Public Safety and Corrections."

The responsibilities of the old Office of Environmental Affairs in the Department of Natural Resources are assigned to the new Department of Environmental Quality. The only remaining responsibility of the Department of Natural Resources is the allocation of emergency fuel supplies. All responsibilities of the Department of Environmental Quality are under the direct control of the Department of Secretary or designee. These changes will be made where appropriate.

Under "Authority" (page 1), The Louisiana Environmental Affairs Act is renamed The Louisiana Environmental Quality Act in both the State Plan and the general plan of Attachment 3. These changes will be made.

CONTENTION NO. 5

JUDICIAL SYSTEM ESSENTIAL

Response: The question as to whether or not an evacuation order could be enforced without an injunction has been resolved through legislation (Act 825 of 1984).

Action Taken: The following paragraph will be included in the LPRRP on page 11, under "Assumptions" as No. 4, and in the General Plan portion of Attachment 3 on page 5, under "Concept of Operation" as No. 15:

In the event of an evacuation order issued pursuant to any declaration of disaster emergency, an injunction may be obtained, as necessary, to enforce such evacuation order, all in accordance with La. R.S. 30:1105.1.

CONTENTION NO. 6

USE OF SCHOOL LUNCH PROGRAM FOOD FOR EVACUEES

Response: The surplus food for evacuees has been misidentified as the School Lunch Program food stock.

Action Taken: Under the Department of Education's responsibilities, letter 'b', page 18, will now read:

Provide for the use of the USDA Surplus Commodities Program food stock for mass feeding of evacuees at schools designated as shelters for an accident.

CONTENTION NO. 7

EAST BATON ROUGE PARISH PUBLIC TRANSPORTATION

Response: A letter of agreement between the Capital Transportation Corporation and East Baton Rouge Parish Office of Civil Defense was obtained December 5, 1983.

Action Taken: Capital Transportation Corporation will be included in the Enclosure I, for East Baton Rouge Parish, in the "Organization and Responsibilities" section as follows:

Capital Transportation Corporation

The Capital Transportation Corporation, under the direction of the Manager is responsible for:

- . Providing transportation support for evacuation of the general public as requested.
- . Serving as shuttle service from reception centers to shelters for those needing transportation.

Additional Comment:

The East Baton Rouge Parish School Board, through a letter of agreement, has committed to supply 30 buses upon request from the East Baton Rouge Parish Office of Civil Defense. The School Board has also indicated that 100 of their buses are radio-equipped, which would facilitate notification in an emergency. This information, in addition to the inclusion of the Capital Transportation Corporation, has satisfied the concern as to whether adequate transportation resources have been identified to support an evacuation.

CONTENTION NO. 8

STATE DEPARTMENT OF AGRICULTURE

Response: The responsibilities of the State Department of Agriculture need to be reworded in the LPRRP to clearly delineate its role.

Action Taken: The responsibilities of the Department of Agriculture will be changed as follows (page 17):

- a. Serve as liaison between the State and the USDA during an accident.
- b. same (no change)
- c. Assist LNEED in collection of soil, crops and other agricultural samples, as necessary, and transport such samples to LNEED for laboratory analysis.

CONTENTION NO. 9

STATE DEPARTMENT OF COMMERCE

Response: The Department of Commerce does not have the primary responsibility of notification but is viewed as a back-up for that purpose, as necessary.

Action Taken: The responsibility of the Department of Commerce, given on page 18, will conclude with the words "as needed", to be added.

CONTENTION NO. 12

EAST BATON ROUGE METROPOLITAN COUNCIL

Response: It is recognized that deputies of the Sheriff's Office, as well as employees of the school board, are not under the authority of the Metropolitan Council.

Action Taken: The statement: "Through the advice of LNED, authorizing emergency workers to incur exposures in excess of general public PAG's", will be deleted from each Enclosure (pages I-4, II-4, III-4, IV-4, V-4).

The following change will be included in the General Plan portion of Attachment 3 (page 17, #4):

The RBP (Police Jury or Mayor) Presidents, Sheriffs and Superintendents of Schools will be responsible for authorizing their emergency workers to incur exposures in excess of the EPA "General Public Protective Action Guides." Authorization will be considered after consultation with LNED.

NOTE: RBP means River Bend Parishes