



OFFICE OF SELECTMEN

TOWN OF RYE
10 Central Road
Rye, N.H. 03870-0429
(603) 964-5523

50-443/444-UL
10/21/87
I-NH-1
DOCKETED
USNRC

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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

July 24, 1986

Mr. Michael M. Nawoj, Chief
Technological Hazards Division
State of New Hampshire
Executive Department
NH Civil Defense Agency
State Office Park South
107 Pleasant Street
Concord, NH 03301

RE: Your letter, July 11, 1986

Dear Mr. Nawoj:

The Selectmen of the Town of Rye decided unanimously not to participate in the evacuation plan drill conducted in February of this year. That action was taken based on the selectmen's understanding of the will of the Town and on their own convictions concerning how to best serve the public interest. At the subsequent town meeting held in March of this year the Town considered and voted on the following warrant article:

"ARTICLE 22. To see if the Town will vote, in affirmation of the unanimous position taken by the Board of Selectmen, not to participate in any graded or ungraded emergency evacuation drills or exercises, until a radiological emergency evacuation response plan has been approved by majority vote at Town Meeting after public hearing by the Board of Selectmen."

The vote was conducted by a show of hands. The article was approved by almost a two to one margin.

The Selectmen have charged the Rye Nuclear Intervention Advisory Committee, the Rye Town Counsel and Selectmen's Representative to the NRC licensing proceedings, and the Rye Civil Defense Director with evaluating the radiological emergency response plan prepared in the name of the Town of Rye by the New Hampshire Civil Defense Agency and the process by which the plan was produced and by which it will be judged. The initial findings of the evaluators are as follows:

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NH Exh 1
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1. The planning and plan approval process are unacceptable as currently structured because the plans have not been prepared by and will not be subject to approval by either the people who are expected to implement the plans locally or by the people who would be at risk.

2. The planning and plan approval process are unacceptable because they do not offer assurance that all the people of Rye will be guaranteed safety from harm. Officials of NHCD have admitted to this fact in sworn testimony before the N.H.P.U.C.

3. The planning and plan approval process are unacceptable because they do not include any provision for restitution to the people of Rye for damages due to personal injury and damage to property. There is, in fact, no guarantee of full restitution to be found anywhere in the law or the regulations.

4. The planning and plan approval process are unacceptable because they contain no absolute standard for maximum evacuation time which must be achieved as a condition of approval.

5. The planning and plan approval process are unacceptable because the resources of manpower, communication, transportation, protective equipment, and shelter on which the plan relies are not dedicated resources and therefore cannot be guaranteed to either be available or to perform as expected.

6. The planning and plan approval process are unacceptable because it is not clear, in light of the recent radiological emergency experience in the Soviet Union, that the EPZ planning basis of NUREG-0396, EPA 520/1-78-016 and the standard of 10CFR Part 50, §50.33 (g) are valid. Therefore it is not clear that the Seabrook Station EPZ boundaries are, or ever were, valid.

7. The plan prepared in the name of the Town of Rye is unacceptable because insufficient information has been provided to the Town to permit a meaningful evaluation of the plan. The Town of Rye has requested but has not received:

- (a) The evacuation time studies
- (b) The letters of agreement with resource agencies and private business concerns
- (c) The host community plan
- (d) The plans for the other EPZ towns

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This information is necessary to evaluate the plan prepared in the name of Rye within the context of shared resources and general resources such as health care facilities, roads and communication systems.

8. The planning process is unacceptable because NHCD, FEMA, and NRC have adhered to a schedule which is excessively short and is based on the license applicant's wishes rather than on an honest commitment to public safety.

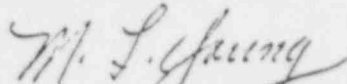
9. The formal plan adequacy review process by the NRC is unacceptable because legitimate contentions of the Town of Rye were dismissed in an arbitrary and capricious way. Therefore issues of ultimate importance to the people of Rye will not even be considered in the licensing proceedings.

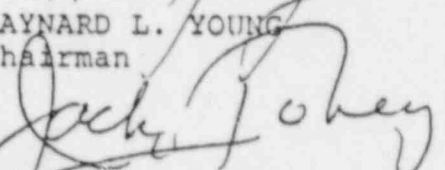
10. The behavior of the administrative branch of New Hampshire State Government has been entirely unacceptable in general. The New Hampshire agencies, including the Attorney General, should have been participating strongly throughout the planning and licensing process as advocates of the public safety interests of the people of the Town of Rye and of the State of New Hampshire.

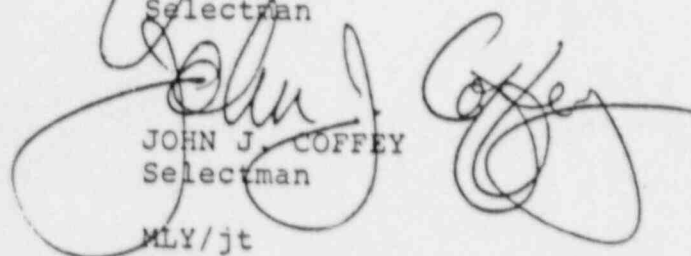
The sentiment expressed in acts of the Rye Town Meeting and the findings of the Rye Emergency Response Planning Evaluators have been and will be the major factors considered by the Selectmen in determining Rye's extent of participation in the planning process.

Sincerely,

BOARD OF SELECTMEN


MAYNARD L. YOUNG
Chairman


JACK TOBEY
Selectman


JOHN J. COFFEY
Selectman

MLY/jt

Enclosure: Draft Copy - An Evaluation of Radiological Emergency Response Planning for Rye

EXHIBITS

UNITED STATES
NUCLEAR REGULATORY COMMISSION

NEW HAMPSHIRE'S 1 - 6

IN THE MATTER OF:

PUBLIC SERVICE COMPANY OF
NEW HAMPSHIRE, et al.

DOCKET NO: 50-443-OL
50-444-OL
Off-Site
Emergency
Planning

(Seabrook Station, Units 1 and 2)

OFFICE OF SECRETARY
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LOCATION: CONCORD, NH

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