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February 21, 1986

Office of the Secretary
U. S. Nuclear Regulatory Commission
Washington, DC 20555

ATTN: Public Proceedings Branch

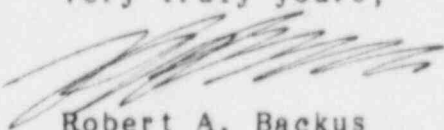
RE: Public Service Company of New Hampshire, et al
Docket Nos. 50-443 OL - 50-444 OL

Dear Sir:

Pursuant to the Commission's Rules and Regulations, there are enclosed for filing in the above-captioned matter one signed and two conformed copies of the Contentions for the Town of Hampton Falls, with certificate of service attached.

We also wish to join in the Contentions filed by the Town of South Hampton and the Seacoast Anti-Pollution League.

Very truly yours,



Robert A. Backus

RAB/sld

Enc.

cc: All parties on the service list

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Contention 1:

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The Hampton Falls RERP fails to provide reasonable assurance or to comply with 10 C.F.R. §50.47 (a)(2) because it is not a local plan, but is a plan prepared by New Hampshire Civil Defense, or its contractor, and which will not be implemented.

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Basis: As described in the Rogevin Report, p. 131, effective evacuation depends "much more on the existence of county and local emergency plans than on a FEMA approved or NRC approved State plan." (p. 131) 10 C.F.R. §50.47 (a)(2) requires "local plans". The so-called Hampton Falls plan is totally a creation of State Civil Defense, and its consultants retained by State Civil Defense. No input on behalf of Hampton Falls was involved in the plan and State Civil Defense never furnished a copy of the plan to Hampton Falls at the time the plan was forwarded to FEMA for review. Hampton Falls has voted to require town approval of any emergency plan for the town, and not to implement any plan purportedly for the town until the town has voted its approval.

Since there is no Hampton Falls plan, much less a Hampton Falls plan approved by the town, and in accordance with the town vote, the Hampton Falls plan will not be implemented. Thus, it cannot prove "reasonable assurance" within the meaning of 10 C.F.R. §50.47 (a)(1).

Contention 2:

The plan designated as Hampton Falls fails to provide reasonable assurance since it cannot provide for continuous 24-hour operation for a protracted period, of local responsibilities, as required by NUREG-0654, A.4.

Basis: Hampton Falls has one full-time police officer. It has no RADEF Officer or Transportation Coordinator. It has a volunteer, non-governmental Fire Department, most of whose members work out of town. The Police Chief has two back-ups who are employed at other jobs.

There is no demonstration that the duties assigned to local authorities in Hampton Falls by the plan can be met on a continuous 24-hour basis, or that other resources will be available to meet these tasks.

Contention 3:

The RERP developed for (not by) the Town of Hampton Falls fails to meet the requirements of 10 C.F.R. §50.47 (a)(1) and §50.47 (b)(8) and NUREG-0654 Planning Standard H, II H. 3. and II H.4. because the location of the Emergency Operations Center (EOC) designated in the Hampton Falls' plan, that is, the Fire Station, is not that recognized by the town as the location of the EOC. The Fire Station is not deemed adequate as an EOC by the town and therefore it will not be activated and staffed as described in the plan.

Basis: The duly elected officials of the Town of Hampton Falls have not designated the Fire Station as the EOC for the Town. NUREG-0654 II.H.3 states that "Each organization shall establish an emergency operations center for use in directing and controlling response functions." The word "organization" in the above-mentioned NUREG requirement clearly includes the emergency response organization for the town. In Hampton Falls, the Board of Selectmen head the emergency response organization. The Selectmen of Hampton Falls have established that the Town Hall should serve as the EOC in any emergency response plan for the town.

The alleged Hampton Falls RERP states, at p. I-28, that "large scale maps of both EPZ's are posted at the Hampton Falls EOC." This is not a true statement. NUREG-0654 II.H.4 states that "Each organization shall provide for timely activation and staffing of the facilities and centers described in the plan". The Hampton Falls ERO has no intention of staffing the EOC named in the supposed Hampton Falls plan. Page II-18 of the Hampton Falls plan erroneously states that the Fire Station has a generator for back-up power.

There are, as of yet, no adequate emergency facilities in the Town of Hampton Falls. The emergency equipment noted at page IV-18 of the plan is not in the town. Therefore, the Hampton Falls RERP fails to assure in any reasonable fashion that the requirements of NUREG-0654 planning Standard H. are met. It follows from that, that the adequate protection of the public health and safety is not reasonably assured.

Contention 4:

The Hampton Falls RERP does not adequately meet the requirements of 10 C.F.R. §50.47 (a)(1), §50.47 (b)(5), §50.47 (b)(6) and NUREG-0654 planning standard E because there are no mutually agreeable basis for notification of response organizations and much of the communications equipment referred to in the Hampton Falls RERP is nonexistent.

Basis: NUREG-0654 II.E.1. states that "Each organization shall establish procedures which describe mutually agreeable bases for notification of response organizations consistent with the emergency classification level and action level scheme set forth in Appendix 1." (emphasis added) Planning Standard E in general requires that procedures and the means for notifying local response organizations, emergency personnel and the public have been established. The Hampton Falls Selectmen have not agreed that the initial point of contact in an emergency should be the policeman on duty or on call, as the plan states at p. II-2. Neither have they agreed that the Fire Chief should have the primary responsibility for activation of the public alerting system, as shown in the diagram at I-18. The Fire Chief works out of town and would not be able to fulfill that function on a continuous 24-hour basis, as required by NUREG-0654 A.4. The Selectmen are not willing to rely on volunteer firemen as back-up. Neither do the Selectmen agree that the Chairman of the Board of Selectmen should be in direct charge of all emergency operations for the Town. This gentleman is in the New Hampshire Air National Guard and may have conflicting responsibilities.

The H.F. plan states at p. II-4 that the initial notification is to be made to a police officer "via pocket voice pagers". The town has no such pagers. The town also has no means of activating the alerting system as alluded to at p. II-6. The town also is not in possession of "tone alert radio receivers" as stated at page II-7. No Civil Defense Radio Network nor Radio Amateur Civil Emergency Services (RACES) have been provided nor identified to the town.

For all the above-stated reasons, there is no basis for reasonable assurance that the local emergency response organization, emergency personnel, or the public will receive notification of an emergency. In the absence of such reasonable assurance, it cannot be assumed that the public is adequately protected.

CERTIFICATE OF SERVICE AND SERVICE LIST

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February 21, 1986

The above have been sent first-class, postage prepaid a copy of the enclosed.


Robert A. Backus