

7006

RELATED CORRESPONDENCE

August 31, 1988

'88 SEP -1 P2:23

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
before the  
ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF  
DOCKETING & RECORDS  
BRANCH

In the Matter of	)	
	)	
PUBLIC SERVICE COMPANY OF	)	Docket Nos. 50-443-OL
NEW HAMPSHIRE, et al.	)	50-444-OL
	)	Off-site Emergency
(Seabrook Station, Units 1 and 2)	)	Planning Issues
	)	
	)	

APPLICANTS' FIRST SET OF INTERROGATORIES  
AND FIRST REQUEST FOR PRODUCTION OF  
DOCUMENTS TO ALL PARTIES AND PARTICIPATING  
LOCAL GOVERNMENTS REGARDING CONTENTIONS  
ON THE SEABROOK PLAN FOR MASSACHUSETTS COMMUNITIES

Pursuant to 10 C.F.R. §§ 2.740b and 2.741, Applicants hereby request that each party, and each local government participating pursuant to 10 C.F.R. § 2.715(c), respond to the following interrogatories, and produce for inspection and copying the documents requested below. The production of the documents requested herein shall take place at the offices of Ropes & Gray, 225 Franklin Street, Boston, Massachusetts, at 10 a.m. on Monday, October 3, 1988.

8809120032 880831  
PDR ADDOCK 05000443  
G PDR

D503

### DEFINITIONS AND INSTRUCTIONS

1. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of the term "documents and tangible things" in Federal Rule of Civil Procedure 34(a), and therefore shall include, without limitation, any written or otherwise recorded information.
2. To "identify" a document means to either:
  - (a) state the author, date, title, addressee(s), and subject matter of each individual document; or
  - (b) if a request calls for the identification of more than twenty documents similar in subject matter, and those documents are also being produced, list the subject matter categories of documents, indicating the number of responsive documents in each category.
3. To "identify" a person other than an expert witness means to state the person's full name, title, business address, affiliation, and professional qualifications (if any). To "identify" an expert witness means to state, in addition to the foregoing:
  - (a) the profession or occupation and field(s) of expertise of the person;

- (b) the educational and specialized training history of the person, including date and granting institution of all degrees earned;
  - (c) a list of publications by the person in the area(s) of expertise; and
  - (d) the age of the person and the amount of time the person has worked in the field of expertise.
4. If any of the interrogatories or document production requests contained herein are claimed to be objectionable, then please identify the portion(s) to which objection is made and the portion(s) to which answer or production is made.
  5. If it is claimed that any document responsive to any request is privileged, please fully identify each privileged document in accordance with Instruction 2(a) above.
  6. If any document required to be identified or produced in these answers has been destroyed, please identify the document, state the date of its destruction, identify the person responsible for ordering destruction, state the purpose of destruction, and (if applicable) produce any document retention policy that governed or should have governed the retention or destruction of the document.

7. "SPMC" means the Seabrook Plan for Massachusetts Communities, and all appendices, amendments, and attachments thereto.
8. The "Emergency Planning Act" means the Emergency Planning and Community Right to Know Act of 1986, 42 U.S.C. § 11001 et seq., and all federal and state regulations promulgated pursuant thereto.
9. The "Massachusetts EPZ" means the Massachusetts portion of the Emergency Planning Zone for Seabrook Station and consists of Amesbury, Merrimack, Newbury, Newburyport, Salisbury, and West Newbury.
10. The term "contention" is defined to include the complete text of the contention itself and all bases and sub-bases thereto.

#### INTERROGATORIES AND REQUESTS FOR PRODUCTION

1. Please identify the person(s) answering or substantially contributing to the answer to each of the following interrogatories.
2. Please identify and produce all documents, and describe in detail all conversations not otherwise reflected in such documents, which reflect or refer to what actions any Massachusetts state or local government entity or official would, could, might, would not, could not, or

might not take in the event of an actual radiological emergency at Seabrook Station.

3. Please identify and produce all documents, and describe in detail all conversations not otherwise reflected in such documents, which reflect, refer to, or relate in any way to any action by any Massachusetts state or local government official or entity to block, hinder or delay the licensing of Seabrook Station.
4. Please identify and produce all documents generated after January 1, 1980 that reflect or refer to any emergency planning (other than that engaged in by Applicants) conducted or contemplated for the Massachusetts EPZ or any portion thereof, including but not limited to emergency planning required pursuant to the Emergency Planning Act. Such documents should include, but not be limited to, documents that reflect or refer to whether the SPMC or any other plan for dealing with a radiological emergency at Seabrook Station has or has not been, or will or will not be, used in planning for emergency situations other than those involving Seabrook Station.
5. Please list every admitted SPMC contention which you do not intend to participate in litigating, i.e., concerning which you will not take discovery, present

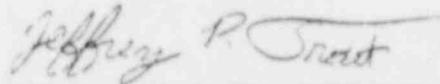
evidence, make arguments, conduct cross-examination, or submit proposed findings.

6. For every admitted SPMC contention that you submitted and do not hereby withdraw, and for every other admitted SPMC contention that you did not list in response to Interrogatory 5 above, individually for each such contention please:

- (a) State in detail all the facts underlying each assertion contained in the contention;
- (b) State the source of each such fact. If the source is the personal knowledge of one or more persons, identify the person(s). If the source is one or more documents, identify and produce the document(s);
- (c) Identify any expert witness who is to testify concerning the contention, and state the substance of the facts, opinions, and grounds for opinions to which the expert is expected to testify;
- (d) Identify any non-expert witness who is to testify concerning the contention, and state the substance of the facts to which the witness is expected to testify; and

- (e) Identify and produce any documents which reflect or refer to any type of study, calculation or analysis bearing upon the substance of the contention.

By their attorneys,



---

Thomas G. Dignan, Jr.  
Kathryn A. Selleck  
Jeffrey P. Trout  
Jay Bradford Smityh  
Ropes & Gray  
225 Franklin Street  
Boston, MA 02110  
(617) 423-6100

LOCKELET  
1-NA  
'88 SEP -1 P2:23

CERTIFICATE OF SERVICE

I, Jeffrey P. Trout, one of the attorneys for the Applicants herein, hereby certify that on August 31, 1988, I made service of the within document by depositing copies thereof with Federal Express, prepaid, for delivery to (or, where indicated, by depositing in the United States mail, first class postage paid, addressed to):

Administrative Judge Ivan W. Smith  
Chairman, Atomic Safety and  
Licensing Board Panel  
U.S. Nuclear Regulatory  
Commission  
East West Towers Building  
4350 East West Highway  
Bethesda, MD 20814

Robert Carrigg, Chairman  
Board of Selectmen  
Town Office  
Atlantic Avenue  
North Hampton, NH 03862

Judge Gustave A. Linenberger  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
East West Towers Building  
4350 East West Highway  
Bethesda, MD 20814

Diane Curran, Esquire  
Andrea C. Ferster, Esquire  
Harmon & Weiss  
Suite 430  
2001 S Street, N.W.  
Washington, DC 20009

Dr. Jerry Harbour  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
East West Towers Building  
4350 East West Highway  
Bethesda, MD 20814

Stephen E. Merrill  
Attorney General  
George Dana Bisbee  
Assistant Attorney General  
Office of the Attorney General  
25 Capitol Street  
Concord, NH 03301-6397

Adjudicatory File  
Atomic Safety and Licensing  
Board Panel Docket (2 copies)  
U.S. Nuclear Regulatory Commission  
East West Towers Building  
4350 East West Highway  
Bethesda, MD 20814

Sherwin E. Turk, Esquire  
Office of General Counsel  
U.S. Nuclear Regulatory  
Commission  
One White Flint North, 15th Fl.  
11555 Rockville Pike  
Rockville, MD 20852

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

Robert A. Backus, Esquire  
116 Lowell Street  
P. O. Box 516  
Manchester, NH 03105

Philip Ahrens, Esquire  
Assistant Attorney General  
Department of the Attorney  
General  
Augusta, ME 04333

Paul McEachern, Esquire  
Matthew T. Brock, Esquire  
Shaines & McEachern  
25 Maplewood Avenue  
P.O. Box 360  
Portsmouth, NH 03801

Mrs. Sandra Gavutis  
Chairman, Board of Selectmen  
RFD 1 - Box 1154  
Route 107  
Kensington, NH 03827

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

\*Senator Gordon J. Humphrey  
One Eagle Square, Suite 507  
Concord, NH 03301  
(Attn: Herb Boynton)

Mr. Thomas F. Powers, III  
Town Manager  
Town of Exeter  
10 Front Street  
Exeter, NH 03833

H. Joseph Flynn, Esquire  
Office of General Counsel  
Federal Emergency Management  
Agency  
500 C Street, S.W.  
Washington, DC 20472

Gary W. Holmes, Esquire  
Holmes & Ells  
47 Winnacunnet Road  
Hampton, NH 03841

Mr. J. P. Nadeau  
Selectmen's Office  
10 Central Road  
Rye, NH 03870

Carol S. Sneider, Esquire  
Assistant Attorney General  
Department of the Attorney  
General  
One Ashburton Place, 19th Fl.  
Boston, MA 02108

Mr. Calvin A. Canney  
City Manager  
City Hall  
126 Daniel Street  
Portsmouth, NH 03801

R. Scott Hill-Whilton, Esquire  
Lagoulis, Clark, Hill-  
Whilton & McGuire  
79 State Street  
Newburyport, MA 01950

Mr. Peter J. Matthews  
Mayor  
City Hall  
Newburyport, MA 01950

Mr. William S. Lord  
Board of Selectmen  
Town Hall - Friend Street  
Amesbury, MA 01913

Charles P. Graham, Esquire  
Murphy and Graham  
33 Low Street  
Newburyport, MA 01950

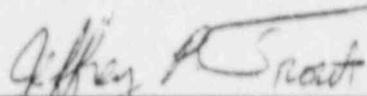
Richard A. Hampe, Esquire  
Hampe and McNicholas  
35 Pleasant Street  
Concord, NH 03301

Mr. Ed Thomas  
FEMA, Region I  
442 John W. McCormack Post  
Office and Court House  
Post Office Square  
Boston, MA 02109

Ashod N. Amirian, Esquire  
376 Main Street  
Haverhill, MA 01830

Judith H. Mizner, Esquire  
79 State Street, 2nd Floor  
Newburyport, MA 01950

Leonard Kopelman, Esquire  
Kopelman & Paige, P.C.  
77 Franklin Street  
Boston, MA 02110

  
\_\_\_\_\_  
Jeffrey P. Trout

(\*—Ordinary U.S. First Class Mail)