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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Ivan W. Smith, Chairman
Gustave A. Linenberger, Jr.
Dr. Jerry Harbour

In the Matter of)	Docket Nos. 50-443-OL
)	50-444-OL
PUBLIC SERVICE COMPANY)	(ASLP No. 82-471-02-OL)
OF NEW HAMPSHIRE, et al)	(Offsite Emergency Planning)
)	
(Seabrook Station,)	
Units 1 and 2))	May <u>13</u> , 1988

SEACOAST ANTI-POLLUTION LEAGUE'S LATE-FILED CONTENTION
ON THE SEABROOK PLAN FOR MASSACHUSETTS COMMUNITIES

NOW COMES the Seacoast Anti-Pollution League and submits the within late-filed contention on the Seabrook Plan for Massachusetts Communities ("SPMC"). This contention addresses SPMC Amendment 4 which was received on or around April 15, 1988. SAPL addresses the 5 criteria for late-filed contentions as follows:

(i) Good cause, if any, for failure to file on time

SAPL did not receive SPMC amendment 4 until on or around April 15, which was after the April 13 date by which contentions on the SPMC had to be Federal Expressed. Subsequent to that date, SAPL has been involved with preparation of extensive proposed findings on the closed portion of the New Hampshire hearing record and has attended a week of hearings on the issues

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related to the beach population. SAPL is filing within the 30-day time frame that has customarily been the set time for filing contentions on newly received plan amendments in this case.

(ii) The availability of other means whereby the petitioner's interest will be protected.

SAPL knows of no other means by which to protect its interests in regard to the plan changes referenced in its contention.

(iii) The extent to which the petitioner's participation may reasonably be expected to assist in developing a sound record.

SAPL intends to bring fact witnesses to testify and intends to cross-examine applicant witnesses as to the deficiencies alleged in the within contention.

(iv) The extent to which the petitioner's interest will be represented by existing parties.

No other party, to SAPL's knowledge, has filed a contention on this plan amendment.

(v) The extent to which the petitioner's participation will broaden the issues or delay the proceeding.

SAPL expects, since litigation has not yet commenced on the SPMC other than contention filing, that this issue can be litigated in the context of and along with other issues that have already been raised in prior-filed contentions. No appreciable delay or broadening of the proceeding should therefore result.

SAPL Contention 10

The SPMC Amendment 4 fails to provide reasonable assurance that there will be adequate means of relocation for special facility populations in the 6 Massachusetts communities because numbers of buses for those special facilities have been drastically reduced. There are no compensating measures to make up for the reduction in bus numbers to assure reasonably the safety of the residents of the facilities.

Therefore, the requirements of 10 CFR §50.47(a)(1), §50.47(b)(10), and NUREG-0654, FEMA-REP-1, Rev. 1, Supp. 1, J.10d and J.10g have not been met.

Basis: The numbers of buses set out in Amendment 3 of the SPMC for special facilities for the 6 Massachusetts communities have been drastically reduced with no apparent reason, rationale or compensating measures provided to explain these plan changes. (See Appendix M, p. M-16) For Amesbury special facilities, for example, buses were reduced from 13 down to 1 and wheel chair vans were reduced from 9 down to 1. As another example, Newburyport's special facility buses were reduced from 25 down to 2 and the wheel chair vans were reduced from 18 down to 1. Absent a reasonable number of emergency vehicles for the special facilities for these and the other Massachusetts EP2 communities, there is no reasonable assurance that residents of special facilities can be protected. The vehicle numbers set forth in SPMC Amendment 4 are

not at all reasonable given the numbers of special facility residents in those communities.

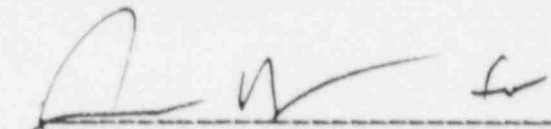
DATED: May 13, 1988

Respectfully submitted,

Seacoast Anti-Pollution League
By its Attorneys,

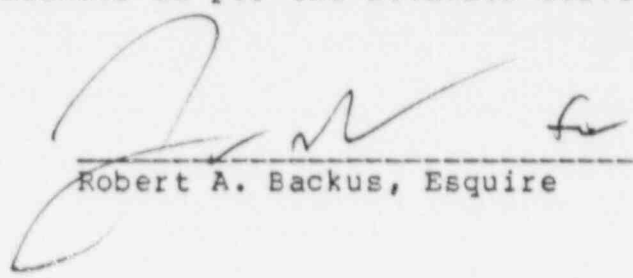
BACKUS, MEYER & SOLOMON

By:



Robert A. Backus, Esquire
116 Lowell Street
P.O. Box 516
Manchester, NH 03105
(603) 668-7272

I hereby certify that copies of the within Late-Filed Contention have been forwarded this date by Federal Express to those indicated by an asterisk on the attached Service List and by first class mail to the remainder as per the attached Service List.



Robert A. Backus, Esquire

* Ivan W. Smith, Chairman
Atomic Safety and Licensing
Board
U.S. NRC
Washington, DC 20555

Roberta Pevear
State Rep, Town of Hampton
Falls
Drinkwater Road
Hampton Falls, NH 03844

Edward Thomas
FEMA
442 J. W. McCormack (POCH)
Boston, MA 02109

* Dr. Jerry Harbour
Atomic Safety and Licensing
Board
U.S. NRC
Washington, DC 20555

* Docketing & Serv. Sec.
Office of the Secretary
U. S. NRC
Washington, DC 20555

88 MAY 16 2:04

* Thomas Dignan, Esquire
OF Ropes & Gray
DOCKETING & SERVICE
225 Franklin Street
Boston, MA 02110

Office of Selectmen
Town of Hampton Falls
Hampton Falls, NH 03844

* Gustave A. Linenberger
Atomic Safety and Licensing
Board
U. S. NRC
Washington, DC 20555

Jane Doughty
SAPL
5 Market Street
Portsmouth, NH 03801

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

* Joseph Flynn, Asst. Gen. Cnsl.
Fed. Emerg. Mgmt. Agcy.
500 C Street SW
Washington, DC 20472

George Dana Bisbee, Esquire
Attorney General's Office
State of New Hampshire
Concord, NH 03301

Carol Sneider, Esquire
Assistant Attorney General
One Ashburton Place
19th Floor
Boston, MA 02108

* Sherwin E. Turk, Esquire
Office of Exec. Legl. Dr.
U. S. NRC
Washington, DC 20555

Sandra Gavutis
Town of Kensington
Box 1154
East Kensington, NH 03827

Mr. Angie Machiros, Chairman
Town of Newbury
Town Hall
25 High Road
Newbury, MA 01951

Judith H. Mizner, Esquire
Silvergate, Gerner, Baker,
Fine, Good & Mizner
88 Broad Street
Boston, MA 02110

Charles P. Graham, Esquire
McKay, Murphy and Graham
100 Main Street
Amesbury, MA 01913

Ellyn Weiss, Esquire
Harmon & Weiss
20001 S Street NW
Suite 430
Washington, DC 20009

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

William S. Lord, Selectman
Town Hall
Friend Street
Amesbury, MA 01913

Senator Gordon J. Humphrey
U. S. Senate
Washington, DC 20510
Attn: Janet Coit

Atomic Safety and Licensing
Board
U. S. NRC
Fourth Floor Reception Area
East West Towers, West Bldg.
4350 East West Highway
Bethesda, MD 20814

J. P. Nadeau
Town of Rye
155 Washington Road
Rye, NH 03870

* Adjudicatory File
Atomic Safety and Licensing
Board Panel
U. S. NRC
Washington, DC 20555