

6354

May 19, 1988

DOCKETED
USNRC

UNITED STATES NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

'88 MAY 23 P5:53

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)
)
Public Service Company of)
New Hampshire, et al.)
)
(Seabrook Station, Units 1 & 2))
)
_____)

Docket No. 50-443 OL-1/444-02-1

ONSITE EMERGENCY
PLANNING & TECHNICAL
ISSUES

NEW ENGLAND COALITION ON NUCLEAR POLLUTION'S
RESPONSE TO THE SUGGESTION OF MOOTNESS
CONTAINED IN APPLICANTS' BRIEF IN RESPONSE TO
NECNP'S APPEAL OF RENEWAL OF LOW POWER AUTHORIZATION

Introduction

This response is submitted by New England Coalition On Nuclear Pollution (NECNP) pursuant to the Order of the Atomic Safety and Licensing Appeal Board ("the Appeal Board") dated May 11, 1988, requesting that NECNP respond to the suggestion of mootness contained in Applicants' brief in response to NECNP's appeal of the Licensing Board's renewal of low power authorization. By Order dated May 12, 1988, the time for filing this appeal was extended by the Appeal Board sua sponte to 4:00 p.m. on May 19, 1988.

BACKGROUND

On March 25, 1987, the Atomic Safety and Licensing Board ("the Licensing Board") issued a Partial Initial Decision ("PID") which authorizes Public Service Co. of New Hampshire ("Applicants") to operate the Seabrook nuclear power plant at

8805240024 880519
PDR ADOCK 05000443
G PDR

D503

power levels up to and including 5% of rated power.¹ On October 1, 1987, the Appeal Board issued ALAB-875, reversing and remanding in part the March 25, 1987 Licensing Board decision authorizing a low power license for Seabrook. The Appeal Board ordered, inter alia, that the Licensing Board admit two of NECNP's contentions (NECNP Contention IV, regarding the accumulation of aquatic organisms in the cooling system and NECNP Contention I.V, regarding in-service inspection of steam generator tubes) and begin the litigation process for these improperly rejected contentions.² The Appeal Board also ordered the Licensing Board either to find as-yet unidentified support in the record for its ruling that a class of electrical cabling is qualified to survive accident environments (NECNP Contention I.B.2), or to reopen the record on that issue.³ As a result of the Appeal Board's decision, the March 25, 1988, Partial Initial Decision authorizing low power operations was vacated.⁴

On February 17, 1988, the Licensing Board issued a Memorandum and Order which renewed its previous authorization for

1 Public Service Co. of New Hampshire, et al. (Seabrook Station, Units 1 and 2), LBP-87-10, 25 NRC 177. Hereinafter, all administrative decisions in the Seabrook proceeding will be cited only by number and date. The agency's citation system denotes decisions of the Licensing Board Panel as "LBP" decisions, of the Appeal Board as "ALAB," and the Commission decisions as "CLI."

2 ALAB-875, slip op. at 13-20.

3 ALAB-875, slip. op. at 14, 20, 35-39.

4 ALAB-875, slip. op. at 49-50.

operation of the Seabrook nuclear power plant at low power levels, after finding, under 10 C.F.R. § 50.57(c), that NECNP Contentions I.V and IV were not relevant to low power operations.⁵ The Licensing Board did not address the significance of remanded contention I.B.2 (environmental qualification), or its relevance to low power operation.

On March 3, 1988, NECNP timely appealed the Licensing Board's decision reviewing low power authorization. On April 7, 1988, NECNP filed its brief in support of its appeal, arguing, inter alia, that the Licensing Board had no authority under 10 C.F.R. § 50.57(c) and the Atomic Energy Act to authorize low power operations until all onsite technical had been resolved favorably to Applicants.⁶

Between November, 1987 and February, 1988, litigation of NECNP's two remanded contentions, NECNP Contentions IV and I.V, proceeded before the Licensing Board. Much of the discovery period was devoted to litigation over the scope of NECNP Contention IV (accumulation of aquatic organisms in cooling systems)

5 LBP-88-6 (February 17, 1988).

6 NECNP has also contended throughout this proceeding that all offsite emergency planning issues must be resolved before authorization of low power operation. However, because the Appeal Board has stated that it will not entertain challenges to 10 C.F.R. § 50.47(d) [See ALAB-865, 25 NRC 430, 439] this argument was not discussed in any detail in NECNP's April 7, 1988 appeal brief, although it was raised for the record. See "NECNP's Brief in Support of Appeal of Memorandum and Order Renewing Authorization to Operate at Low Power," dated April 7, 1988, at 5 n. 7.

and specifically, whether the issue of microbiologically induced corrosion (MIC) was within the scope of NECNP Contention IV.

It has consistently been NECNP's position that microbiologically induced corrosion was within the scope of NECNP Contention IV. In support of its motion to compel Applicants to respond to NECNP's discovery questions regarding MIC, NECNP presented an affidavit from one of the leading experts in the country on the subject of microbial fouling in heat-exchange systems and numerous articles from scientific journals, including NRC sponsored studies.⁷ Despite the fact that neither Applicants nor the Staff presented any controverting expert opinion or documentation, on March 18, 1988, the Licensing Board ruled that microbiologically induced corrosion was not within the scope of NECNP Contention IV, and that the contention was limited to only one of the adverse affects of the accumulation of aquatic organisms in cooling systems, namely, the accumulation of macro-organisms resulting in blockage and constriction of coolant flow.⁸ The Licensing Board also further constricted the time of allowable discovery for these remanded safety contentions, and directed summary disposition filings as to NECNP Contentions IV and I.V.

By letter dated April 22, 1988, NECNP notified the Licensing Board and the parties that it did not choose to litigate the

7 "NECNP's Motion for Reconsideration of the Board's Denial of NECNP's Motion to Compel, Dated February 17, 1988," dated March 1, 1988.

8 LBP-88-558 (March 18, 1988).

remanded contentions due to the Licensing Board's restrictive rulings which precluded NECNP from litigating the adequacy of Applicants' program for controlling microbiologically induced corrosion. NECNP further stated that it intended to appeal the Licensing Board's rulings on the scope of NECNP Contention IV, and allowable discovery thereunder, at the appropriate time.

Concurrent with the litigation of NECNP Contentions IV and I.V. the parties continued to brief the issue of whether the record should be re-opened with respect to NECNP Contention I.B.2, regarding environmental qualification of RG58 coaxial cable. On April 25, 1988, the Appeal Board issued a Memorandum and Order reversing their part of the Licensing Board's March 25, 1987 PID to the extent that it found that the environmental qualification of the RG58 coaxial cable had been established, and remanding NECNP Contention I.B.2 to the Licensing Board for further proceedings.⁹ The Appeal Board did not address the extent to which its decision affected low power operations at Seabrook, stating that "low power operation is precluded in any event pending the resolution of the public emergency notification issue remanded in ALAB-883."¹⁰

9 ALAB-891, slip opinion at 25-26.

10 Id., at 26 n. 66. IN ALAB-883, the Appeal Board stayed the director of Nuclear Reactor Regulation from giving effect to low power authorization due to its remand of the public emergency notification issue, an offsite safety requirement that must, under Commission regulations, be resolved prior to low power operation.

Despite the April 25, 1988 Appeal Board decision in ALAB-891, Applicants filed, on May 10, 1988, a response suggesting, inter alia, that NECNP's appeal of the Licensing Board's renewal of low power authorization was moot due to NECNP's decision not to oppose Applicants' summary disposition motion on NECNP Contentions I.V and IV. The Appeal Board has asked NECNP to file the instant brief in order to respond to Applicants' suggestion of mootness.

ARGUMENT

I. Low Power Authorization Has Been Vacated.

Applicants claim that as a result of NECNP's decision not to oppose their motions for summary disposition of NECNP Contentions IV and I.V. NECNP's appeal of the Licensing Board's decision to renew low power authorization is moot. As discussed below in Section II, we do not agree with Applicants' view. However, it now appears that our appeal is unripe for review due to the Appeal Board's remand of Contention I.B.2 in ALAB-891.

The Licensing Board's March 25, 1987, PID, combined a ruling on the merits of NECNP's technical challenges to Applicants' operating license request with authorization for the low power operation of Seabrook. The Appeal Board reversed that decision and remanded contentions IV and I.V. for litigation.¹¹ In addition, the Appeal Board suggested that, assuming that the Commission lifted the then-existing stay on low power authorization as

¹¹ ALAB-875, slip op. at 13-20.

a result of the absence of emergency plans for Massachusetts, the Licensing Board must "determine expeditiously the appropriateness of a renewal pendite lite of the low-power authorization contained in the March 25 decision." ALAB-875, slip op. at 49 (footnotes omitted).

While the Appeal Board also found that the record did not support a finding in favor of Applicants with respect to the environmental qualification of PG58 cable (NECNP Contention I.B.2), the Appeal Board did not reverse the PID with respect to that issue. Instead, the Appeal Board remanded the issue to the Licensing Board for further explanation of its decision. When, after two rounds of briefing and explanatory memoranda, the Licensing Board failed to satisfy the Appeal Board that its decision was adequately supported, the Appeal Board, in ALAB-891, reversed the PID with respect to the cable qualification issue and remanded it to the Licensing Board.

By reversing this aspect the Licensing Board's March 25, 1987, PID, ALAB-891 had the effect of vacating the PID's authorization of low power operation. Accordingly, that authorization cannot be "renewed" until NECNP Contention I.B.2 is resolved in favor of Applicants or the Licensing Board makes a determination under 10 C.F.R. § 50.57(c) that NECNP Contention I.B. is not

relevant to low power operations.¹² Thus, NECNP's appeal of the Licensing Board's February 17 1988 renewal of low power authorization, while not moot, as Applicants suggest, is not ripe for review at this time.

This construction of the legal effect of ALAB-891 is the only one that can be reconciled with past practice in this proceeding, as well as common sense. Vacation of low power authorization was precisely the legal effect given by ALAB-875's reversal of the March 25, 1987 PID with respect to NECNP Contentions IV and I.V. At that time, the Commission had stayed low power operation due to the lack of an emergency plan for Massachusetts.¹³ However, when the Commission lifted that stay on November 25, 1987, low power operation was then precluded by ALAB-875's reversal of the March 25, 1987 PID.¹⁴ Since that time, low power operation has been further precluded pending the resolution of the public emergency notification issues remanded

12 NECNP continues to believe that the Licensing Board has no authority under the Atomic Energy Act or 10 C.F.R. § 50.57(c) to determine summarily that contested safety issues are "not relevant" to low power operation. However, presumably the Licensing Board will entertain briefs from the parties on NECNP Contention I.B.2's relevance to low power operation, as it did earlier, and make this determination despite NECNP's continued assertion that such a determination is not permitted, See In Matter of Public Service of New Hampshire, (Seabrook Station, Units 1 and 2), LBP-88-6, 27 NRC __ (February 17, 1988).

13 See the Commission's Order of January 9, 1987 [unpublished].

14 See the Commission's Order of November 25, 1987 [unpublished].

in ALAB-883.¹⁵ Thus, in ALAB-891, the Appeal Board did not need to address the legal effect on low power authorization of its reversal of the March 25, 1987 PID. However, as was the case earlier, the intervening remand of contested safety issues on the merits has vacated the underlying authorization for low power operation. Accordingly, the Appeal Board's review of NECNP's appeal of the February 17, 1988 low power authorization, while not moot, should be deferred until such time as the now-vacated low power authorization is renewed.

II. NECNP's Appeal Is Not Moot.

Irrespective of whether this appeal is ripe for review as a result of ALAB-891, the Licensing Board's dismissal of NECNP Contentions IV and I.V, of itself, does not render moot NECNP's appeal of the Licensing Board's February 17, 1988 renewal of low power authorization.

NECNP's appeal of the low power authorization focused on the inappropriateness of renewing low power operation prior to the resolution of NECNP Contention I.B.2, regarding environmental qualification of RG58 coaxial cable, as well as NECNP Contentions IV and I.V. Clearly, NECNP Contention I.B.2, which has now been remanded to the Licensing Board, has not been resolved. Nor has the Licensing Board made any threshold determination as to the appropriateness of low power operation in light of the partial reversal of a new aspect of the March 25, 1987 PID and the

15 ALAB-883 (February 3, 1988), slip opinion, at 24.

resultant pendency of an important, unresolved safety issue.¹⁶ The arguments made in NECNP's appeal brief regarding the inappropriateness of low power authorization prior to the resolution of contested, onsite safety issues apply equally to NECNP Contention I.B.2. Accordingly, NECNP's appeal is not moot by virtue of the remand of NECNP Contention I.B.2.

Furthermore, NECNP's appeal is not moot because NECNP Contention IV remains unresolved. NECNP has announced its intention to appeal the Licensing Board's rulings which narrowly restricted the scope of NECNP Contention IV only to issues concerning blockage of cooling systems by macro-organisms, and which precluded NECNP from taking adequate discovery.¹⁷ It is NECNP's position that NECNP Contention IV encompasses the issue of microbiologically induced corrosion, and other detrimental effects of microbial fouling.¹⁸ Until this issue is fully resolved through administrative appeals, the Licensing Board has no authority under the Atomic Energy Act to issue low power authorization for Seabrook.

Finally, NECNP's appeal is not moot because it raises, for purposes of preserving the argument for further administrative appeals, the argument that the Licensing Board may not authorize

16 See note 12, supra.

17 As discussed further in Section III, infra, contrary to the assertions made by Applicants and the Licensing Board, NECNP has not abandoned Contention IV.

18 See Section III, below.

low power operation prior to the resolution of contested offsite emergency planning contentions.¹⁹ NECNP continues to believe that the Atomic Energy Act's guarantee of a prior hearing on contested safety issues precludes the Licensing Board from authorizing low power operation until the adequacy of Applicants' offsite emergency planning and preparedness for both the Massachusetts and New Hampshire sectors of the emergency protection zone (including emergency notification) has been litigated and resolved.

In sum, the issues raised in NECNP's appeal are in no way mooted by the Licensing Board's dismissal of NECNP Contentions IV and I.V. Rather, the Appeal Board may still address the appropriateness of low power authorization prior to the resolution of NECNP Contention I.B.2, and prior to the resolution of NECNP Contention IV, to the extent it encompasses the issue of microbiologically induced corrosion. These contested issues are continue to be unresolved and are in no way affected by the Licensing Board's dismissal of NECNP Contentions IV and I.V. NECNP continues to be amenable to deferring the briefing of these legal issues until such time as they are once again brought into focus by NECNP Contention I.B.2 or the offsite emergency planning contentions.

III. The Licensing Board's Dismissal of NECNP Contention IV May Not Bar NECNP's Subsequent Appeal of that Contention.

19 "NECNP's Brief in Support of Appeal of Memorandum and Order Renewing Authorization to Operate at Low Power," dated April 7, 1988, at 5 n. 7.

In this instance, the Licensing Board acted inappropriately in dismissing NECNP's contention, for two reasons. First, the record amply demonstrates that NECNP did not abandon NECNP Contention IV. Second, the Licensing Board is obligated under Commission regulations to decide Applicants' pending summary disposition motions, which have neither been withdrawn nor recaptured as motions to dismiss. Accordingly, the Licensing Board's dismissal should be given no effect. At the most, the Licensing Board's dismissal must be treated as if Applicants' summary disposition motions had been granted, in order to preserve NECNP's right to appeal those issues that NECNP had been precluded from litigating as a result of the Licensing Board's restrictive rulings regarding the scope of NECNP Contention IV, and allowable discovery thereunder.

The Licensing Board's dismissal of NECNP Contention IV was clearly inappropriate since NECNP plainly did not abandon NECNP Contention IV, either expressly or by implication. To the contrary, NECNP has been extremely aggressive in its efforts to litigate the adequacy of Applicants' program to control the accumulation of aquatic organisms, and specifically, microbiologically induced corrosion resulting from the accumulation of microbiologically organisms. The intent and import of NECNP's April 22, 1988 letter was to inform the Licensing Board that its procedural rulings on the scope of NECNP Contention IV had foreclosed NECNP from litigating the most troublesome safety issue raised by the contention, that of microbiologically induced cor-

rosion. In its letter, NECNP sought, as a courtesy, to inform the parties and the Licensing Board, that NECNP did not choose to take up the time and resources of the Licensing Board and the parties in litigating the narrow, issue remaining after the Licensing Board's restrictive rulings on the scope of NECNP Contention IV, and allowable discovery thereunder. At the same time, NECNP clearly communicated that it did not in any way intend to abandon the contention, and that it intended to pursue vigorously the issue of microbiologically induced corrosion upon appeal. This intention is plain from NECNP's April 22, 1988 letter:

Our decision [not to oppose summary disposition] also stems from this Board's procedural rulings on NECNP Contention IV, which effectively preclude NECNP from inquiring into, or litigating the adequacy of Applicants' program to control microbiologically induced corrosion, and other detrimental effects resulting from the accumulation of microbiological organisms. NECNP continues to believe that Applicants' program for monitoring and controlling microbiologically induced corrosion is not adequate, and that this issue is within the scope of NECNP Contention IV. Accordingly, NECNP intends to appeal the Board's rulings regarding the scope of NECNP Contention IV and allowable discovery thereunder at the appropriate time.²⁰

NECNP's intentions not to abandon NECNP Contention IV were also made plain in its response to Applicants' motion for summary disposition on NECNP Contention IV. There, NECNP objected to the apparent breadth of Applicants' motion for summary disposition as

20 See Letter to Administrative Law Judges from Andrea Ferster, Counsel to NECNP, dated April 22, 1988. A copy of this letter, which was previously served on the parties, is attached for the convenience of the Appeal Board.

apparently encompassing the issue of microbiologically induced corrosion, and stated:

Given the plain implications of this Board's rulings regarding the scope of NECNP Contention IV, it would be manifestly unfair if NECNP's failure to oppose the instant motion for summary disposition were construed as barring or estopping NECNP from subsequently litigating the adequacy of Applicants' program for monitoring and controlling fouling by micro-organisms, or microbiologically induced corrosion, should it be determined on appeal that microbiologically induced corrosion is within the scope of NECNP Contention IV.

"NECNP's Response to Applicants' Motion for Summary Disposition on NECNP Contention IV," dated May 6, 1988.²¹

Thus, it is clear from the foregoing that NECNP did not intend to abandon NECNP Contention IV, but merely chose not to litigate the one issue remaining after the Licensing Board's restrictive rulings on the scope of NECNP Contention IV, that of blockage of cooling systems by macro-organisms. There is no requirement that a party pursue each and every issue that may be encompassed within a contention in order to avoid having the contention dismissed in toto. Indeed, such a requirement would be wasteful of the parties' and the Commission's resources, and result in unnecessary, additional delay in the licensing process. Accordingly, the Licensing Board acted inappropriately in dismissing NECNP Contention IV.

The Licensing Board's action in dismissing NECNP Contentions IV and I.V is also contrary to the commands of Commission regula-

21 A copy of this pleading, which was previously served on the parties, is attached for the convenience of the Appeal Board.

tions governing summary disposition.²² Applicants' April 29, 1988 motions for summary disposition on NECNP Contentions I.V. and IV are still pending. The Commission's summary disposition regulations require that the Licensing Board must render a decision even if no opposing answer is filed.²³ Since Applicants have not requested that the summary disposition motions be withdrawn, or that they be re-captioned as motions to dismiss,²⁴ there is simply no justification for the Licensing Board's failure to decide these motions.

It is critical that the Licensing Board's improper dismissal of NECNP Contention IV not be construed as barring any subsequent appeal of issues that NECNP is now precluded from litigating within the scope of NECNP Contention IV, such as microbiologically induced corrosion. Such an action would have the effect of

22 10 C.F.R. § 2.749.

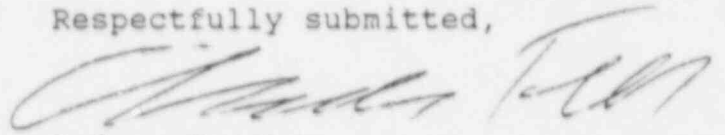
23 10 C.F.R. § 2.749(a) provides that

When a motion for summary decision is made and supported..., a party opposing the motion may not rest upon the mere allegations or denials of his answer; his answer by affidavits or otherwise provided in his section must set forth the specific facts showing that there is a genuine issue of fact. If no such answer is filed, the decision sought, if appropriate, shall be rendered.

24 Indeed, counsel for NECNP informed Applicants by telephone of NECNP's decision not to oppose any summary disposition motions to be filed by Applicants on April 20, 1988, and NECNP's April 22, 1988 letter was delivered to Applicants by overnight mail. Therefore, Applicants had notice of NECNP's intention not to oppose Applicants' summary disposition motion before the April 29, 1988 filing deadline for such motions, yet Applicants did not caption them as motions to dismiss, even in the alternative.

penalizing NECNP for its efforts, as a courtesy to the parties, to conserve the Commission's resources by limiting the litigation to issues that are contested, and encouraging parties to oppose summary disposition motions as a mere formality, for the sole purpose of preserving their rights to appeal. Rather, the Licensing Board's dismissal must, at the most, be treated as if the Licensing Board had granted Applicants' motions for summary disposition, so that NECNP will be free, at the appropriate time, to appeal the Licensing Board's procedural rulings regarding the scope of NECNP Contention IV. Because the issue of the adequacy of Applicants' program to control microbiologically induced corrosion has yet to be resolved, NECNP's appeal of the February 18, 1988 low power renewal is not mooted by the Licensing Board's dismissal of the separate issue of blockage of cooling systems by macro-organisms.

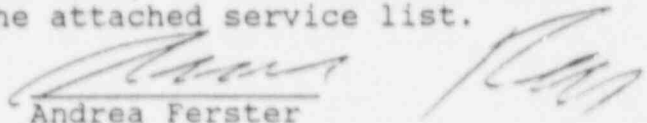
Respectfully submitted,



Andrea Ferster
HARMON & WEISS
2001 "S" Street N.W. Suite 430
Washington, D.C. 20009
(202) 328-3500

CERTIFICATE OF SERVICE

I certify that on May 19, 1988, copies of the foregoing pleading were served by first-class mail, or as otherwise indicated, on all parties listed on the attached service list.



Andrea Ferster

SEABROOK SERVICE LIST -- ONSITE APPEAL BOARD

Sheldon J. Wolfe, Chairman *
U.S. NRC
Washington, D.C. 20555

Dr. Jerry Harbour *
U.S. NRC
Washington, D.C. 20555

Dr. Emmeth A. Luebke *
5500 Friendship Boulevard
Apartment 1923N
Chevy Chase, MD 20815

Atomic Safety & Licensing
Board Panel
U.S. NRC
Washington, D.C. 20555

Atomic Safety & Licensing
Appeal Board Panel
U.S. NRC
Washington, D.C. 20555

Docketing and Service
U.S. NRC
Washington, D.C. 20555

Mrs. Anne E. Goodman
Board of Selectmen
13-15 New Market Road
Durham, NH 03842

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

Jane Doughty
SAPL
5 Market Street
Portsmouth, NH 03801

Carol S. Sneider, Esquire
Assistant Attorney General
1 Ashburton Place, 19th Floor
Boston, MA 02108

Stanley W. Knowles
Board of Selectmen
P.O. Box 710
North Hampton, NH 03826

J.P. Nadeau
Town of Rye

155 Washington Road
Rye, New Hampshire 03870

Richard E. Sullivan, Mayor
City Hall
Newburyport, MA 01950

Alfred V. Sargent, Chairman
Board of Selectmen
Town of Salisbury, MA 01950

Senator Gordon J. Humphrey
U.S. Senate
Washington, D.C. 20510
(Atta. Tom Burack)

Selectmen of Northampton
Northampton, New Hamp-
shire 03826

Senator Gordon J. Humphrey
1 Eagle Square, Ste 507
Concord, NH 03301

Michael Santosuosso,
Chairman
Board of Selectmen
Jewell Street, RFD #2
South Hampton, NH 03842

Judith H. Mizner, Esq.
Silvergate, Gertner, et al.
88 Broad Street
Boston, MA 02110

Rep. Roberta C. Pevear
Drinkwater Road
Hampton Falls, NH 03844

Phillip Ahrens, Esq.
Assistant Attorney General
State House, Station #6
Augusta, ME 04333

Thomas G. Dignan, Esq.
R.K. Gad II, Esq.
Ropes & Gray
225 Franklin Street
Boston, MA 02110

Robert A. Backus, Esq.
Backus, Meyer & Solomon
111 Lowell Street
Manchester, NH 03105

Gregory A. Berry, Esq.

Office of General Counsel
U.S. NRC
Washington, D.C. 20555

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

George Dana Bisbee, Esq.
Geoffrey M. Huntington, Esq.
Office of the Attorney General
State House Annex
Concord, NH 03301

Allen Lampert
Civil Defense Director
Town of Brentwood
Exeter, NH 03833

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

Gary W. Holmes, Esq.
Holmes & Ellis
47 Winnacunnent Road
Hampton, NH 03842

William Armstrong
Civil Defense Director
10 Front Street
Exeter, NH 03833

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

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

Sandra Gavutis
RFD 1, Box 1154
East Kensington, NH 03827

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

Alan S. Rosenthal, Chairman*
U.S. NRC
Washington, D.C. 20555

Howard A. Wilber*
U.S. NRC
Washington, D.C. 20555

OFFICE OF SELECTMEN
DOCKETING & SERVICE
BRANCH

88 MAY 23 P5:53

DOCKETED
USNRC