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May 19, 1988

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

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In the Matter of)	
)	
Public Service Company of)	
New Hampshire, et al.)	Docket Nos. 50-443 OL-1
)	50-444 OL-1
(Seabrook Station, Units 1 & 2))	ONSITE EMERGENCY
)	PLANNING & TECHNICAL
)	ISSUES

NEW ENGLAND COALITION ON NUCLEAR POLLUTION'S
RESPONSE TO ASLBP NO. 88-558-01-OLR

The New England Coalition on Nuclear Pollution ("NECNP") hereby responds to the Licensing Board's Order of May 9, 1988, in which it directs the parties to provide their views as to how the Board should proceed with the remanded issue regarding the environmental qualification of RG-58 coaxial cable.

1) The Appeal Board has made it clear that Applicants and the Staff are to be afforded another opportunity to demonstrate that RG-58 cable is qualified. slip op. at 24, n. 24. It is also clear that this must be done in the context of an evidentiary proceeding. Id. at 24. All new evidence must be sponsored by a competent affiant or witness. Thus, the Licensing Board should reopen the record for the purpose of taking evidence on the issue of environmental qualification of RG-58 cable. Id.

2) The Board should open discovery on the qualification of RG-58 cable. Information that must be obtained on discovery generally includes a description of Applicants' and the NRC Staff's positions; inquiry into the bases for Applicants' change

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in position regarding the qualification of RG-58 cable; documents relating to changes in Applicants' license application, the basis for Applicants' change in position, and the NRC Staff's evaluation of the issue. In order to provide sufficient time for interrogatories and depositions, the Board should allow eight weeks for discovery.

3) The Board should hold an evidentiary hearing on the basis for Applicants' assertions regarding the qualification specifications for RG-58 coaxial cable; and whether the cable meets the required specifications and thus can survive the postulated accident conditions for the required duration.¹

These issues encompass but are not limited to the questions posed by the Appeal Board on page 23 of ALAB-891. While those questions are important, they are by no means the only relevant subject of inquiry. NECNP has demonstrated that Applicants' EQ file for RG-58 coaxial cable does not contain sufficient support for a finding of environmental qualification. Now the Applicants have substantially changed their representations regarding the

¹ We note that the Appeal Board has mentioned the possibility that summary disposition motions will be filed in this case. The decision whether to allow summary disposition motions rests with the discretion of the Licensing Board. NECNP believes that summary disposition proceedings would be unwarranted and wasteful of time and resources. At this point, Applicants and the Staff have had the informal opportunity to present two rounds such motions; with the result that many questions are left unresolved regarding the change in Applicants' position with respect to the qualification of this component. In addition, these changes raise questions regarding Applicants' credibility, which must be explored through confrontation of Applicants' witnesses.

qualification of this component. NECNP is entitled to the opportunity to explore the bases for all of Applicants' assertions regarding the environmental qualification of this component, including but not limited to those questions raised in NECNP's Supplemental Memorandum on Environmental Qualification of RG-58 Coaxial Cable, dated March 22, 1988, at 5-7; why the cable is classified as 1E; and whether RG-58 cable serves computers exclusively or has some other function. In short, the scope of the hearing must encompass all issues relevant to the questions of what qualification specifications are required for RG-58 cable; and whether it meets those specifications.

4) The Appeal Board's remand of the environmental qualification issue has had the effect of vacating that portion of the Board's March 25, 1987, Partial Initial Decision which authorized low power operation based on the Board's decision regarding environmental qualification. If the Board decides to consider the effect of that remand on the renewal of authorization to operate at low power, NECNP seeks an opportunity to brief the issue.

Respectfully submitted,



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May 19, 1988

CERTIFICATE OF SERVICE

I certify that on May 19, 1988, copies of the foregoing pleading were served by hand, overnight mail, or first-class mail on all parties to this proceeding, as designated on the attached service list.


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