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RELATED CORRESPONDENCE

UNITED STATES OF AMERICA '88 SEP 28 P5:56
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

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

In the Matter of)	Docket Nos. 5' 443-OL-1
)	5' -444-OL-1
PUBLIC SERVICE COMPANY)	(Off-Site EP)
OF NEW HAMPSHIRE, ET AL.)	
)	
(Seabrook Station, Units 1 and 2)	September 23, 1988
)	

MASSACHUSETTS ATTORNEY GENERAL JAMES M. SHANNON'S
ANSWERS AND RESPONSES TO THE APPLICANTS' FIRST SET OF
INTERROGATORIES AND FIRST REQUEST FOR DOCUMENTS

General Objection:

The Massachusetts Attorney General ("Mass AG") objects to any interrogatories and the production of any documents which would call for the disclosure of attorney-client communications or which reflect the work-product of the Department of the Attorney General or any other attorney(s).

General Objection:

The Mass AG objects to the section of the Applicants' discovery requests entitled "Definitions and Instructions" to the extent that it requires an "identification" of each

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document to include its "author, date, title, addressee(s) and subject matter" and/or requires for groups of more than 20 documents that the subject matter of these documents be identified and the number of such documents be supplied. These additional production requirements are not contemplated or authorized by 10 CFR § 2.740 and are unduly burdensome. Moreover, the Applicants seek production of these documents which they want the Mass AG to "identify" and upon production the information sought from the Mass AG will be available to the Applicants. The Mass AG also objects to a production of these documents at the location requested and instead will make them available for inspection at the office of the Mass AG and/or at the locations at which the documents are normally kept and in the manner in which they are retained in the usual course of business.

ANSWERS TO INTERROGATORIES AND
RESPONSES TO REQUESTS FOR PRODUCTION

1. Please identify the person(s) answering or substantially contributing to the answer to each of the following interrogatories.

Answer and Response to 1:

Person answering:
John Traficante

Persons contributing to answers:

1. Douglas P. Forbes, Sr.
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Massachusetts Civil Defense Agency
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Framingham, MA 01701
2. Jeffrey Hausner
Director of Nuclear Safety
Emergency Preparedness Division
Massachusetts Civil Defense Agency
400 Worcester Road, P.O. Box 1496
Framingham, MA 01701
3. Robert Hallisey
Director of Radiation Control Program
Massachusetts Department of Public Health
150 Tremont Street
Boston, MA 02111
4. Peter Agnes
Assistant Secretary of Public Safety
Office of Public Safety
One Ashburton Place
Boston, MA 02108

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.

Answer and Response to 2:

OBJECTION: The Mass AG objects to this interrogatory and request on the grounds that it is basically incoherent, unclear, ambiguous, unduly burdensome and seeks information not reasonably calculated to lead to the discovery of admissible evidence. In its present form, this interrogatory/document request invites the Mass AG to identify any governmental official (at any level of government anywhere in the Commonwealth) and set forth documents (or conversations) which reflect what actions that official might not take in the event of a Seabrook emergency. Such an unbounded and peculiar request simply can not be intelligently met.

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.

Answer and Response to 3:

OBJECTION: The Mass AG repeats and incorporates by reference his initial general objection set forth above. Further, the Mass AG objects to this interrogatory/request on the grounds that it is ambiguous, unclear and argumentative, seeks some form of constructive admission as a consequence of any response by the Mass AG, and seeks information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

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.

Answer and Response to 4:

OBJECTION: The Mass AG objects to the scope of this interrogatory/request as unduly burdensome and seeking information that is not relevant or reasonably calculated to lead to the discovery of admissible evidence. Further, the

Mass AG objects to the last sentence of this interrogatory/request on the grounds that it is unclear and incoherent. By agreement with counsel for the Applicants, the Mass AG will respond for the period beginning January 1, 1986 (including the immediately preceding three-month period in the event significant planning activities and documents were generated in that period.)

The following documents will be made available:

1. Comprehensive (all-hazards) emergency plans submitted by the Towns of West Newbury and Amesbury;
2. An emergency plan submitted by the Town of West Newbury pursuant to the Emergency Planning Act ("EPA");
3. Documents distributed by the Civil Defense Agency to assist in the development of EPA plans;
4. Document(s) referring or relating to EPA plans and planning and Seabrook radiological emergency planning;
5. Radiological Emergency Plans for: (a) each Seabrook EPZ community; (b) each Seabrook host community; (c) State Area 1 Plan; (d) revisions for State RERP; (e) Seabrook school plans; (f) State compensatory plan; and (g) Implementing Procedures for (a), (b) and (c) above;
6. FEMA informal technical review document (with annotations) relating to 5(a), (b) and (c) above, and the NIAT Handbook described in 7 below;
7. NIAT Handbook;
8. Documents referring to or relating to 7 above, including correspondence between Department of Public Health ("DPH") and the Applicants' consultants that refer or relate to 7 above, and instructional materials relating to 7 above;
9. Correspondence between DPH and the Seabrook local communities;
10. Correspondence between DPH and Massachusetts Civil Defense;
11. Radiological Emergency Information for Farmers and Food Processors dated November 1987; and

12. Documents received from the Applicants' consultants located in the Seabrook EPZ that refer to or reflect emergency planning for the Seabrook EPZ.

The answer/response to this interrogatory/request will be supplemented if it is determined to be incomplete.

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.

There are no such contentions.

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.

Answers and Responses to 6(a) through 6(e):

(a) The facts underlying each Joint Intervenor contention are set forth in the contentions and bases as originally filed by the parties whose contentions were consolidated into these Joint Intervenor contentions.

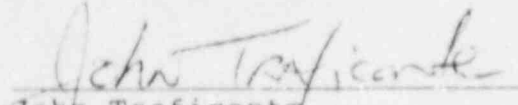
(b) The sources for these facts include: (1) the SPMC; (2) the NHRERP; (3) NUREG-0654; (4) NUREG-0654 (Supp 1); (5) the evidentiary record developed during litigation of the NHRERP; (6) documents referred to in the original contentions and/or bases; (7) information and documents made available by the Applicants; and (8) information gathered by investigators under the direction of the Mass AG.

(c) These witnesses have not yet been identified.

(d) These witnesses have not yet been identified.

(e) OBJECTION: The Mass AG repeats his initial general objection and further objects to this subpart 6(e) on the grounds that it is ambiguous, unclear, overbroad and unduly burdensome to the extent that it seeks the identification and production of any document reflecting or referring to any document (i.e. "study, calculation or analysis") having anything to do with a contention. Such a request is unbounded.

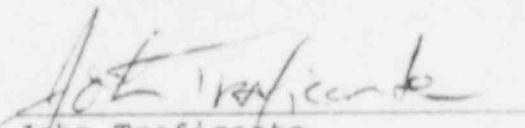
AS TO OBJECTIONS:


John Traficante
Assistant Attorney General

Respectfully submitted,

JAMES M. SHANNON
ATTORNEY GENERAL
COMMONWEALTH OF MASSACHUSETTS

By:


John Traficante
Assistant Attorney General
Nuclear Safety Unit
One Ashburton Place
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(617) 727-2200

DATED: September 23, 1988

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PUBLIC SERVICE COMPANY OF)
NEW HAMPSHIRE, ET AL.)
(Seabrook Station, Units 1 and 2))
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Docket No.(s)
50-443/444-OL
(Off-site EP)

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

CERTIFICATE OF SERVICE

I, John Traficonte, hereby certify that on September 23, 1988, I made service of the within MASSACHUSETTS ATTORNEY GENERAL JAMES M. SHANNON'S ANSWERS AND RESPONSES TO THE APPLICANTS' FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR DOCUMENTS, by Federal Express as indicated by [*] to the following parties:

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I also certify that on September 22, 1988, I will make service of the foregoing documents to the remaining parties on this list who were not served on September 21, 1988, by first class mail, or by hand delivery as indicated by [**].

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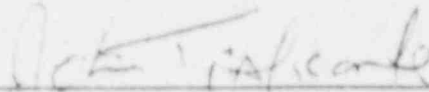
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DATED: September 23, 1988