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RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

88 SEP 29 P2:34

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF  
DOCKET

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, et al.  (Seabrook Station, Units 1 and 2)	) ) ) ) ) ) )	Docket Nos. 50-443-OL-1 50-444-OL-1 Offsite Emergency Planning Issues
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TOWN OF NEWBURY (TON) ANSWERS TO NRC STAFF'S FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO THE TOWNS OF AMESBURY, NEWBURY, SALISBURY, WEST NEWBURY AND MERRIMAC, AND THE CITY OF NEWBURYPORT

NOW COMES the Town of Newbury (TON) and answers the above interrogatories as follows:

OBJECTION TO REQUEST FOR PRODUCTION

TON objects to the Staff's request that any documents to be produced by TON must be provided at the Staff offices in Rockville, Maryland on the grounds that the request is unduly burdensome and costly to TON. The resources of the Staff greatly exceed that of TON and it is therefore appropriate that the Staff inspect any relevant documents at TON. TON will make any relevant documents available for such discovery during normal business hours, at a mutually agreeable time, following reasonable notice to TON, during the discovery period.

1. Identify and supply each document containing procedures, plans, orders, instructions, directions, and training materials of the Intervenors for any action in the event of:

(a) a radiological emergency or disaster stemming from a nuclear plant accident whether the plant is located inside or outside of Massachusetts;

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(b) other radiological emergencies or disasters; and

(c) all other "emergencies" or disasters as defined in paragraph 4 of the above definitions.

1. (a-c) TON objects to this interrogatory on the grounds that it is overly broad and unduly burdensome. In addition, the interrogatory is objected to on the grounds that, on information and belief, the Staff is already in possession of all planning documents concerning Seabrook Station, which were generated in conjunction with Applicants and the Commonwealth. No such documents were produced by TON and TON is in possession of no documents concerning radiological emergency planning generated since that date. TON has not approved any emergency or disaster plan for the town. Moreover, this interrogatory and others, see e.g. answers to Interrogatories 8 and 9, seeks facts which are not known to TON. TON will make available for inspection and review documents consisting of GENERAL CONSIDERATIONS AND GUIDELINES pertaining to fires and traffic accidents, and a Hazardous Materials Emergency Planning Guide dated March 16, 1987 which TON received from the National Response Team. In addition, TON will make available TON's documents relating to plans prepared pursuant to the Emergency Planning Act, which are contemplated to be prepared in approximately two weeks.

2. With regard to each document set out in response to Interrogatory 1, describe the functions in emergencies of any of the following categories of personnel:

(a) State and local police, to include persons employed full or part time, and both private and public security personnel, such as special officers and deputies;

(b) Civil Defense personnel;

(c) Professional or volunteer fire-fighting personnel;

- (d) First aid and rescue personnel;
- (e) Local support services personnel including Civil Defense/Emergency Service personnel;
- (f) Medical support personnel;
- (g) Emergency Service personnel;
- (h) Health and Environmental Department personnel;
- (i) National Guard, Militia or Reserve personnel;
- (j) Boards of Education, School Boards or Departments, and teachers;
- (k) Employees of all other state, local or municipal departments or agencies;
- (l) Individuals obligated to provide assistance pursuant to agreements to aid between municipalities or other government units, or pursuant to other agreements; and
- (m) Individuals available to provide assistance pursuant to agreements to aid between municipalities or other government units, or pursuant to other agreements.

2. See answer to Interrogatory 1. TON further objects to Interrogatory 2 on the grounds that the documents speak for themselves and the Staff has greater resources to analyze these documents than TON. Without waiving said objections, the GENERAL CONSIDERATIONS AND GUIDELINES identified in TON's answer to Interrogatory 1 merely pertain to police officers and provide only the broadest of criteria to consider during fires or traffic accidents, e.g. "[p]olice officers must also be aware of the possibility of arson;" "...the officer's primary duty is to give prompt attention to the needs of any injured persons."

3. Set out the training each of the category of personnel set out in Interrogatory 2 has to perform its function in an "emergency."

3. See answer to Interrogatory 2. Without waiving its objections, full-time police officers have full-time academy training through the Massachusetts Criminal Justice Training Council. All such officers are certified in the use of firearms and some have specialized training regarding accident investigation, fingerprinting, and related police activities. Reserve officers have reserve academy training through the Massachusetts Criminal Justice Training Council. All reserve officers receive annual training as first responders and in the use of firearms.

4. Identify the Massachusetts Civil Defense agency areas in which the Seabrook plume emergency planning zone (EPZ) is located. Provide the Civil Defense Plans for those areas and for the Commonwealth.

4. See answer to Interrogatory 1. Without waiving said objections, TON does not know the Civil Defense Agency areas in which the Seabrook plume emergency planning zone is located and does not possess any Civil Defense plans for those areas or for the Commonwealth of Massachusetts.

5. Identify the number of individuals in each of the personnel categories listed in Interrogatory 2(a)-(m), and the number of such personnel: (a) within the 10-mile EPZ plume exposure pathway; (b) from 10 to 25 miles of Seabrook Station; (c) from 25 to 50 miles of Seabrook Station; (d) from 50 to 100 miles of Seabrook Station; and (e) within the Commonwealth of Massachusetts outside the aforementioned areas.

5. See answers to Interrogatories 1 and 4. Without waiving any objections contained therein, TON answers as to TON as follows:

(a) Police: full-time officers consist of one chief, one deputy chief, two lieutenants, one sergeant and three patrolmen; reserve officers consist of sixteen patrolmen, one patrolman/dispatcher and one dispatcher.

(b) Civil Defense personnel: three.

(c) Professional or volunteer fire-fighting personnel: two full-time and approximately fifty volunteers.

(d) First aid and rescue personnel: See answer to 5(c).

(e) Local support services personnel including Civil Defense/Emergency Service personnel: TON does not understand Interrogatory 5(e). See answers to Interrogatory 5(a)-(d).

(f) Medical support personnel: TON employs no medical support personnel. See answer to Interrogatory 5(d).

(g) Emergency Service personnel: See answer to Interrogatory 5(a)-(c).

(h) Health and Environmental Department personnel: one health agent.

(i) National Guard, Militia or Reserve personnel: none.

(j) Boards of Education, School Boards or Departments, and teachers:

School Committee: seven members

School administrators and administrative personnel: eight

Teachers and staff: approximately 248 (including two nurses).

The number of individuals identified above are employed at the following schools: Byfield School (elementary), Woodbridge School (elementary), Newbury Elementary and Triton Regional High School.

(k) Employees of all other state, local or municipal departments or agencies: highway department: six; assessors clerk: one; town clerk: one; tax collector's office: two; auditors/parking clerk: one; building inspector: one.

(l) Individuals obligated to provide assistance pursuant to agreements to aid between municipalities or other government units, or pursuant to other agreements: See answers to Interrogatories 1 and 5(a)-(c). TON will assist other towns if requested if TON resources are available to perform the requested services.

(m) Individuals available to provide assistance pursuant to agreements to aid between municipalities or other government units, or pursuant to other agreements: See answer to 5(a)-(b).

6. Identify the types and number of the following resources available for use in the event of emergencies pursuant to the documents identified in Interrogatory 1: (a) police vehicles; (b) fire trucks; (c) buses; (d) vans; (e) other vehicles; (f) helicopters and other aircraft; (g) boats; (h) sirens and public notification systems; (i) radios; and (j) all other equipment.

See answer to Interrogatories 1 and 2. By the way of further answer, TON owns the following resources:

- (a) Police vehicles: three marked cruisers and two all-terrain vehicles;
- (b) Fire trucks: twelve;
- (c) Busses: none;
- (d) Vans: none;
- (e) Other vehicles: two rescue vehicles, four dump trucks, one pick-up truck, one personnel carrier, two tractors, one backhoe, one sidewalk plow;
- (f) Helicopters and other aircraft: none;
- (g) Boats: one;
- (h) Sirens and public notification systems: every police and fire department vehicle is equipped with a siren;

(i) Radios: 49 portable radios, each of the vehicles except the tractors, backhoe and sidewalk plow are equipped with mobile radios, all fire trucks are equipped with mobile radios as are all police cruisers;

(j) All other equipment: NON objects to the interrogatory as vague, overly broad, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

7. Identify the resources enumerated pursuant to Interrogatory 6(a)-(j), according to their location: (a) within the 10-mile EPZ plume exposure pathway; (b) from 10 to 25 miles of Seabrook Station; (c) from 25 to 50 miles of Seabrook Station; (d) from 50 to 100 miles of Seabrook Station; and (e) within the Commonwealth of Massachusetts outside the aforementioned areas.

7. See answers to Interrogatories 1 and 6(a)-(j).

8. Identify the number and location of Massachusetts National Guard Units in each of the Intervenor jurisdictions, the number of members of each unit, their distance from the Seabrook plume exposure EPZ, and the number and location of the following resources available for use by the National Guard in emergencies: (a) cars; (b) trucks; (c) vans; (d) helicopters; (e) other means of transportation; and (f) communication facilities; including radios and other means of public notification. Supply the same information for any Militia or Reserve unit in such jurisdiction.<sup>1/</sup>

8. See answer to Interrogatory 1.

9. Identify any plans made for radiological monitoring in the event of a radiological emergency from any cause, including (a) the number and location of personnel trained and available to accomplish such monitoring, and (b) a description and enumeration of radiological monitoring equipment available for use in such an emergency, along with identification of the equipment's location.

9. See answer to Interrogatory 1.

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<sup>1/</sup> If any of the data sought under Interrogatory 8 are withheld on the ground they are classified, please indicate the type of data so withheld.

10. Identify any provisions made for handling of individuals contaminated in a radiological emergency stemming from any cause, including (a) the number and location of personnel trained and available to assist in decontamination of contaminated individuals, and (b) a description and enumeration of equipment available for use in decontamination, along with identification of the equipment's location.

10. See answer to Interrogatory 1.

10a. Identify all documents in your possession identifying facilities in Massachusetts which have or claim to have equipment, personnel or expertise to treat radiologically contaminated individuals. Supply such documents.

10a. None.

11. Identify any provisions made by the Massachusetts Department of Agriculture, or other state or local governmental agency, concerning protective measures to be used for the 50-mile ingestion pathway from any nuclear plant, including the methods for protecting the public from consumption of contaminated foodstuffs; and identify any procedures for detecting contamination, for imposing protective measures such as interdiction of food supply, impoundment, or quarantine, and for public notification concerning food contamination and the protective measures to be followed.

11. See answer to Interrogatory 1.

12. Identify the number of Massachusetts Civil Defense personnel according to location within the Commonwealth, and identify the amount and location of equipment available for their use to protect the public in the event of an emergency. Set out the training of Civil Defense personnel.

12. See answer to Interrogatory 1.

13. Identify the location of stations authorized to broadcast under Federal Emergency Broadcast System (EBS) regulations and the Massachusetts EBS Operational Plan ("Operational Plan"). Provide a copy of the Operational Plan.

13. See answer to Interrogatory 1.

14. Identify all documents, agreements and communications dated within the last five years concerning the operation of the EBS. Produce a copy of all such documents, agreements and communications.

14. See answer to Interrogatory 1.



15. Identify the provisions of federal or state law which preclude activation of the EBS at the discretion of management of AM, FM, and television stations, in connection with day-to-day emergency situations posing a threat to the safety of life and property, such as hurricanes, floods, icing conditions, heavy snows, fires, toxic gases, power failures, industrial explosions, and civil disorders.

15. See answer to Interrogatory 1. Answering further, this interrogatory is objected to as calling for a legal conclusion.

16. List all Federal funds received by any Intervenor jurisdiction during the past 5 years for purposes of developing plans, procedures, manuals, and other documents concerning responses to emergencies, and identify, with respect to each such document, under what statutes these funds were provided and the federal agencies or departments from which the funds were received.

16. None.

17. With respect to each document identified in Interrogatory 1, identify any federal or state law or regulation pursuant to which each such document was prepared.

17. See answer to Interrogatory 1.

18. Identify all Massachusetts statutes and regulations, and all local regulations, ordinances or other provisions, (a) concerning actions to be taken by state or local authorities, or those acting in their behalf, in the event of emergencies, including the preparation of plans for actions to be taken in emergencies; (b) concerning any prohibitions on any such actions or plans; and (c) concerning any prohibitions on any person or organization other than state or local authorities with respect to any such actions or plans.

18. See answer to Interrogatory 1. The interrogatory is also objected to as calling for a legal opinion or conclusion. The Staff may inspect TON's by-laws in accordance with the conditions set forth in OBJECTION TO PRODUCTION OF DOCUMENTS, Supra.

19. Set out the conditions, including citations to all applicable provisions of state and local laws and regulations, (a) under which state and local authorities may permit private individuals or organizations to take action on their behalf in an emergency; and (b) under which state and local authorities are precluded from authorizing private individuals or organizations from taking action on their behalf in an emergency.

19. See answer to Interrogatory 18. Answering further, TON is unaware of any conditions under which local authorities may permit private individuals or organizations to take action on TON's behalf in an emergency. The Staff is as fully capable of researching the law as is TON and the Staff has far greater resources for doing so than does TON.

20. Set out examples illustrating the conditions described in Interrogatory 19(a) and (b).

20. See answer to Interrogatory 18.

21. Define what you consider to be "the beach" in the Massachusetts portion of the Seabrook Station EPZ. Set out the geographic boundaries of that "beach" area.

21. TON objects to the interrogatory as irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objection, TON considers that portion of TON to be "the beach" which fronts on the Atlantic Ocean from the boundary of Newburyport and TON to the southern end of Plum Island. "The beach" extends inland for varying depths along said frontage and TON has not conducted any study to show how far inland "the beach" extends.

22. Using the definition of "the beach" you supplied in answer to Interrogatory 21, provide the following data, along with a copy of any study or other document relevant to the following information: (a) the maximum number of cars at the beach on the 10 busiest days within the last five years, along with indication of the time and date of such maxima; (b) the number of cars remaining at the beach following each 1/2-hour interval for the 8 hours after the aforementioned maxima; (c) the number of cars entering and leaving the beach during each 1/2-hour interval within the 8-hour period. If you do not have data for 1/2-hour intervals, supply such data for the periods you have. Indicate whether the foregoing computations were made manually or automatically.

22. See answers to Interrogatories 1 and 21. TON is informed and believes that evidence was submitted by Intervenor in the NHRERP litigation which is applicable to this interrogatory. TON adopts said testimony. The interrogatory is further objected to as seeking work product. Without waiving any objections, TON has conducted no such studies.

23. Identify all studies conducted during the last five years concerning the availability and possible use of sirens and other means of emergency communication to the public in the event of emergencies. Provide a copy of all such studies.

23. TON has conducted no such studies. See answers to Interrogatories 1 and 22.

24. Identify all studies conducted during the last five years concerning improving the movement of traffic in the event of emergencies within the Seabrook Station EPZ which includes estimates of the volume of traffic or the time within which traffic can be evacuated. Provide a copy of all such studies.

24. TON has conducted no such studies. See answers to Interrogatories 1 and 22.

25. Identify all state and local laws and regulations concerning the following actions to be taken in the event of radiological or other emergencies (see definition 4): (a) guiding traffic; (2) blocking roadways, erecting barriers in roadways, and channeling traffic; (3) posting traffic signs on roadways; (4) removing obstructions from public roadways, including towing private vehicles; (5) activating sirens and directing the broadcast of EBS' messages; (6) making decisions and recommendations to the public concerning protective actions; (7) making decisions and recommendations to the public concerning evacuation actions for the ingestion exposure pathways; (8) making decisions and recommendations to the public concerning recovery and re-entry; (9) dispensing fuel from tank trucks to automobiles along roadsides; and (10) performing access control at the Emergency Operations Center, the relocation centers, and the EPZ perimeters.

25. See answer to Interrogatory 18.

25. Identify all studies performed during the last five years concerning the availability and possible use of sirens and other means of emergency communication to the public in the event of emergencies. Provide a copy of all such studies.

26. See answers to Interrogatory 1 and 22. TON has conducted no such studies. TON incorporates by reference all information proffered by the Commonwealth concerning sirens and siren contentions.

27. Identify all sirens or other means of emergency communication in the Seabrook EPZ which can be heard by the general public.

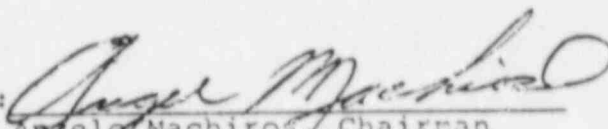
27. See answers to Interrogatories 1, 7 and 26.

28. Identify all studies performed by Intervenor during the last five years concerning planning for emergencies. Produce a copy of all such studies.

28. See answer to Interrogatory 1.

Date: September 28, 1988

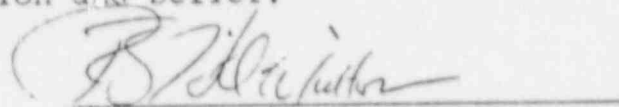
By:

  
Angelo Machiros, Chairman  
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Board of Selectmen

COMMONWEALTH OF MASSACHUSETTS  
ESSEX, SS.

September, 28 1988

Then personally appeared the above-named Angelo Machiros and swore to the truthfulness of the foregoing statements based upon his personal knowledge, information and belief.

  
Notary Public  
My Commission Expires:  
August 7, 1992

CERTIFICATE OF SERVICE

DOCKETED  
USNRC

I, R. Scott Hill-Whilton, Counsel for the Town of Newbury in the above-entitled action, hereby certify that I have caused 88 SEP 29 P2:34 copies of the enclosed documents to be served upon the persons at the addresses listed below, by first class, postage prepaid, mail and by Federal Express, postage prepaid, mail to those names which have been marked with an asterisk.

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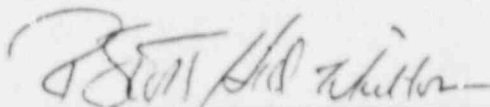
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Signed under seal this 28th day of September, 1988.



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R. Scott Hill-Whilton