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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. )

(Seabrook Station, Units 1 & 2) )

OFFICE OF PUBLIC AFFAIRS  
DOCKETING SERVICE

Docket No. 50-443 OL-1

ONSITE EMERGENCY  
PLANNING & TECHNICAL  
ISSUES

NEW ENGLAND COALITION ON NUCLEAR POLLUTION'S  
RESPONSE TO APPLICANTS' SUGGESTION OF MOOTNESS  
REGARDING ENVIRONMENTAL QUALIFICATION OF RG-58 CABLE

The New England Coalition on Nuclear Pollution ("NECNP") hereby responds to Applicants' Suggestion of Mootness with respect to the environmental qualification of RG-58 coaxial cable. Applicants' filing and supporting affidavits show not that the issue is moot, but that a great many questions about the RG-58 cable and substitute RG-59 cable remain unresolved. These questions include the issues raised in NECNP's Response to ASLBP No. 88-558-01-OLR, dated May 19, 1988, and in the attached affidavit of Robert D. Pollard. They may only be resolved through the process of discovery and through confrontation of Applicants' experts on the witness stand.

While it is framed as a "suggestion," Applicants' filing has all the characteristics of a summary disposition motion. For three important reasons, this dispositive pleading must be rejected. First, summary disposition is completely inappropriate where the parties have not had discovery on the entirely new set of facts presented by Applicants regarding the qualification of

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RG-58 coaxial cable. Applicants' pleadings continue to generate more questions than answers; the discovery process is an important tool for obtaining those answers, and for delving into the reasons for Applicants' 180 degree change in position since the 1986 hearings.

The discovery process would also include examination of documents supporting Applicants' position. For example, in their suggestion of mootness, Applicants cite a number of documents, including schematic drawings and raceway drawings, as well as a computer program. Not only have Applicants failed to file these documents, but they are described so vaguely as to shed no light on their bearing on this issue.

A second reason that this dispositive motion must be denied is that NECNP is entitled to test the credibility of Applicants' witnesses in a hearing. Applicants have dramatically changed their position from claiming in 1986 that RG-58 cable is qualified, to claiming now that most of it does not need to be qualified. For those applications for which Applicants concede qualification is required, they maintain that the RG-58 cable is qualified; yet, they have nevertheless decided to replace some of the RG-58 cable with RG-59 cable. Despite the numerous opportunities available to them, Applicants have failed to provide the Board with any specific information regarding the particular pieces of equipment that are served by the RG-58 cable, or the exact environmental qualification requirements to which

the substitute cable must conform. The affidavits filed by Applicants in support of their suggestion of mootness are exemplars of vagueness on this score. Given Applicants' changing position and the vagueness with which it is set forth, it is imperative that the Board subject Applicants' witnesses to the test of cross-examination.

Finally, Applicants' filing fails to resolve material issues of dispute between the parties. As discussed in detail in the attached affidavit of Robert D. Pollard, Applicants' affidavits fail to establish that Applicants have identified all uses and locations of RG-58 cable, that they know what qualification requirements the cable must meet, or that RG-59 cable is an adequate substitute. A host of important questions remain, including but not limited to:

1) What is the basis for Applicants' assertion that all identified uses of RG-58 coaxial cable involve non-Class 1E or non-safety functions or applications, including those instances where Applicants propose to replace the RG-58 coaxial cable with RG-59?

2) Why was RG-58 cable designated Class 1E safety equipment in the first place?

3) What are the specific uses of RG-58 cable? What particular pieces of equipment does it serve?

4) Have Applicants correctly identified all instances in which RG-58 coaxial cable is used at Seabrook Station? Have

Applicants identified all purchase orders of RG-58 coaxial cables?

5) Have Applicants adequately determined the exact physical locations of all RG-58 cable that has been identified as being used at Seabrook Station?

6) What are the specific environmental qualification requirements for RG-58 coaxial cable?

7) What are the specific environmental qualification requirements for RG-59 coaxial cable when used in place of RG-58?

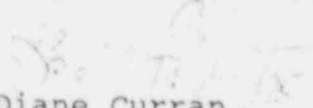
8) Is RG-59 coaxial cable qualified to replace RG-58 cable? (If so, why was RG-58 purchased in the first place, since it is more expensive than RG-59?) (See NECNP Exh. 4, Ref. 7) These are all issues that must be addressed in the context of a hearing on the environmental qualification of RG-58 coaxial cable.

NECNP agrees in large part with the position taken by the Staff in its filings of June 2 and June 6, 1988. However, we disagree with the Staff in two important respects. First, as discussed above, we do not consider that additional summary disposition proceedings are appropriate in this case. Second, we disagree with the Staff that the environmental qualification of RG-59 cable is "established." NRC Response to Applicants' Suggestion of Mootness at 11. The qualification of RG-59 cable was not placed at issue in the 1986 hearings, and subsequent litigation on the admissibility of a late-filed contention on the issue

does not constitute a merits ruling on the qualification of that cable. Most importantly, there is no basis for assuming that RG-59 cable meets RG-58 performance requirements for those applications of RG-58 that RG-59 will serve as a substitute. Once the specific environmental qualification requirements for these applications of RG-58 coaxial cable are known, the parties may examine all relevant testing documentation to determine whether RG-59 cable meets those standards.

For the foregoing reasons, NECNP asks the Licensing Board to reject Applicants' Suggestion of Mootness and schedule discovery and a hearing on the issue of the need for and adequacy of environmental qualification of RG-58 coaxial cable and substitute cable.

Respectfully submitted,

  
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June 9, 1988

CERTIFICATE OF SERVICE

I certify that on June 9, 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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Diane Curran