

Dated: April 15, 1987

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

before the

ATOMIC SAFETY AND LICENSING BOARD

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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)	
)	
PUBLIC SERVICE COMPANY OF)	Docket No. 50-433-OL
NEW HAMPSHIRE, et al)	Off-site Emergency
)	Planning Issues
(Seabrook Station Unit 1))	

SEACOAST ANTI-POLLUTION LEAGUE'S RESPONSE TO APPLICANTS'
MOTION FOR SUMMARY DISPOSITION OF SAPL CONTENTION NO. 18

Pursuant to 10 CFR §2.749, on the basis of facts set forth in the Affidavit of Albert E. Luloff and for the reasons stated below, SAPL hereby moves this Board to enter an order denying summary disposition of SAPL Contention No. 18.

REASONS FOR DENYING APPLICANTS' MOTION

SAPL Contention No. 18 reads:

The NHRERP Rev. 2 significantly miscalculates the numbers of non-auto owning population for the 17 New Hampshire local communities. No buses are provided in the plans for the individuals who are not accounted for due to these miscalculations. Therefore, these plans fail to meet the requirements of 10 CFR §50.47(a)(1), §50.47(b)(8), NUREG-0654 II.J.10.g and NUREG-0654 Appendix 4, p. 4-3.

Affidavit of Richard H. Strome states that the number of "Residents Needing Transportation" in Section IV of each town RERP is based, not on an assumption of a specific percentage of the population without cars, but obtained directly from the NHCDA Special Needs Survey. Further the Strome Affidavit states that the allotment of transportation resources does not consider the phenomenon of "ride sharing."

However, Section IV of the FEMA/RAC review transmitted by December 12, 1986 letter of Edward A. Thomas, states as follows:

In Section 11, KLD has significantly revised its estimates of the number of persons in the EPZ requiring transit. Both the draft final report dated June 2, 1986 and the revision 2 report start off with a base of 4291 persons requiring transit as determined from KLD's telephone survey. In the draft final report, KLD increased this number by 50% "...to compensate for the uncertainty attendant the small sample sizes in each community associated with the estimates for transit-dependent." (This quote is from KLD's "Response to the Preliminary Review of the Seabrook ETE Progress Report: No. 7") In the Revision 2 report, KLD first increases baseline estimates to provide a 10% confidence level that the estimates will not actually be exceeded and then decreases these later estimates by 50% because KLD now assumes that 50% of the people without cars will leave the EPZ by ride-sharing. The result is that in the draft final report, KLD estimated that 6436 people would need transit and 192 buses would be required while in Revision 2, KLD estimates that 3733 people will need transit and thus only 150 buses will be required. (The method for determining bus requirements based on total population also varies between the reports.) As indicated above, this is a significant change. The assumptions on the percentage of persons that will ride share should be supported by documentation on the assumptions used, such as the Mississauga experience.

The FEMA/RAC review, therefore, indicates that the number of persons in the EPZ requiring transit is based on the KLD telephone survey, not the NHCDA Special Needs Survey, and that KLD now

assumes that 50% of people without cars will leave the EPZ by ride sharing. There is clearly a disagreement between what is stated in the Strome Affidavit and what is stated in the FEMA/RAC Review.

The Affidavit of Albert E. Luloff states that very little confidence should be placed in the accuracy of population figures in Volume 6 of the NHRERP pertaining to the size of the special needs and other transit dependent population groups (Affidavit at 2). The telephone survey by First Market Research of Boston relied on the KLD Report is seriously flawed in that no apparent efforts at call backs were made, leaving the potential for response bias to be generated. (Affidavit at 12-13). Further, the NHCD A survey suffered from extremely low response rates (in Hampton only 2% responded). (Affidavit at 13). Early indications based on Mr. Luloff's research are that the size of special needs and transit dependent populations within the EPZ could be twice as large as that found by NHCD A in its survey (Affidavit at 14). Volume 6 of NHRERP relies upon numbers first developed by Kaltman and published in 1981 to provide the core information for identifying special needs populations, despite the fact that the Kaltman numbers are 6 years old. This suggests that a major undercount of needed transportation resources has occurred. Such gaps in the extant data call into question Item 7 in the Strome Affidavit on this contention that transportation resources exceed the capacity required. (Affidavit at 16).

GENUINE ISSUES OF MATERIAL FACT IN DISPUTE (SAPL 18)

1. The FEMA/RAC review transmitted by letter of Edward A. Thomas of December 12, 1987, indicates that the number of persons in the EPZ requiring transit is based on the KLD telephone survey. The Strome Affidavit claims that this number is based on the NHCDA Special Needs Survey.

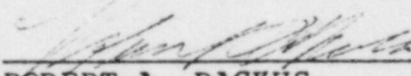
2. The FEMA/RAC review cited above states that KLD now assumes 50% of people without vehicles will ride share. The Strome Affidavit states that allotment of transportation resources does not consider the phenomenon of ride sharing.

3. The accuracy of population figures in Volume 6 of the NHRERP for special needs and other transit dependent groups is questionable. The telephone survey by First Market Research of Boston, relied on the KLD report, is seriously flawed by a potential for response bias. The NHCDA Special Needs Survey is flawed due to extremely low response rates.

4. The numbers relied upon for identifying special needs populations in Volume 6 of the NHRERP are 6 years old and gaps in the extant data suggest that a major undercount has occurred. There is therefore no sound basis to the state's claim that transportation resources exceed capacity required.

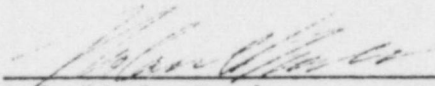
Respectfully submitted,
SEACOAST ANTI-POLLUTION
LEAGUE
By its Attorney
BACKUS, MEYER & SOLOMON

DATED April 15, 1987



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I hereby certify that a copy of the within Seacoast Anti-Pollution League's Motion for Summary Disposition of SAPL Contention No. 18 has been sent this date, first class, postage prepaid, to those listed on the attached service list, and has been federal expressed to those indicated by an asterisk.



Robert A. Backus