

DOCKETED
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

RD FIELD OFFICE
DOCKETING & SERVICE
BRANCH

Docket Nos. 50-443 OL-01
50-444 OL-01
(On-site Emergency Planning
and Safety Issues)

Stephen A. Bergquist
Counsel for NRC Staff

8808180021 880812
PDR ADOCK 05000443
G PDR

1507

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)	
)	Docket Nos. 50-443 OL-01
PUBLIC SERVICE COMPANY OF)	50-444 OL-01
NEW HAMPSHIRE, <u>et al.</u>)	(On-site Emergency Planning
)	and Safety Issues)
(Seabrook Station, Units 1 and 2))	

NRC STAFF RESPONSE TO NEW ENGLAND COALITION
ON NUCLEAR POLLUTION'S BRIEF IN SUPPORT OF ITS APPEAL
OF THE LICENSING BOARD'S DISMISSAL OF NECN² CONTENTION IV

Stephen A. Bergquist
Counsel for NRC Staff

August 12, 1988

TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
II. BACKGROUND	2
III. ARGUMENT	6
A. Legal Standards	6
B. The Licensing Board Was Justified In Its Construction of NECNP Contention IV To Exclude The Issue of MIC	8
C. The Board Correctly Dismissed Contention IV	11
IV. CONCLUSION	12

TABLE OF AUTHORITIES

<u>ADMINISTRATIVE DECISIONS</u>	<u>Page</u>
<u>Commission</u>	
<u>Commonwealth Edison Co.</u> (Dresden Nuclear Power Station, Unit No. 1), CLI-81-25, 14 NRC 616 (1981)	11
<u>Consumers Power Co. (Big Rock Point Plant),</u> CLI-81-32, 14 NRC 962 (1981)	8
<u>Florida Power and Light Company</u> (Turkey Point Plant, Units 3 and 4), CLI-81-31, 14 NRC 959 (1981)	7
<u>Philadelphia Electric Co. (Peach Bottom</u> <u>Atomic Power Station, Units 2 &</u> <u>3), CLI-73-10, 6 AEC 173 (1973)</u>	7
<u>Public Service Co. of Indiana (Marble Hill</u> <u>Nuclear Generating Station Units 1 and 2),</u> CLI-80-10, 11 NRC 438 (1980)	8
<u>Appeal Board</u>	
<u>Carolina Power and Light Co.</u> (Shearon Harris Nuclear Power Plant), ALAB-852, 24 NRC 532 (1986)	8
<u>Carolina Power and Light Company</u> (Shearon Harris Nuclear Power Plant), ALAB-837, 23 NRC 525 (1986)	7
<u>Kansas Gas & Electric Co.</u> (Wolf Creek Generating Station), ALAB-279, 1 NRC 559 (1975)	8
<u>Niagara Mohawk Power Corporation</u> (Nine Mile Point Nuclear Station, Unit 2), ALAB-264, 1 NRC 347 (1975)	7
<u>Northern States Power Company</u> (Prairie Island Nuclear Generating Plant, Units 1 & 2), ALAB-419, 6 NRC 3 (1977)	7
<u>Northern States Power Company</u> (Monticello Nuclear Generating Plant, Unit 1), ALAB-611, 12 NRC 301 (1980)	7

Pacific Gas and Electric Company
(Diablo Canyon Nuclear Power Plant,
Units 1 and 2), ALAB-781, 20 NRC 819 (1984) 7

Public Service Company of New Hampshire
(Seabrook Station, Units 1 and 2),
ALAB-894, 27 NRC ____ (June 14, 1988) 6

Public Service Company of New Hampshire
(Seabrook Station, Units 1 and 2),
ALAB-875, 26 NRC 251 (1987) 2, 10

Philadelphia Electric Co. (Limerick
Generating Station, Units 1 and 2),
ALAB-845, 24 NRC 220 (1986) 2

Licensing Board

Commonwealth Edison Co.
(Dresden Nuclear Power Station,
Unit No. 1), LBP-82-52, 16 NRC 183 (1982) 11

REGULATIONS

10 C.F.R. § 2.714 11

10 C.F.R. § 2.714(a)(1) 7, 12

10 C.F.R. § 2.714(a)(2) 7

10 C.F.R. § 2.714(b) 7

10 C.F.R. § 2.760a 12

MISCELLANEOUS

Memorandum and Order (Denying Motion to Compel)
(February 17, 1988), reconsideration denied,
Memorandum and Order (March 18, 1988) 1,2,4,7

Memorandum and Order (Denying NECNP
Motion For Reconsideration) (March 18, 1988) 2, 5

Memorandum Order (May 12, 1988) 6

Fed. R. Evid. 702 11

47 Fed. Reg. 21653 (May 19, 1982) 3, 9, 10

Black's Law Dictionary 956 (5th ed. 1979) 9

NUREG/CR-4724 4, 5, 11

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)	
)	Docket Nos. 50-443 OL-01
PUBLIC SERVICE COMPANY OF)	50-444 OL-01
NEW HAMPSHIRE, <u>et al.</u>)	(On-site Emergency Planning
)	and Safety Issues)
(Seabrook Station, Units 1 and 2))	

NRC STAFF RESPONSE TO NEW ENGLAND COALITION
ON NUCLEAR POLLUTION'S BRIEF IN SUPPORT OF ITS APPEAL
OF THE LICENSING BOARD'S DISMISSAL OF NECNP CONTENTION IV

I. INTRODUCTION

On July 5, 1988, the New England Coalition on Nuclear Pollution (NECNP) filed a "Brief In Support Of Its Appeal Of The Licensing Board's Dismissal Of NECNP Contention IV" ("NECNP Brief"). In its brief, NECNP argues that the Licensing Board erred in ruling that "microbiologically induced corrosion" (MIC) was not within the scope of NECNP Contention IV and in restricting the scope of discovery under this contention. ^{1/} NECNP maintains that the language of Contention IV encompasses the issue of MIC and that the Licensing Board acted arbitrarily and capriciously in restricting the scope of Contention IV. ^{2/} As explained below, NECNP's appeal should be dismissed.

^{1/} Memorandum and Order (Denying Motion to Compel) (February 17, 1988) ("February 17, 1988 Order"), reconsideration denied, Memorandum and Order (March 18, 1988) ("March 18, 1988 Order").

II. BACKGROUND

In ALAB-875, ^{3/} the Appeal Board held, inter alia, that the Licensing Board erroneously excluded NECNP Contention IV entitled "Blockage of Coolant Flow to Safety Related Systems and Components by Buildup of Biological Organisms," and remanded the contention to the Licensing Board for further litigation. 26 NRC at 275. Thereafter, in its second set of interrogatories on Contention IV, NECNP sought for the first time discovery on the subject of microbiologically induced corrosion (MIC). See NECNP's Second Set of Interrogatories and Request for Production of Documents to Applicants on NECNP Contention IV (December 23, 1987). On a motion to compel discovery on this issue, the Licensing Board held that NECNP Contention IV did not embrace the issue of corrosion of cooling systems but rather was limited to the blockage of such systems due to the accumulation of aquatic organisms and debris. Memorandum and Order (Denying NECNP Motion To Compel) (February 17, 1988) ("February 17, 1988 Order"), reconsideration denied, Memorandum and Order (March 18, 1988).

^{2/} NECNP also argues that the Licensing Board erred in denying its February 19, 1988 Motion for Leave to Enter Applicants' Land and its motion to compel discovery into circulating as opposed to cooling, water systems. These arguments are logically dependent on the validity of NECNP's primary argument regarding the proper scope of its Contention IV. Since that argument is without merit, see Part-B post, these contingent claims fall of their own weight and need not be further addressed.

^{3/} Public Service Company of New Hampshire (Seabrook Station, Units 1 and 2), ALAB-875, 26 NRC 251 (1987).

The Licensing Board noted that it was clear from a reading of Contention IV ^{4/} that "it is limited to asserting concerns that Applicants must establish a surveillance and maintenance program for the prevention

4/ NECNP Contention IV reads as follows:

Blockage of Coolant Flow to Safety-Related Systems and Components by Buildup of Biological Organisms

The Applicant must establish a surveillance and maintenance program for the prevention of the accumulation of mollusks, other aquatic organisms, and debris in cooling systems in order to satisfy the requirements of GDC 4, 30, 32, 33, 34, 35, 36, 38, and 39, which require the maintenance and inspection of reactor cooling systems. The design, construction, and proposed operation of Seabrook fail to satisfy these requirements.

Basis: On May 19, 1982, the Commission published in the Federal Register a notice of abnormal occurrences at a number of nuclear reactors around the country. 47 FR 21653. The notice described the accumulation of asiatic clams, mussels, and other aquatic organisms in reactor cooling systems which had hitherto gone unnoticed. At one reactor, Brunswick Unit One, blockage of coolant flow paths resulted in the 'total loss of both redundant trains of the residual heat removal system.' 47 FR at 21653.

Noting that the dissipation of heat to the environment is an essential safety function, the Commission found that blockage of coolant systems by biological organisms and debris could cause 'possible degradation of the heat transfer capabilities of redundant safety systems to the point where system function is lost.' Id. at 21655.

The abnormal occurrences at the six reactors showed that 'preventive measures and methods of detecting gradual degradation have been inadequate in certain areas to preclude the occurrence.' Id. The licensees in each case agreed to improve design features and detection techniques to prevent future significant fouling.

The Seabrook reactor uses ocean water for cooling and is particularly susceptible to fouling by aquatic organisms. The fouling does not occur only in the intake pipes of reactors. Organisms may find their way into the entire cooling system and even into the heat exchangers. Id. at 21654. In addition, the

(FOOTNOTE CONTINUED ON NEXT PAGE)

of the accumulation of mollusks, other aquatic organisms, and debris in Seabrook's cooling systems. . ." February 17, 1988 Order at 5. The Licensing Board rejected several arguments advanced by NECNP.

First, NECNP sought to include MIC within the definition of "fouling" (which appeared in the basis for Contention IV) on the ground that NUREG/CR-4724 had defined the term as including corrosion. The Licensing Board pointed out that NUREG/CR-4724 was issued some four years after Contention I was proposed, such that NECNP's "now" intent could not be accepted as being its "then" intent. February 17, 1988 Order at 6. Second, NECNP asserted that a sentence contained in the basis of Contention IV ^{5/} showed that the contention was intended to address the form of biofouling that corrodes the outside of pipes. The Licensing Board found no merit to this argument, noting the cited basis sentence

(FOOTNOTE CONTINUED FROM PREVIOUS PAGE)

buildup of fouling organisms or corrosion products on piping walls, although not severe enough to block water flow during normal operation, could be dislodged by seismic activity and 'collect in equipment bearing or seal coolers blocking the cooling water flow.' Id. Because it is particularly vulnerable to intrusion by aquatic organisms, the Seabrook plant should be equipped with a maintenance and inspection program adequate to prevent the kind of degradation which current measures obviously do not achieve.

5/ This sentence reads as follows:

* * *

In addition, the buildup of fouling organisms or corrosion products on piping walls, although not severe enough to block water flow during normal operation, could be dislodged by seismic activity and 'collect in equipment bearing or seal coolers blocking the cooling water flow.'

* * *

merely reflected concern that corrosion products on piping walls could be dislodged by seismic activity and, in collecting, block cooling flow water. Id. Further, the Licensing Board rejected NECNP's additional reliance on NUREG/CR-4724, relative to its second argument, as failing in its attempt to expand the scope of the contention by reliance upon a document that did not exist at the time Contention IV was submitted. Id. at 7. NECNP's third and final argument also relied on NUREG/CR-4724 to support an expansion of Contention IV to include MIC. The Licensing Board noted that this argument failed, like the preceding two, because of its reliance on NUREG/CR-4724, which did not exist when Contention IV was submitted. Id.

On March 1, 1988, NECNP filed a motion for reconsideration of the February 17, 1988 Order. In this motion, NECNP relied upon the affidavit of a scientist, Dr. James Bryers, and on attached scientific documents to demonstrate that in 1982 MIC was recognized as one of the detrimental effects of biofouling of nuclear power plants. In its March 18, 1988 Order, the Licensing Board affirmed its February 17, 1988 Order, noting that the documents now submitted by NECNP "cannot serve to establish that, in preparing the contention in 1982, the drafter intended to encompass MIC within the scope of the contention." Memorandum and Order (Denying NECNP Motion For Reconsideration) at 3 (March 18, 1988) ("March 18, 1988 Order") at 3. On March 22, 1988, NECNP filed a motion to compel Applicants to respond to NECNP's Third Set of Interrogatories and Request for Production of Documents to Applicants on NECNP Contention IV, which had been served on February 19, 1988. The Licensing Board denied this motion on the basis

that the issue of MIC was not encompassed within the scope of Contention IV. ^{6/}

On April 22, 1988, NECNP informed the Licensing Board and the parties in writing that it would no longer litigate remanded NECNP Contentions I.V and IV and thus would not object to the issuance of a decision favorable to Applicants' on these contentions. See Letter From Andrea Ferster, Esq. to Licensing Board (April 22, 1988). NECNP, however, expressed its intention to appeal "at the appropriate time" the Licensing Board's ruling interpreting NECNP Contention IV to exclude the subject of corrosion of cooling systems, Id. On May 12, 1988, and as requested by the Staff, the Licensing Board ruled that NECNP's decision not to litigate further NECNP Contentions I.V and IV constituted an abandonment of those contentions and issued an order dismissing the contentions. ^{7/} May 12, 1988 Order at 2-3.

NECNP filed its notice of appeal from this adverse determination on June 1, 1988, coupled with a motion for leave to file the notice out of time. The Appeal Board granted this motion in ALAB-894. ^{8/}

III. ARGUMENT

A. Legal Standards

As the Appeal Board has stated: "The judgment of a Licensing Board with regard to what is or is not in controversy in a proceeding being

^{6/} Order (April 1, 1988).

^{7/} Memorandum Order (May 12, 1988) ("May 12, 1988 Order").

^{8/} Public Service Company of New Hampshire (Seabrook Station, Units 1 and 2), ALAB-894, 27 NRC ____ (June 14, 1988).

conducted by it is entitled to great respect; . . ." Northern States Power Company (Prairie Island Nuclear Generating Plant, Units 1 & 2), ALAB-419, 6 NRC 3, 6 (1977). It is also well settled that the Appeal Board will defer to a licensing board's legal rulings except where the Appeal Board's examination of the evidence convinces it that the record compels a different result. See Northern States Power Co. (Monticello Nuclear Generating Plant, Unit 1), ALAB-611, 12 NRC 301, 304 (1980); Niagara Mohawk Power Corporation (Nine Mile Point Nuclear Station, Unit 2), ALAB-264, 1 NRC 347, 357 (1975); Pacific Gas and Electric Company (Diablo Canyon Nuclear Power Plant, Units 1 and 2), ALAB-781, 20 NRC 819, 834 (1984); Carolina Power and Light Company (Shearon Harris Nuclear Power Plant), ALAB-837, 23 NRC 525, 531 (1986). As explained below, the arguments and information presented to the Board by NECNP do not serve to undermine the Board's determination that NECNP Contention IV does not encompass the subject of microbiologically induced corrosion (MIC). The Appeal Board should accord that determination great respect and uphold the February 17, 1988 Order.

Under 10 C.F.R. § 2.714(a)(2), a petition to intervene in a proceeding must set forth with particularity "the specific aspect or aspects of the matter of the proceeding as to which petitioner wishes to intervene." Among the elements that 10 C.F.R. § 2.714(a) and (b) have been construed as requiring is that the petitioner identify the specific matters as to which the petitioner desires to participate.

Philadelphia Electric Co. (Peach Bottom Atomic Power Station, Units 2 & 3), CLI-73-10, 6 AEC 173 (1973); Florida Power and Light Co. (Turkey Point Plant, Units 3 and 4), CLI-81-31, 14 NRC 959, 960 (1981), citing,

Public Service Co. of Indiana (Marble Hill Nuclear Generating Station Units 1 and 2), CLI-80-10, 11 NRC 438 (1980); Consumers Power Co. (Big Rock Point Plant), CLI-81-32, 14 NRC 962, 963 (1981). ^{9/} As will be shown below, NECNP Contention IV neither contained a specific reference to MIC nor provided the Applicants, the Staff, the Licensing Board, or the Appeal Board with reasonable notice that the contention included MIC, in addition to blockage caused by the accumulation of aquatic organisms and debris.

B. The Licensing Board Was Justified In Its Construction of NECNP Contention IV To Exclude The Issue of MIC

The text of NECNP Contention IV yields no clue that it encompasses the subject of MIC. As pointed out by the Appeal Board ^{10/} and by the Licensing Board's February 17, 1988 Order, the theme and focus of the contention is the accumulation of mollusks and other aquatic organisms and debris in Seabrook's cooling systems. The plain and ordinary meaning of the language of the contention and its basis support the Licensing Board's conclusion that NECNP has impermissibly sought to expand the scope of Contention IV to include a new issue.

For instance, the contention refers to the need for establishing a "maintenance program for the accumulation of mollusks, other aquatic organisms, and debris in cooling systems. . ." (Emphasis added). The

^{9/} It should be noted also that a party is bound by the literal terms of its own contention. See e.g., Philadelphia Electric Co. (Limerick Generating Station, Units 1 and 2), ALAB-845, 24 NRC 220, 242 (1986); Carolina Power and Light Co. (Shearon Harris Nuclear Power Plant), ALAB-852, 24 NRC 532, 545 (1986). Additionally, a contention drawn by counsel experienced in NRC practice must exhibit a high degree of specificity. Kansas Gas & Electric Co. (Wolf Creek Generating Station), ALAB-279, 1 NRC 559, 576-577 (1975).

^{10/} See ALAB-875, supra, 26 NRC at 262.

basis similarly emphasizes "accumulation" and "blockage of coolant systems." In spite of the fact that the basis also mentions "the buildup of fouling organisms on corrosion products on piping walls, although not severe enough to block water flow during normal operation, could be dislodged by seismic activity. . .", there is no mention of MIC. The central concept underlying these phrases is the asserted danger of piping blockage or obstruction. Further, the Federal Register notice prompting the filing of this contention (47 Fed. Reg. 21653, May 19, 1982) concerned potential blockage due to dislodged buildup of various marine organisms including clams, mussels, barnacles, and the like. Nowhere is there mention of MIC. In accordance with the interpretive principle noscitur a sociis, ^{11/} the term "fouling," as employed in the basis, can be associated only with the subject of the accompanying text, i.e., the blockage problem consequent to the buildup of marine organisms in piping.

NECNP, in its May 1987 brief appealing the Licensing Board's rejection of Contention IV, stated that "[t]he basis for this contention was a Federal Register notice dated May 19, 1982, which stated NRC's concerns over the accumulation of asiatic clams, mussels, and other aquatic organisms in six nuclear power plant reactor cooling systems." ^{12/} (Emphasis added). This position was reiterated at oral argument before the Appeal Board, during which NECNP's counsel referred to the Federal

^{11/} See Black's Law Dictionary 956 (5th ed. 1979).

^{12/} New England Coalition on Nuclear Pollution's Brief in Support of Appeal of Partial Initial Decision Authorizing Issuance of a License to Operate at Low Power (May 8, 1987) at 10.

Register notice as the basis for Contention IV. ^{13/} Thus, for five years after the contention was filed, NECNP itself thought it concerned only blockage caused by an accumulation of aquatic organisms and debris. The Appeal Board was persuaded by NECNP that this was the gist of Contention IV:

"The Coalition based this assertion [NECNP Contention IV] on a May 19, 1982 Federal Register notice in which the Commission discussed the accumulation of aquatic organisms and debris in cooling systems. [Footnote citation omitted] In that notice, the Commission indicated that, as a result of such accumulation, degradation of the heat transfer capabilities of safety systems had occurred at several nuclear power plants." ^{14/}

These factors compel the conclusion that the plain meaning of Contention IV did not encompass MIC. NECNP first mentioned MIC in this proceeding as an afterthought subsequent to the ALAB-875 remand of Contention IV in its second discovery request on Contention IV in December 1987. ^{15/}

NECNP's brief illustrates the strained character of its late attempt to introduce MIC as an issue in this proceeding. NECNP's argument is basically that Contention IV broadly refers to "fouling", that scientific literature and on affidavit of Dr. Bryers supplied in 1988 demonstrated that MIC is encompassed in "fouling", and that the contention must be construed to include the issue of MIC. NECNP Brief at 7-10. This path of inferential and interpretive reasoning falls far short of compliance with

^{13/} Tr. at 33 (July 24, 1987).

^{14/} ALAB-875, supra, 26 NRC at 262.

^{15/} NECNP's Second Set of Interrogatories and Request for the Production of Documents to Applicants on NECNP Contention IV, December 23, 1987.

the requirements that contentions must give notice of facts which petitioners desire to litigate and must be specific enough to satisfy the requirements of 10 C.F.R. § 2.714. Commonwealth Edison Co. (Dresden Nuclear Power Station, Unit No. 1), LBP-82-52, 16 NRC 183, 188-190, 193 (1982); see generally, Id. CLI-81-25, 14 NRC 616 (1981) (guidance for Licensing Board regarding scope of hearing).

A decisionmaker need not and should not rely upon expert testimony when it is unnecessary to do so. See Fed. R. Evid. 702. Here, the meaning of Contention IV, and the elaboration thereof in its basis, was patent and unambiguous. Thus, the affidavit offered by NECNP was unneeded and the Licensing Board was fully justified in disregarding it. For similar reason, the Board was correct in disregarding NUREG/CR-4724 and the other extrinsic evidence proffered by NECNP in support of its expanded interpretation of the contention. The plain wording of Contention IV does not include MIC, in addressing the "buildup" and "the accumulation of mollusks, other aquatic organisms, and debris in cooling systems."

C. The Board Correctly Dismissed Contention IV

On April 22, 1988, after the Board issued its ruling construing Contention IV to exclude MIC, NECNP announced that it no longer intended "to litigate . . . NECNP Contention IV, to the extent that Contention IV relates to the adequacy of Applicants' program for monitoring to detect blockage of coolant flow resulting from the build-up of macro-biological organisms." See Letter to ASLB from Andrea C. Ferster at 1 (April 22, 1988). In light of NECNP's voluntary decision not to litigate the contention as construed by the Board, the Licensing Board properly

dismissed the contention in its Order of May 12, 1988. ^{16/} In view of NECNP's decision not to pursue the issue of blockage of coolant system piping due to the accumulation of aquatic organisms and debris, and the Board's earlier determination of February 17, 1988, that MIC was not encompassed within Contention IV, there was simply nothing left of the contention for the Board to adjudicate. In other words, there was no longer any issue "in controversy" among the parties to be litigated. A licensing board's jurisdiction in an operating license proceeding extends only to matters placed in controversy by an admitted contention or raised by the board sua sponte. See 10 C.F.R. § 2.760a. The contention was properly dismissed. ^{17/}

IV. CONCLUSION

For the reasons stated herein, NECNP's appeal should be dismissed.

Respectfully submitted,

Stephen A. Bergquist

Stephen A. Bergquist
Counsel for NRC Staff

Dated at Rockville, Maryland
this 12th day of August 1988

^{16/} See n.6, ante.

^{17/} The proper recourse for NECNP was to file an amended Contention IV or an entirely new contention raising the question of MIC relative to the Seabrook Station plant. Such filing would, of course, have to have been evaluated pursuant to a balancing of the five factors delineated in 10 C.F.R. § 2.714(a)(1) for the admission of a late-filed contention into this proceeding.

DOCKETED
USNPC

*88 AUG 16 A11:30

[illegible]

Docket Nos. 50-443 0L-01
50-444 0L-01

On-site Emergency Planning and Safety Issues

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

J. P. Nadeau
Board of Selectmen
10 Central Street
Rye, NH 03870

Carol S. Sneider, Esq.
Assistant Attorney General
Office of the Attorney General
One Ashburton Place, 19th Floor
Boston, MA 02108

George Dana Bisbee, Esq.
Assistant Attorney General
Office of the Attorney General
25 Capitol Street
Concord, NH 03301

Ellyn R. Weiss, Esq.
Diane Curran, Esq.
Harmon & Weiss
2001 S Street, NW
Suite 430
Washington, DC 20009

Robert A. Backus, Esq.
Backus, Meyer & Solomon
116 Lowell Street
Manchester, NH 03106

Paul McEachern, Esq.
Matthew T. Brock, Esq.
Shaines & McEachern
25 Maplewood Avenue
P.O. Box 360
Portsmouth, NH 03801

Charles P. Graham, Esq.
McKay, Murphy & Graham
100 Main Street
Amesbury, MA 01913

Sandra Gavutis, Chairman
Board of Selectmen
RFD #1, Box 1154
Kensington, NH 03827

William S. Lord
Board of Selectmen
Town Hall - Friend Street
Amesbury, MA 01911

Mr. Angie Machiros, Chairman
Board of Selectmen
25 High Road
Newbury, MA 09150

Allen Lampert
Civil Defense Director
Town of Brentwood
20 Franklin
Exeter, NH 03833

William Armstrong
Civil Defense Director
Town of Exeter
10 Front Street
Exeter, NH 03833

Gary W. Holmes, Esq.
Holmes & Ellis
47 Winnacunnet Road
Hampton, NH 83842

Atomic Safety and Licensing
Appeal Panel*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Atomic Safety and Licensing
Board Panel*
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Docketing and Service Section*
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555


Peter J. Matthews, Mayor
City Hall
Newburyport, MN 09150

Ashod N. Amirian, Esq.
Town Counsel for Merrimac
376 Main Street
Haverhill, MA 08130

Mrs. Anne E. Goodman, Chairman
Board of Selectmen
13-15 Newmarket Road
Durham, NH 03824

Michael Santosuosso, Chairman
Board of Selectmen
South Hampton, NH 03827

Hon. Gordon J. Humphrey
United States Senate
531 Hart Senate Office Building
Washington, DC 20510


Stephen A. Bergquist
Counsel for NRC Staff