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Dated: April 24, 1986

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
before the
ATOMIC SAFETY AND LICENSING BOARD



In the Matter of)
)
PUBLIC SERVICE COMPANY OF)
NEW HAMPSHIRE, et al.)
)
(Seabrook Station, Units 1 and 2)
_____)

Docket Nos. 50-443-OL
50-444-OL
Off-site Emergency
Planning Issues

APPLICANTS' RESPONSE TO CONTENTIONS
OF THE TOWN OF HAMPTON TO REVISED
RADIOLOGICAL EMERGENCY RESPONSE PLAN
AND TO COMPENSATORY PLAN FOR THE
TOWN OF HAMPTON, NEW HAMPSHIRE

Introduction and General Objection

Under date of April 14, 1986, the Town of Hampton ("Hampton") filed "Contentions to Revised Radiological Emergency Response Plan and to Compensatory Plan for the Town of Hampton" ("Hampton Contentions"). In the Hampton Contentions there is a reallegation of Contentions I, III, IV, VII; revised Contentions IV, VI and VIII and a new Contention IX.

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This filing is bereft of any showing of any kind for late filed contentions in conformity with 10 CFR § 2.714(a)(1). The intervenor has the burden of satisfying the standards for late intervention. Duke Power Co. (Perkins Nuclear Power Station, Units 1, 2 and 3), ALAB-615, 12 NRC 350, 352 (1980). And the Board has no duty to speculate upon what arguments the intervenor might have made had it attempted to make the requisite showing. Boston Edison Co. (Pilgrim Nuclear Power Station), ALAB-816, 22 NRC 461, 466-68 (1985). It may be that this burden, in fact, would not have been difficult to carry; but Hampton has not even made the attempt. Thus, while we address the contentions individually below, we submit that all of the contentions in the Hampton Contentions should be rejected for failure to comply with 10 CFR § 2.714(a)(1).

CONTENTIONS I-III, V, VII

Hampton states:

"The Contentions I-III, V, and VII previously filed by the Town of Hampton with this Board on the original Hampton RERP, and bases for same, are hereby realleged and incorporated by reference herein."

Applicants rely on their previous reply to these contentions as reasserted. These contentions have been once rejected by the Board, Memorandum and Order of April 1, 1986 at 2. They should be again.

REVISED CONTENTION IV

Hampton's revised Contention IV is:

"The Revised Hampton RERP and Compensatory Plan fail to provide adequate emergency equipment to support an evacuation in the event of a radiological emergency. 10 CFR § 50.47 (8)."

Applicants have no objection to Hampton substituting the revised language for the original Hampton Contention IV, to which Applicants had no objection.

REVISED CONTENTION VI

Hampton's revised contention is:

"The Revised Hampton RERP fails to demonstrate that local personnel are available to respond and to augment their initial response on a continuous basis in the event of radiological emergency. 10 CFR § 50.47 (b) (1)."

Applicants have no objection to Hampton substituting the revised language for the original Hampton Contention VI to which Applicant had no objection.

REVISED CONTENTION VIII

Revised Contention VIII is:

"The Revised Hampton RERP and Compensatory Plan fail to provide for adequate emergency facilities to an(sic) support emergency response. 10 CFR § 50.47 (8)."

This contention is identical to the old contention VIII which the Board has admitted in the Memorandum and Order of April 1, 1986 except that the words "Revised Hampton RERP and Compensatory Plan" are substituted for "Hampton RERP" in

the original. In light of the Board's ruling on this prior contention, the Applicants will not reargue the objections it made to the original.

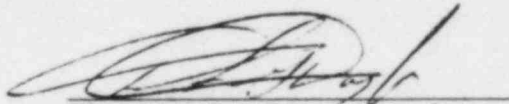
CONTENTION IX

The new Hampton Contention IX is:

"The Town of Hampton hereby joins in and incorporates by reference herein those additional contentions on the New Hampshire Compensatory Plan previously filed by the Seacoast Anti-Pollution League with this Board, and dated April 8, 1986."

Applicants rely upon their response to the cited SAPL contentions in response to Hampton Contention IX.

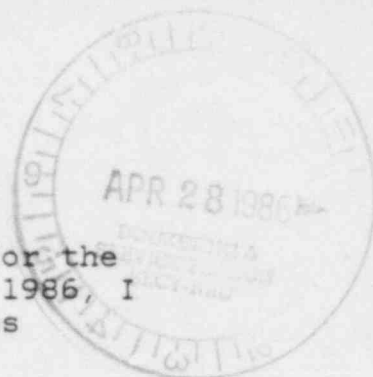
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CERTIFICATE OF SERVICE

I, Thomas G. Dignan, Jr., one of the attorneys for the Applicants herein, hereby certify that on April 24, 1986, I made service of the within document by mailing copies thereof, postage prepaid, to:



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