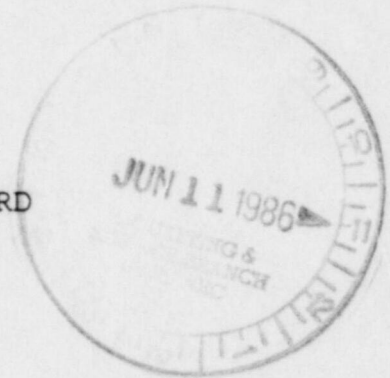


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Dated: June 6, 1986

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' ANSWER IN SUPPORT
OF THE STATE OF NEW HAMPSHIRE'S
MOTION FOR SUMMARY DISPOSITION
OF HAMPTON FALLS CONTENTION NO. 1

The Applicants respond to the State of New Hampshire's Motion for Summary Disposition of Hampton Falls Contention No. 1 and say for the reasons set forth below that the same should be allowed.

The Affidavit of Richard H. Strome filed in support of the motion makes clear that in the event that the Town of Hampton Falls will not implement its emergency plan, the State of New Hampshire will implement the New Hampshire compensatory plan. In light of this affidavit by the Civil Defense Director of the State of New Hampshire, the entire thrust of the Hampton Falls Contention No. 1 is blunted. It might be argued that there presently exist deficiencies of

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one kind of another in the compensatory plan and, therefore, the contention should survive a summary disposition motion. However, such an argument ignores the fact that what is at issue here is whether the plans themselves are adequate and not the question of whether an exercise of the plans has been successfully run. In short, what the State's motion underlines is that the Hampton Falls Contention No. 1 is in effect mooted by the existence of the state compensatory plan because execution by the officials of Hampton Falls of that portion of the state plan pertaining specifically to the town is not necessary any longer to provide the reasonable assurance that adequate measures will be taken.

In short, the state has adequately planned for the possibility that Hampton Falls officials will decide, even in the event of an accident threatening the safety of the citizens of that town, to refuse to assist their constituency by implementing the New Hampshire plan. This being the case the issue should be disposed of as a matter of summary disposition.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I, Thomas G. Dignan, Jr., one of the attorneys for the Applicants herein, hereby certify that on June 6, 1986, I made service of the within document by mailing copies thereof, postage prepaid, to:

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