March 5, 1987

UNITED STATES NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
Public Service Company of New Hampshire, et al.	)	Docket Nos. 50-443 OL 50-444 OL
(Seabrook Station, Units 1 & 2)	)	OFFSITE EMERGENCY PLANNING ISSUES

NEW ENGLAND COALITION ON NUCLEAR POLLUTION'S FIRST SET OF INTERROGATORIES AND REQUEST FOR THE PRODUCTION OF DOCUMENTS TO THE NRC STAFF AND THE EXECUTIVE DIRECTOR FOR OPERATIONS ON REVISION 2 TO THE NEW HAMPSHIRE RADIOLOGICAL EMERGENCY RESPONSE PLAN

Introduction

The New England Coalition on Nuclear Pollution ("NECNP") submits the following interrogatories and requests for the production of documents to the Executive Director and the NRC Staff. The requests for production of documents are submitted to the NRC Staff and the Executive Director for Operations pursuant to 10 CFR § 2.744.

The interrogatories are being filed with the Licensing Board pursuant to 10 C.F.R. § 2.720(h)(2)(ii). NECNP requests that the Licensing Board find that answers to these interrogatories are necessary to a proper decision in this proceeding and that answers to the interrogatories are not reasonably obtainable from any other source. These interrogatories seek to discern the position that the Staff will take in hearings on the adequacy of the New Hampshire Radiological Emergency Response Plan, and the

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basis for their position. As the agency's representative in this proceeding, the Staff takes an extremely important role in the litigation of the safety issues that are before the Licensing Board.

In its answer to NECNP's first set of interrogatories on the New Hampshire plans, dated May 13, 1986, the NRC Staff informed NECNP that it had not developed any positions that were different from those of the Federal Emergency Management Agency ("FEMA"), which is the NRC's chief witness in the emergency planning proceeding. NECNP has served interrogatories on Revision 2 on FEMA through the NRC Staff.1 Nevertheless, interrogatories against the NRC Staff are necessary to determine whether the NRC Staff's position on the issues under litigation differ from FEMA's; and to discover any information in the Staff's possession that is not also in FEMA's possession.

INSTRUCTIONS FOR USE

The following interrogatories are to be answered in writing and under oath by an employee, representative or agent of the NRC Staff with personal knowledge of the facts or information requested in each interrogatory. We remind you of your obligation to supplement answers to interrogatories, under 10 C.F.R. § 2.740(e).

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1 Although it is not compelled to answer NECNP's interrogatories under the NRC's rules, FEMA has in the past agreed to answer interrogatories that were similar to the ones filed today. Should FEMA refuse to answer these interrogatories, NECNP would seek an order from the Board requiring the NRC Staff to answer them pursuant to 10 CFR § 2.70(h)(2)(ii).

The following definitions shall apply to these interrogatories:

1) "Document" shall mean any written or graphic matter of communication, however produced or reproduced, and is intended to be comprehensive and include without limitation any and all correspondence, letters, telegrams, agreements, notes, contracts, instructions, reports, demands, memoranda, data, schedules, notices, work papers, recordings, whether electronic or by other means, computer data, computer printouts, photographs, microfilm, microfiche, charts, analyses, intra-corporate or intra-office communications, notebooks, diaries, sketches, diagrams, forms, manuals, brochures, lists, publications, drafts, telephone minutes, minutes of meetings, statements, calendars, journals, orders, confirmations and all other written or graphic materials of any nature whatsoever.

2) "Identify" with respect to any document shall mean to state the following: the document's title, its date, the author of the document, the person to whom to document was sent, all persons who received or reviewed the document, the substance and nature of the document, and the present custodian of the document and of any and all copies of the document.

3) "Identify" with respect to any action or conduct shall mean state the following regarding any such action or conduct: the person or persons proposing and taking such action; the date such action was proposed and/or taken; all persons with knowledge or information about such action; the purpose or proposed effect

of such action; and any document recording or documenting such action.

4) "Describe" with respect to any action or matter shall mean state the following regarding such action or matter: the substance or nature of such action or matter; the persons participating in or having knowledge of such action or matter; the current and past business positions and addresses of such persons; and the existence and location of any and all documents relating to such action or matter.

5) "Identify" with respect to an individual shall mean state the individual's name, address, employer, occupation, and title.

INTERROGATORIES

1) In accordance with 10 C.F.R. § 2.740(e), please supplement your answers to NECNP's First Set of Interrogatories and Requests for the Production of Documents to the NRC Staff on New Hampshire Radiological Emergency Response Plans, filed April 30, 1986.

2) What is the NRC Staff's position on each of the contentions that has been admitted in this proceeding with respect to Revision 2 of the New Hampshire Radiological Emergency Response Plan? What is the basis for your position?

3) Please identify all documents on which you rely or intend to rely during this proceeding to support your position on each of the contentions that has been admitted in this proceeding with respect to Revision 2 of the New Hampshire Radiological

Emergency Response Plan. This includes but is not limited to all documents used in answers to these interrogatories, summary disposition motions, testimony, and cross-examination of witnesses during hearings.

For any such documents that are not available to the public pursuant to 10 C.F.R. § 2.790, NECNP requests that the EDO produce those documents at the offices of Harmon & Weiss on or before March 19, 1987.

4) Please identify all documents not identified in response to the previous interrogatory which analyze or evaluate in any way the adequacy of the New Hampshire REPP or New Hampshire's state of preparedness in the event of a radiological emergency. In so doing, please state whether these documents are available to the public pursuant to 10 C.F.R. § 2.790.

For any such documents that are not available to the public pursuant to 10 C.F.R. § 2.790, NECNP requests that the EDO produce those documents at the office of Harmon & Weiss on or before March 19, 1987.

5) Please identify all persons on whose factual knowledge, opinions, or technical expertise you rely or intend to rely for your position on each of the contentions that has been admitted in this proceeding with respect to Revision 2 of the New Hampshire Radiological Emergency Response Plan.

6) Please identify all persons you may call as witnesses on each of the contentions that have been admitted in this proceeding with respect to Revision 2 of the New Hampshire

Radiological Emergency Response Plan. Please describe the substance of their testimony; and identify and describe any documents and the portions thereof that they may rely on for their testimony.

Respectfully submitted,

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March 5, 1987

I certify that on March 5, 1987, copies of the foregoing interrogatories were served by Federal Express or by hand on the NRC Staff, the Executive Director for Operations, the Licensing Board, the State of New Hampshire, FEMA, and Applicants; and by first-class mail on all other parties listed on the attached service list.

Diane Curran