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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

COMMISSIONERS:

'89 MAR 22 P4:39

Lando W. Zech, Jr., Chairman  
Thomas M. Roberts  
Kenneth M. Carr  
Kenneth C. Rogers  
James R. Curtiss

OFFICE OF THE  
DOCKET MANAGER  
BRANCH

PUBLIC SERVICE COMPANY OF  
NEW HAMPSHIRE  
(Seabrook Station, Units 1 and 2)

SERVED MAR 22 1989

Docket Nos. 50-443-OL-1  
50-444-OL-1  
(Onsite Emergency Planning  
and Safety Issues)

ORDER

In its December 21, 1988 Order, CLI-88-10, the Commission authorized issuance of a license to operate Seabrook at low power conditioned on prior (1) satisfactory completion of decommissioning funding requirements and (2) conclusion of any litigation on new "onsite" emergency planning issues. In response to a request for a housekeeping stay to permit stay motions before us or before a Court of Appeals, the Commission delayed the effectiveness of its order for 10 days from the date when the last of these conditions was satisfied. Since then the onsite litigation has been concluded by the Licensing Board Order dated January 30, 1989 (LBP-89-04), and by letter dated March 20, 1989, Applicants have filed their decommissioning funding documents for review by the Staff. While the Commission intimates no view whatsoever on the adequacy of the Applicants' submittal, the Commission believes that in these circumstances the interests of the parties will be served by the establishment of a schedule for consideration of any stay applications in

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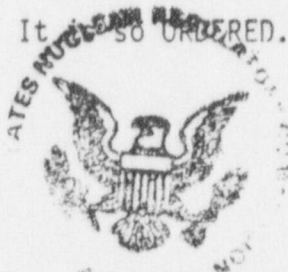
the event the Staff serves notice that Applicants have met the Commission's requirement (Staff Notice).

All papers, including the Staff Notice, shall be filed with the Commission and served on the active parties by hand or by overnight express. If the due date for any paper falls on a Saturday, Sunday or holiday the paper shall be filed on the next day which is not a Saturday, Sunday or holiday. No other time allowances are contemplated; time allowance for service has been included in the designated times.

Within 5 days from the date following service of any Staff notice, any stay applications shall be filed with the Commission. Parties need not repeat their arguments for a stay of the Licensing Board's Decision rejecting the onsite exercise contention (LBP 89-04), as those arguments are already before the Commission for consideration.


Stay oppositions shall be filed within 4 days from the service of an application for a stay.

The Commission will rule on timely stay applications expeditiously; however, no low power license shall issue before the Commission's ruling. The Commission's order will also decide the stay applications before it related to LBP 89-04 and the Massachusetts Attorney General's "Second Motion for Reconsideration of CLI-88-10" dated March 3, 1989, based on conditions related to low-level waste disposal.



Dated at Rockville, Maryland  
this 22<sup>d</sup> day of March, 1989

For the Commission,

  
SAMUEL J. CHILK  
Secretary of the Commission

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

PUBLIC SERVICE COMPANY OF NEW  
HAMPSHIRE, ET AL.  
(Seabrook Station, Units 1 and 2)

Docket No.(s) 50-443/444-OL-1

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMMISSION ORDER DTD 3/22/89 have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Administrative Judge  
Alan S. Rosenthal, Chairman  
Atomic Safety and Licensing Appeal  
Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Thomas S. Moore  
Atomic Safety and Licensing Appeal  
Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Howard A. Wilber  
Atomic Safety and Licensing Appeal  
Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Peter B. Bloch, Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Jerry Harbour  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Law Judge  
Ivan W. Smith  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Emmeth A. Luebke  
5500 Friendship Boulevard, Apt. 1923N  
Chevy Chase, MD 20815

Edwin J. Reis, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Diane Curran, Esq.  
Harmon, Curran & Tousley  
2001 S Street, N.W., Suite 430  
Washington, DC 20009

Thomas G. Dignan, Jr., Esq.  
Ropes & Gray  
One International Place  
Boston, MA 02110



Docket No. (s) 50-443/444-OL-1  
COMMISSION ORDER DTD 3/22/89

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

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

Gary W. Holmes, Esq.  
Holmes & Ells  
47 Winnacunnet Road  
Hampton, NH 03842

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

Barton Z. Cowan, Esq.  
Eckert, Seamans, Cherin & Mellott  
600 Grant Street, 42 Floor  
Pittsburgh, PA 15219

Jane Doughty  
Seacoast Anti-Pollution League  
5 Market Street  
Portsmouth, NH 03801

George W. Watson, Esq.  
Federal Emergency Management Agency  
500 C Street, S.W.  
Washington, DC 20472

Edward A. Thomas  
Federal Emergency Management Agency  
442 J.W. McCormack (POCH)  
Boston, MA 02109

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

Suzanne Breiseth  
Board of Selectmen  
Town of Hampton Falls  
Drinkwater Road  
Hampton Falls, NH 03844

John Traficonte, Esq.  
Chief, Nuclear Safety Unit  
Office of the Attorney General  
One Ashburton Place, 19th Floor  
Boston, MA 02108

Matthew T. Brock, Esq.  
Assistant Attorney General  
Office of the Attorney General  
One Ashburton Place, 19th Floor  
Boston, MA 02108

Philip Ahrens, Esq.  
Assistant Attorney General  
Office of the Attorney General  
State House Station, #6  
Augusta, ME 04333

The Honorable  
Edward J. Markey, Chairman  
ATTN: Linda Correia  
Subcommittee on Energy Conservation and  
Power  
House Committee on Energy and Commerce  
Washington, DC 20515

Docket No. (s) 50-443/444-OL-1  
COMMISSION ORDER DTD 3/22/89

Richard A. Hampe, Esq.  
Hampe & McNicholas  
35 Pleasant Street  
Concord, NH 03301

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

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

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

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

Calvin A. Canney  
City Manager  
City Hall  
126 Daniel Street  
Portsmouth, NH 03801

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

Board of Selectmen  
Town Hall - Friend Street  
Amesbury, MA 01913

Peter J. Matthews  
Mayor of Newburyport  
City Hall  
Newburyport, MA 01950

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

R. Scott Hill-Whilton, Esquire  
Lagoulis, Hill-Whilton & McGuire  
79 State Street  
Newburyport, MA 01950

Stanley W. Knowles, Chairman  
Board of Selectmen  
P.O. Box 710  
North Hampton, NH 03862

The Honorable  
Gordon J. Humphrey  
ATTN: Janet Coit  
United States Senate  
Washington, DC 20510

Dated at Rockville, Md. this  
22 day of March 1989

*Patty Henderson*  
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Office of the Secretary of the Commission