

9/15/89
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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'89 SEP 19 P2:23

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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

NRC STAFF'S SUPPLEMENTAL PROPOSED FINDINGS OF FACT
IN RESPONSE TO THE PROPOSED FINDINGS OF FACT AND
CONCLUSIONS OF LAW SUBMITTED BY TOA, TOS AND CON

The NRC Staff hereby its supplemental proposed findings of fact in response to the proposed findings of fact and conclusions of law which were submitted by the Town of Amesbury (TOA), the Town of Salisbury (TOS) and the City of Newburyport (CON) on August 14, 1989. ^{1/} These proposed findings of fact do not address all of these towns' proposed findings and conclusions; rather, the Staff continues to rely upon its previous filings of August 24 and August 31, 1989, ^{2/} and responds herein only to a limited number of the towns' proposed findings and conclusions.

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- ^{1/} As indicated in the attached motion, the proposed findings of TOA, TOS and CON were not received by the Staff until September 8, 1989, when Staff Counsel obtained a copy from the Licensing Board. "NRC Staff's Motion for Leave to File Supplemental Proposed Findings of Fact in Response to the Proposed Findings of Fact and Conclusions of Law Submitted by TOA, TOS and CON", dated September 14, 1989, at 1.
- ^{2/} "NRC Staff's Proposed Findings of Fact and Conclusions of Law With Respect to the Seabrook Plan for Massachusetts Communities and the Exercise Contentions", dated August 24, 1989; and "NRC Staff's Supplemental Proposed Findings of Fact and Conclusions of Law With Respect to SPMC and Exercise Contentions", dated August 31, 1989.

For ease of reference, the Staff has utilized the towns' paragraph numbering system, without modification, in order to indicate the paragraphs to which these supplemental proposed findings are addressed.

3. TRAFFIC MANAGEMENT PLANS

CON 3.1.11. Wooden or plastic barricades may be easily knocked down or bumped aside by vehicles in an evacuation and, indeed, may be destroyed in the process. Tr. 17093-94; Tr. 17266-67. See Staff Finding 3.1.41.

4. EVACUATION OF TRANSIT DEPENDENT PERSONS

CON 4.1.1 and 4.1.3 - 4.1.5. The bus routes selected for the various Massachusetts communities were designed so that no house is more than one-half mile from a bus route. Further, the routes were primarily based upon planning by Massachusetts state and local officials. See App. Reb. No. 9, ff. Tr. 17333 at 58; see also Staff Finding 4.1.11.

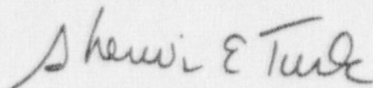
CON 4.1.2. The adequacy of the SPMC's designation of TCPs and traffic guides for Newburyport is addressed as a traffic management issue elsewhere in this decision. See, e.g., Staff Findings 3.1.19 - 3.1.28.

8. PROTECTIVE ACTIONS FOR PARTICULAR POPULATIONS

TOA 8.1.1. Residents at Heritage Towers and the facility formerly housing Park Side Nursing Home (now "Wild Acres") are or will be included in Appendix M of the SPMC. App. Reb. No. 6, ff. Tr. 21049 at 5-6; Tr. 16394-95. See also Staff Finding 8.1.51. All day care facilities

licensed by the Massachusetts Office for Children will be included in
Appendix M. App. Reb. No. 6, ff. Tr. 21049 at 6.

Respectfully submitted,

A handwritten signature in cursive script, reading "Sherwin E. Turk".

Sherwin E. Turk
Senior Supervisory
Trial Attorney

Dated at Rockville, Maryland
this 15th day of September, 1989

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL PROPOSED FINDINGS OF FACT IN RESPONSE TO THE PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW SUBMITTED BY TOA, TOS AND CON" and "NRC STAFF'S SUPPLEMENTAL PROPOSED FINDINGS OF FACT IN RESPONSE TO THE PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW SUBMITTED BY TOA, TOS AND CON" in the above captioned proceeding have been served on the following by deposit in the United States mail, first class or, as indicated by an asterisk, by deposit in the Nuclear Regulatory Commission's internal mail system, this 15th day of September 1989:

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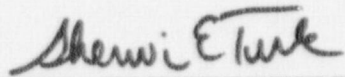
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