



THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF THE ATTORNEY GENERAL

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NEW PUBLIC DOCUMENT ROOM

Barry H. Smith, Esquire
Office of the Executive
Legal Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



Re. Boston Edison Company et al
(Pilgrim Nuclear Generating
Station, Unit 2)

Dear Barry:

The Commonwealth is in receipt of the staff's "Response to Motion of the Commonwealth of Massachusetts to Defer the Forthcoming Evidentiary Hearings on Emergency Planning on Class 9 Accidents." In this response, you state that there is no Class 9 Contention in the Pilgrim Licensing proceedings. I am writing to clarify what appears to be a misunderstanding on this issue.

Our reference to a Class 9 accident analysis prescinds from the Commonwealth's Contention 12 which alleges:

Neither the Applicants nor the Staff have adequately considered the alternative of locating the proposed plant at a site more suitable from a population density and environmental standpoint.

As you are well aware, this alternative site contention has fairly raised questions of population densities, and the residual risks of a major accident which the Staff's considerations of population and site characteristics purport to assess. It was in this context relating to our alternative sites contention that we referred generally to a "Class 9 accident analysis."

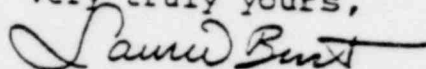
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If our use of this terminology was confusing, I apologize and hope that the above explanation clarifies the direct relationship of accident risks to the Commonwealth's long-standing contention on alternative sites.

Very truly yours,



LAURIE BURT

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LB:JK

cc. Pilgrim Service List

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