

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 & 2) )

Docket Nos. 50-443  
50-444

APPLICANTS' RESPONSE TO "NECNP's  
REPLY TO THE RESPONSES BY APPLICANT AND  
THE NRC STAFF TO NECNP's CONTENTIONS"  
AND TO "NECNP's SUPPLEMENTAL CONTENTIONS"

The Applicants hereby respond to "NECNP's Reply to the Responses by the Applicant and the NRC Staff to NECNP's Contentions" ("NECNP Reply") filed by NECNP on June 17, 1982. The Applicants also address "NECNP's Supplemental Contentions," which NECNP has filed on the same date, albeit unaccompanied by any motion for leave to do so.

### General Statement Regarding Regulatory Guides

NECNP acknowledges in its Introduction, as it must, that NRC Regulatory Guides do not have the status of regulations. Having been neither approved by the Commission, nor promulgated in accordance with the Administrative Procedure Act, nor given the force of law, the Regulatory Guides are not legal requirements which an applicant for an Operating License must meet, and the Regulatory Guides do not form the measure against which a proposed power plant is to be tested.

By its concession NECNP also acknowledges, at least implicitly, the defect in many of its originally-filed contentions. NECNP then proceeds immediately to violate its own precept, however, by setting up the NRC Regulatory Guides as a legal standard the alleged failure of the Seabrook application to comply with which amounts to a basis, by itself and in the absence of some other showing, for a denial of the Operating License application. Authority for this proposition is said to lie in the introduction to the Regulatory Guides themselves; the Introduction to the Regulatory Guides can, however, give the Regulatory Guides no greater status than they have under the regulations, i.e., for regulatory purposes, none. Gulf States

Utilities Co. (River Bend Station, Units 1 & 2), ALAB-444, 6 NRC 760, 772 (1977).

It is settled law that the application for an Operating License is to be measured against the Atomic Energy Act and the regulations promulgated by the Nuclear Regulatory Commission, and it is settled law that if an application meets the statute and the regulations then the Operating License must be approved. Atomic Energy Act § 103(b), 42 U.S.C. § 2133(b); Maine Yankee Atomic Power Co. (Maine Yankee Atomic Power Station), ALAB-161, 6 AEC 1003 (1973). A contention the only basis for which is the alleged failure to meet a Regulatory Guide is hollow and wholly lacking in basis. Moreover, a contention framed in terms of the alleged non-compliance with a Regulatory Guide "backdoors" a regulatory standard to be applied to the application which, under prevailing law, the application is not required to meet.

NECNP's argument fails as completely as a matter of logic as it fails as a matter of law. If A or B or C equals X, then the absence of A, which is wholly neutral on the presence or absence of B or C, is equally uninformative about the existence of X. Yet it is X (i.e., compliance with the regulations) that is

important, and not A or B or C (i.e., various equally acceptable means by which the regulation may be met). NECNP's case stands or falls on its ability to convince this Board that the regulations are not met; it cannot do this by proving that a regulatory guide has not been met, and its contention, if it is limited in basis to the asserted non-compliance with a regulatory guide, is logically without basis.

For these reasons, the restated contentions of NECNP fail to cure the defects noted in the Applicants' response to NECNP's original contentions. Indeed, in many cases NECNP has not reworded the defective contentions at all.

#### I.A.1 Environmental Qualification

NECNP is correct that "[b]oth the Applicant and the Staff would restrict NECNP's environmental qualification to a claim of non-compliance with GDC 4 as implemented by CLI-80-21, 11 NRC 707 (1980)." (NECNP Reply at 2.) The reason for this is that "GDC 4 as implemented by CLI-80-21" is the only environmental qualification requirement that may be legally imposed upon this application. The fact that NECNP believes that "GDC 4 as implemented by CLI-80-21" is insufficient, either because "CLI-80-21 does not

incorporate the lessons learned at Three Mile Island" (id.), or otherwise, is quite irrelevant to this proceeding. A criticism that the regulation is inadequate must be lodged in a forum other than this licensing case. 10 C.F.R. § 2.758. If, in fact, it is "NECNP's contention that GDC 4 itself requires that the applicant not only satisfy CLI-80-21 but also show [additional items]" (NECNP Reply at 3) then NECNP ought to be satisfied with a contention stated in terms of GDC 4 alone. To the extent that NECNP is not satisfied with a contention so stated, its dissatisfaction proves that NECNP in fact hopes to impose upon this application a requirement not contained in the statute or the regulations, and the contention is therefore defective.

I.A.2 Environmental Qualification of Electric Valve Operators

This contention fares no better than the previous contention. To the extent that it seeks to impose upon Seabrook regulatory requirements in addition to those imposed by the statute or regulations, it is inadmissible. Under NRC practice, the "reasonable assurance" requirement may not be used to freight additional technical requirements onto a plant where

specific regulations have been enacted and complied with. NECNP's contention that the application must meet the regulation (i.e., GDC 4) "and as may be further required to provide a reasonable assurance" (NECNP Reply at 3, emphasis added) is simply erroneous.

#### I.A.3 Environmental Qualification for Hydrogen Burns

NECNP's rebuttal fails to meet the thrust of the defect pointed out in the Applicants' response to the original contention. The fact that the Commission has used a different hydrogen generation assumption for the purposes of the ECCS regulation (i.e., 10 C.F.R. § 50.45(b)) avails NECNP nought when it attempts to impose an extra-regulation requirement of hydrogen environment qualification. The inescapable fact, as we stated in response to NECNP's original contention, is that "[t]here is no requirement in any regulation (including GDC 4) that electrical equipment inside the containment be qualified to 'withstand the effects of a hydrogen release such as occurred at Three Mile Island Unit 2'." NECNP has pointed to no such regulation, and its proposed contention therefore fails.

I.B.1 Environmental Qualification of Mechanical Equipment

It is a legitimate contention that an item of equipment not classified by the Applicant as "important to safety," and therefore not demonstrated to be environmentally qualified, is in fact "important to safety." NECNP appears to recognize this in the restatement of its proposed contention.

However, it is a requirement that any such contention specify what equipment is alleged to have been improperly classified with respect to its importance to safety. NECNP's proposed rewording is sufficient to state a contention with respect to steam dump valves, turbine valves, and the steam dumping system; it wholly fails, however, to provide any specificity insofar as some might construe it to apply to any other equipment.

I.B.2 Duration of Environmental Qualification

The Applicants do not object to the admission of this contention.

I.C. Environmental Qualification-Emergency Feedwater Pumphouse HVAC

For the reasons stated in response to contention I.B.1, a contention to the effect that an item of equipment has been improperly classified with respect

to its importance to safety must identify the equipment alleged to have been improperly classified with some specificity. For want of any such specification, NECNP's contention is not admissible.

From its statement in its "reply," we observe that NECNP is concerned about HVAC electrical cables. The Applicants would have no objection to a contention framed as follows:

"The application fails to comply with GDC 4 because the electrical cables in the emergency feedwater pumphouse HVAC are not environmentally qualified."

NECNP cannot, however, press this contention with respect to any other item of equipment unless it is willing to give notice as to the item in question.

#### I.D.1 Testing of Reactor Vessel Wells

NECNP's proposed reworded contention has failed to cure the defect inherent in attempting to clothe Regulatory Guide 1.150 with a legal significance that it does not have. The Applicants would have no objection to a contention that reads as follows:

"The applicants have not complied with GDC 1 with respect to ultrasonic testing of reactor vessel wells during preservice and in-service examination."



#### I.D.2 Testing of Protection System Actuation Functions

As with the prior contention, NECNP would by this contention make the alleged non-compliance with Regulatory Guide 1.22 a fact of legal significance. Such a ruling by the Board would violate Commission precedent. E.g., Gulf State Utilities Co. (River Bend Station, Units 1 and 2), ALAB-444, 6 NRC 760, 772 (1977). Though NECNP acknowledges the defect in its original contention, it perpetuates the defect in its reworded contention.

The only permissible contention in this context is:

"The Applicants' proposed testing of protection systems and actuation devices fails to meet the requirements of GDC 21 and NUREG-0737, TASK II.D.1."

#### I.D.3 Testing of Leakage Detection System

As is the case with the two prior contentions, NECNP perpetuates a failure of its original contention that it has acknowledged. The Applicants must demonstrate compliance with GDC 21, and nothing else. The specificity requirements obligate NECNP to specify any respect in which it contends that the leakage detection system, or the testing thereof, does not comply with GDC 21.

#### I.D.4 Periodic Testing of Electric Power and Protection Systems

Once again, NECNP would make a Regulatory Guide the presumptive legal standard; it compounds the felony by attempting to clothe an IEEE standard with the same legal effect. NECNP is free to contend that in some specific respect the proposed testing of electric power protection systems fails to comply with GDC 21; unless and until it does so, it has not stated an admissible contention.

#### I.E Reactor Coolant Pump Flywheel Integrity

NECNP has failed to cure the defect described in Applicants' response to its original contention, nor has it proposed any rewording of that contention to cure the defect. As presently framed, the contention is not admissible.

#### I.F Diesel Generator Qualification

Once again, NECNP's reworded proposed contention assigns a legal significance to the asserted failure to comply with Regulatory Guide 1.9. A contention framed in these terms is not admissible.

#### I.G Pressure Instrument Reliability

The Applicants have no objection to the reworded contention.

## I.H Decay Heat Removal Capacity

As NECNP correctly notes, "The Applicant [sic] and the Staff [have objected] that there is no regulatory requirement for larger heat exchanger capacity at Seabrook." Unfortunately, NECNP has supplied no regulatory requirement in its Reply. The bare citation to NUREG-0705 avails NECNP not at all; neither is this NUREG a regulation nor does it stand for the proposition that the decay heat removal capacity at Seabrook is inadequate. Nor does the citation to ALAB-491 aid the cause, for nothing in that decision imposes upon operating license applicants additional technical requirements outside of the existing regulations.

Virginia Electric and Power Co. (North Anna Nuclear Power Station, Units 1 and 2, ALAB-491, 8 NRC 245, 248-49 & n.6 (1978) (unresolved generic safety issues should be discussed in the Staff SER and should disclose "the staff's perception of the nature and extent of the relationship between each significant unresolved safety question and the eventual operation of the reactor under scrutiny").

## I.I Inadequate Provisions for Achieving Cold Shutdown

NECNP has done nothing to cure the defect in its original contention, other than to restate the

arguments it originally put forth. It is far from clear what is contended; if it is contended that the application fails to meet the statute and applicable regulations because some piece of equipment is not environmentally qualified, the Applicants (together with everyone else) are wholly uninformed as to what piece of equipment NECNP has in mind. Moreover, it is plain from NECNP's argument that the legal standard against which they urge the Board to measure the application is a Regulatory Guide and an Inspection & Enforcement Bulletin; neither of these is a standard that the Operating License application may legally be measured against. The wholly contentless addition of the phrase "all of the design criteria applicable to systems, structures and components important to safety, including but not limited to [a list of 14 of the GDC]" does not cure this problem. As framed, this contention is hopelessly vague and quite inadmissible.

#### I.J Sabotage

As NECNP acknowledges, "NECNP cannot [at this time] frame a proper contention . . . ." Accordingly, no contention can be admitted.

#### I.K Instrumentation

Since NECNP has no basis for contending that the PAM instrumentation is inadequate, its first alternative ought not to be accepted.

#### I.L PORV Flow Detection

Since NECNP has not proposed a rewording of its contention, the contention continues to suffer from the defect noted in the Applicants' initial reponse.

#### I.M Fire Protection

As the Applicants originally stated, they have no objection to a contention in the following terms:

"The Applicants' fire protection system does not meet the requirements of GDC 3."

The addition of the words "as implemented by the commission in CLI-80-21" would, however, make the contention inadmissible.

As NECNP's quotation in its Reply itself shows, the material described in CLI-80-21 is, like a Regulatory Guide, but one means of complying with the GDC. A contention that appears to require compliance with something that is not a regulation -- but is only one of the means by which the regulation may be complied with -- attempts to force the Applicants to meet a

standard which is not contained in any regulation, and is therefore inadmissible.

I.N Solid Waste Disposal

The Applicants do not object to the reworded proposed contention.

I.O Emergency Feedwater

NECNP has done nothing to cure the defect which formed the basis of the earlier objection.

I.P Human Engineering

NECNP's citation to Clarification Item I.D.1 of NUREG-0737 does not suffice to discharge its obligation to identify a regulation mandating the relocation of the multipoint recorder for which NECNP contends. Accordingly, the contention should be denied admission.

I.Q Systems Interaction

As the Applicants pointed out in their initial response, the flat holding of the Licensing Board in Pacific Gas and Electric Company (Diablo Canyon Nuclear Power Plant, Units 1 and 2), LBP-81-27, 14 NRC 325, 331 (1981), is that the contention NECNP proposes is inadmissible:

"The Board has determined that [a systems interaction study] is not an explicit requirement of NUREG-0737. . . . The Board is not aware of any requirement in

the regulations for this kind of a comprehensive study."

NECNP's reliance upon Long Island Lighting Co. (Shoreham Nuclear Power Station, Unit 1), Docket No. 50-322 (March 15, 1982), at 12, ought to be unpersuasive to this Board, for the reason that the Shoreham Licensing Board seems itself to have acknowledged that there is no requirement for a systems interaction review as a condition precedent to the granting of an Operating License. See id. at 10. The Diablo Canyon and Shoreham Licensing Boards are thus squarely in conflict as to the admissibility of a "systems interaction" contention, and this Board must choose to follow one and reject the other. Interestingly, the two Licensing Boards are not in conflict as to whether or not there is any regulation requiring a systems interaction review; the Shoreham Board departs from the Diablo Canyon Board in its decision to admit a contention notwithstanding the lack of any regulatory requirement, and in doing so, we respectfully submit, it departs from established law as well.

Moreover, it seems to have been overlooked by NECNP that the Shoreham Board denied admission of a

contention supporting a system-by-system study, as NECNP now proposes here: "[T]here is not at this time the basis for commencing, on the record of this proceeding, a system by system analysis or physical inspection on the mere possibility that a defect may turn up . . . ." Id. at 12 (emphasis added; footnote omitted). All that was admitted in Shoreham (and even this, we respectfully submit, was erroneous) was a methodology review. Id. Thus there is no authority supporting the admission of a contention such as NECNP has submitted (and there are two decisions excluding such a decision).

NECNP fails to repair its case by its non-specific reference to GDC 20, 22 and 24. While a number of contentions might be framed under those GDC, they do not include the contention framed by NECNP as its proposed contention I.Q. Finally, while 10 C.F.R. § 50.55a(h) does require protection systems to meet the requirements set forth in IEEE 279-1971, the latter does not require the type of "state of the art" review for which NECNP contends. Indeed, NECNP's citation to IEEE 279-1971 proves too much; scores of nuclear power plants have received Operating Licenses since 1971 without having had their applications measured against



the sort of contention NECNP now proposes. Were NECNP's citation accurate, all of these licenses would be in doubt.

The inescapable fact of the matter regarding systems interaction is that NECNP really desires a change in the applicable regulations. Whether or not such a change may be forthcoming in the future is a matter of speculation; that no such change in the regulations has occurred to date is a matter of fact.

#### I.R. Hydrogen Control

The Applicants objected to this contention because NECNP had wholly failed to satisfy its burden, established in Metropolitan Edison Co. (Three Mile Island Station, Unit 1), CLI-80-16, 11 NRC 674 (1980), if it wished a waiver from the Commission's regulations embodied in 10 C.F.R. § 50.44, of demonstrating a credible accident scenario resulting in hydrogen releases above the limits contemplated by that regulation. In its Reply, NECNP argues the legal proposition that a subsequent Commission decision (Duke Power Co. (William B. McGuire Nuclear Station, Units 1 and 2), CLI-81-15, 14 NRC 1 (1981)) has abrogated this threshold requirement in respect of a proposed

contention that would otherwise violate 10 C.F.R. § 50.44. NECNP's argument is erroneous.

CLI-81-15 was an "immediate effectiveness" review by the Commission of a Licensing Board decision in McGuire. The Licensing Board decision was one denying litigation of the very contention that NENCP seeks to assert, based on the Board's finding that there was no credible accident scenario leading to the hydrogen releases necessary to make the contention litigable. See Duke Power Co. (William B. McGuire Nuclear Station, Units 1 and 2), ALAB-669, \_\_\_\_ NRC \_\_\_\_, CCH Nuc. Reg. Rptr. ¶ 30,676 (March 30, 1982), at p. 30,283 n.4. The Commission allowed that Licensing Board decision, which is squarely contrary to NECNP's argument, to become immediately effective.

While NECNP contends that one Licensing Board (Cleveland Electric Illuminating Corp. (Perry Nuclear Power Plant, Units 1 and 2, Docket Nos. 50-440 & -441 (Slip. Op. March 3, 1982)) has construed CLI-81-15 as overruling the "credible scenario" requirement of CLI-80-16, the Appeal Board does not so view the matter. ALAB-669, CCH Nuc. Reg. Rptr. at p. 30,287:

"Commission regulations set standards for hydrogen control that each facility must meet before being licensed. These

standards are based on certain assumptions concerning the rate and amount of hydrogen production from a metal-water (steam) reaction during a LOCA. See 10 C.F.R. § 44 . . . . Neither the standards nor the assumptions upon which they are based are subject to challenge in an adjudication unless the commission specifically authorizes it. 10 C.F.R. § 2.758. . . . The Licensing Board quite properly relied on TMI-1 Restart [i.e., CLI-80-16]. . . . The Commission thus having expressed its intent not to waive the design basis assumptions of 10 C.F.R. § 50.44 but to consider hydrogen control measures only in the context of a 'credible LOCA,' it was incumbent upon the Licensing Board -- as it is now upon this Appeal Board -- to act in accordance with that intent. Despite [Intervenor's] insistence that 'fairness and reasonableness' require otherwise . . . , in this adjudicatory system, no less than in any other, the directiveness [sic] of superior tribunals must be given effect whether or not the subordinate tribunal agrees with them."

In short, NECNP's contention that CLI-81-15 has overruled CLI-80-16, and abrogated the requirements imposed by the latter on those who would litigate contentions framed on hydrogen releases extra 10 C.F.R. § 50.44, is simply not the law. This being the case, and NECNP having wholly failed to comply with the requirements laid down in CLI-80-16, this proposed contention may not be admitted. In addition, NECNP's newly alleged "credible accident scenario" avails it nothing. All NECNP has done is given a generic

description of a LOCA plus ECCS failure. This is not a scenario; it is a series of ultimate conclusions.

#### I.S Loose Parts Detection System

NECNP has failed to cure the defect pointed out by the Applicants' in their original response. Plainly neither 10 C.F.R. § 20.1(c) (ALARA) nor 10 C.F.R. § 50.36 (technical specifications) by its terms requires a loose parts detection system. This Board may take notice that a loose parts detection system is not a standard item of operating reactor equipment, but rather is a new device thought by some to be a good thing to have. At bottom, as NECNP's Reply demonstrates, its argument is grounded on Regulatory Guide 1.133, which NECNP would transmute into a new legal requirement that a plant have a loose parts detection system. Because the Regulatory Guide may not be used -- that is to say, misused -- in this fashion, the contention should not be admitted.

#### I.T Steam Generators

NECNP has done nothing to cure the defect pointed out in Applicants' initial response. As its defense of this proposed contention demonstrates, NECNP lacks any basis for its assertion whatsoever. Speculation will

not suffice; because speculation is all that NECNP has, its contention may not be admitted.

#### I.U Turbine Missiles

Insofar as NECNP contends that the Seabrook Operating License application fails to meet GDC 4 insofar and to the extent that GDC 4 requires protection against the effects of turbine missiles, the Applicants have no objection to such a contention. If, as appears by the language of the contention, NECNP wishes to litigate whether or not the application meets the requirements of Regulatory Guide 1.115, and to contend that, if it does not, it ought to be denied on that ground, the contention is inadmissible. For some reason, NECNP declines, apparently, to reword its contention. As framed, the contention is inadmissible.

#### I.V In-Service Inspection of Steam Generator Tubes

The Applicants are at something of a loss to understand what NECNP is trying to do with this contention. Insofar as NECNP wishes to advocate the following contention, the Applicants have no objection:

"The Applicants have not demonstrated that they have met GDC 14, 15, 31 and 32 insofar and to the extent that those GDC require a program for the in-service inspection of steam generator tubes."

Beyond this, the proposed contention does nothing to cure the defect pointed out in the Applicants' original response.

#### I.W Seismic Qualification of Electrical Equipment

The Applicants have no objection to so much of NECNP's reworded proposed contention as is stated in the first sentence thereof. The second sentence, as NECNP has reworded it, is not an admissible contention.

#### II. Quality Assurance

Insofar as NECNP wishes to litigate, for the second time, the adequacy of the Seabrook QA plan, it acknowledges that it may do so only if it can avoid the preclusive effect of the prior litigation by showing either "significant supervening developments having a possible material bearing upon previously adjudicated issues" or "the presence of some unusual factors having special public interest publications." Alabama Power Co. (Farley Nuclear Power Plant, Units 1 and 2), ALAB 182, 7 AEC 210, 216, remanded on other grounds, 7 AEC 203 (1974). Contrary to its assertion, however, NECNP has not met that high burden, for at best it has contended that it did not litigate all of the issues that it now wished it had litigated at the time of the CP hearings. Neither the applicable statute and

regulations against which the Seabrook QA plan is to be measured, nor the plan itself, has changed since the CP litigation. To the contrary, all that has changed is that NECNP is now more imaginative than it might have been if it had the chance to litigate those issues a second time. This does not meet the Farley standard.

Insofar as NECNP wishes to litigate the adequacy of the Applicants' execution of the QA plan, it has remedies that do not include the OL proceeding. Indeed it is clear now that this Board is without jurisdiction to review any aspect of ongoing construction; including QA Consumers Power Co. (Midland Plant, Units 1 & 2), ALAB-674, \_\_\_ NRC \_\_\_, CCH Nuc. Reg. Rptr. ¶ 30,678 (May 5, 1982).

### III. Emergency Planning

Insofar as NECNP accepts the proposed rewording proffered by the Applicants, the Applicants agree that the contention is admissible. Insofar as NECNP persists in urging as contentions its own views of what the emergency planning regulations ought to require, Applicant presses the objections raised in its initial response.



## NECNP's Supplemental Contentions

### IV. Blockage of Cooling Tunnels

Prescinding entirely from the question of whether NECNP has satisfied the requirement for justifying late-filed contentions (see 10 C.F.R. 2.714) (NECNP points, in fact, to no new developments other than its own heightened creativity), this contention fails because it is based upon the assumption that the Atlantic Ocean is the ultimate Seabrook heat sink and the tunnels leading to the Atlantic Ocean are necessary viaducts to that ultimate heat sink. In fact, the Atlantic Ocean is not the ultimate Seabrook heat sink; the tunnels are not and need not be seismically qualified; and the contention fails entirely.

### V. Table S-3

The Applicants reserve comment on this contention at this time due to the fact that no mandate has issued from the Court of Appeals for the District of Columbia Circuit in the S-3 case and the Commission has yet to indicate its views as to the proper handling of this issue.



## CONCLUSION

For the foregoing reasons, NECNP proposed contentions I.B.2, I.C. (if modified as suggested herein), I.D.1 (if modified as suggested herein), I.D.2 (if modified as suggested herein), I.G, I.M (if modified as suggested herein), I.N, I.U (limited to GDC only), I.W (first sentence only), and III (general statement only) should be admitted, and the balance of NECNP's proposed contentions should be excluded.

Respectfully submitted,

s/ Thomas G. Dignan, Jr.

s/ R. K. Gad III

s/ Ropes & Gray

---

Thomas G. Dignan, Jr.

R. K. Gad III

Ropes & Gray

225 Franklin Street

Boston, Massachusetts 02110

Telephone: 423-6100

Counsel for the Applicants

Dated: June 28, 1982

CERTIFICATE OF SERVICE

I, Thomas G. Dignan, Jr., one of the attorneys for the applicants herein, hereby certify that on June 28, 1982 I made service of the within document by mailing copies thereof, postage prepaid, to:

Helen Hoyt, Chairperson  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Dr. Emmeth A. Luebke  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Oscar H. Paris  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Atomic Safety and Licensing Appeal  
Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Philip Ahrens, Esquire  
Assistant Attorney General  
Department of the Attorney  
General  
Augusta, ME 04333

Robert A. Backus, Esquire  
116 Lowell Street  
P.O. Box 516  
Manchester, NH 03105

Cooperative Members for  
Responsible Investment  
Box 65  
Plymouth, NH 03264

Rep. Nicholas J. Costello  
Whitehall Road  
Amesbury, MA 01913

Donald L. Herzberg, M.D.  
George Margolis, M.D.  
Hitchcock Hospital  
Hanover, NH 03755

Rep. Beverly Hollingworth  
Coastal Chamber of Commerce  
209 Winnacunnet Road  
Hampton, NH 03842

Ms. Patti Jacobson  
3 Orange Street  
Newburyport, MA 01950

William S. Jordan, III, Esquire  
Harmon & Weiss  
1725 I Street, N.W.  
Suite 506  
Washington, DC 20006

E. Tupper Kinder, Esquire  
Assistant Attorney General  
Office of the Attorney General  
208 State House Annex  
Concord, NH 03301

Roy P. Lessy, Jr., Esquire  
Office of the Executive Legal  
Director  
U.S. Nuclear Regulatory  
Commission  
Washington, DC 20555

Robert L. Chiesa, Esquire  
Wadleigh, Starr, Peters, Dunn & Kohls  
95 Market Street  
Manchester, NH 03101

Edward J. McDermott, Esquire  
Sanders and McDermott  
Professional Association  
408 Lafayette Road  
Hampton, NH 03842

Mr. Robert F. Preston  
226 Winnacunnet Road  
Hampton, NH 03842

Wilfred L. Sanders, Jr., Esquire  
Sanders and McDermott  
Professional Association  
408 Lafayette Road  
Hampton, NH 03842

Jo Ann Shotwell, Esquire  
Assistant Attorney General  
Environmental Protection Bureau  
Department of the Attorney General  
One Ashburton Place, 19th Floor  
Boston, MA 02108

/s Thomas G. Dignan, Jr.  
Thomas G. Dignan, Jr.