

Dated: September 20, 1983

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
before the
ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

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 THE CONTENTION OF
ATTORNEY GENERAL BELLOTTI RELATIVE TO EMERGENCY
PLANNING FOR THE NEW HAMPSHIRE BEACH COMMUNITIES

Under date of September 9, 1983, the Massachusetts
Attorney General submitted the following contention for
litigation in this proceeding:


"The draft radiological emergency response
plans for the Towns of Seabrook, Hampton,
North Hampton and Rye do not provide
reasonable assurance that adequate protective
measures can and will be taken in the event of
a radiological emergency at the Seabrook
Station, as required by 10 C.F.R.
§ 50.47(a)(1), because in the event of a
severe accident on a summer weekend some or
all of the beach area transient populations
within those communities cannot under any
plausible meteorological conditions be
protected by means of evacuation even from
early death and because there are not adequate

plans or provisions for sheltering the beach area transients within those communities."

The statement bases is a lengthy paraphrase of an analysis done for Massachusetts which concludes that evacuation would not be a feasible alternative for all beach area residents under certain assumed sets of accident parameters.

If the contention is that the regulations require demonstration of evacuability of a certain area within a certain time under all conditions, that simply is not the law. Nor must it be demonstrated that everyone can be sheltered in a certain period of time. The new emergency planning regulations are designed to assure that the best possible plan is in effect. It is not designed to guarantee that there will be nobody injured or killed as a result of every conceivable accident. This being the case, there is no legal basis for the contention as currently framed by Massachusetts and it should not be admitted into litigation in this proceeding.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I, Thomas G. Dignan, Jr., one of the attorneys for the Applicants herein, hereby certify that on September 20, 1983, I made service of the within document by mailing copies thereof, postage prepaid, to:

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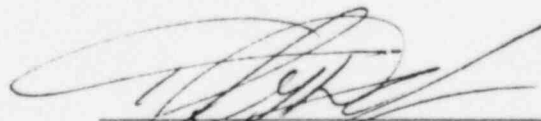
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