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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Sheldon J. Wolfe, Chairman
Emmeth A. Luebke
Jerry Harbour

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USNRC

'85 DEC -5 A10:12

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In the Matter of

PUBLIC SERVICE COMPANY
OF NEW HAMPSHIRE, et al.

(Seabrook Station, Units 1 and 2)

Docket Nos. 50-443-OL-1
50-444-OL-1

(On-Site Emergency Planning
and Safety Issues)

(ASLBP No. 82-471-02-OL)

December 4, 1985

ORDER
(Denying NECNP's Motion For Clarification)

The Board's Order of November 4, 1985, among other things, reopened the record for the limited purpose of supplementation. On November 14, 1985, Intervenor, New England Coalition on Nuclear Pollution, filed a motion requesting that the Board clarify that its Order only ruled that intervenors had to show that cross-examination and rebuttal testimony were relevant to the supplemental evidence and did not rule that such cross-examination and rebuttal testimony were permissible only if raising "significant health and safety issues".

On November 25, the Applicants filed an opposing Response.

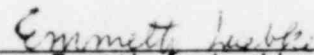
NECNP's Motion is denied as well as any of its objections to our Order.

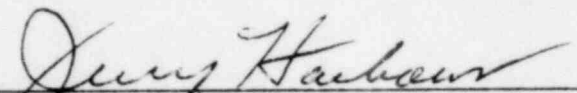
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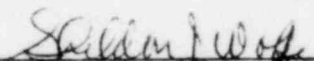
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The Intervenor has misread our Order -- it did not state that the supplementary hearing would take evidence on certain identified matters if they pose significant health and safety issues and were not previously ripe for hearing. Rather our Order indicated that the supplementary hearing would take such evidence because these identified matters involved significant health and safety issues and were not previously ripe for hearing. The Order, neither implicitly nor explicitly, presaged procedural or evidentiary rulings, and we are fully aware of the Commission's and the Appeal Board's directions and guidance reflected in the two cases cited by NECNP.*

THE ATOMIC SAFETY AND LICENSING BOARD


Dr. Emmeth A. Luebke *per S I W*
ADMINISTRATIVE JUDGE


Dr. Jerry Harbour
ADMINISTRATIVE JUDGE


Sheldon J. Wolfe, Chairman
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland
this 4th day of December, 1985.

* Northern States Power Co. (Prairie Island Nuclear Generating Plant, Units 1 & 2), CLI-75-1, 1 NRC 1 (1975); Public Service Co. of New Hampshire (Seabrook Station, Units 1 and 2), ALAB-422, 6 NRC 33 (1977).