



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD PANEL
WASHINGTON, D.C. 20555

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NSRRC

December 6 1985

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DOCKETING & SERVICE
BRANCH

MEMORANDUM FOR: William L. Clements, Chief
Docketing and Services Branch
Office of the Secretary

FROM: Kathaleen Kerr *pk*
Secretary to Helen F. Hoyt
Administrative Judge
Atomic Safety & Licensing Board Panel

SUBJECT: SEABROOK PROCEEDING
DOCKET NOS. 50-443-OL and 50-444-OL

Please serve the attached letter dated November 25, 1985 to Richard H.
Strome from Jo Ann Shotwell upon the parties in the Seabrook proceeding.

Enclosure

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PDR ADOCK 05000443
G PDR

DS02



THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF THE ATTORNEY GENERAL

JOHN W. MC CORMACK STATE OFFICE BUILDING
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DOCKETED
USNR

FRANCIS X. BELLOTTI
ATTORNEY GENERAL

November 25, 1985

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OFFICE OF THE ATTORNEY GENERAL
DOCKETING & SERVICE
BRANCH


Richard H. Strome, Director
New Hampshire Civil Defense Agency
State Office Park South
107 Pleasant Street
Concord, New Hampshire 03301

Dear Mr. Strome:

We are in receipt of your widely publicized letter of November 19 in which you request that we disclose to you confidential, privileged data in a matter in litigation before the NRC -- namely, the Seabrook operating license proceeding. This request, of course, follows our correspondence with you of October 24 in which we provided you with a public document which sets forth in great detail the methodology and results of the ~~computer-based accident consequence analysis~~ which has been performed for our office. Had you approached us privately with this sensitive, new request we would have at least viewed it as reflecting a sincere desire to pursue this matter with us. Instead you chose to treat this delicate matter as a media event and have been quoted as having called upon the Attorney General to "put up or shut up." You also copied New Hampshire Yankee and the other participants to the NRC proceeding on your correspondence, clearly indicating that you would immediately turn over any confidential data which we did supply you to the utility.

Under the circumstances you will appreciate that we cannot possibly give you access to confidential information. This matter is in litigation before the NRC and we will try the case in that forum, not in the press. Rest assured, however, that we have no intention of "shutting up" about an issue so crucial to the health and safety of the citizens of our state.

Very truly yours,


Jo Ann Shotwell
Assistant Attorney General
Environmental Protection Division
(617) 727-2265

/lb

cc: Attorney General Stephen E. Merrill
United States Attorney Richard Wiebusch
Service List