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August 28, 1984

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED
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In the Matter of)	
)	
CAROLINA POWER & LIGHT COMPANY)	
and NORTH CAROLINA EASTERN)	Docket No. 50-400 OL
MUNICIPAL POWER AGENCY)	
)	
(Shearon Harris Nuclear)	
Power Plant))	

APPLICANTS' RESPONSE TO EDDLEMAN
PROPOSED CONTENTIONS ON BROCHURE

I. INTRODUCTION

Pursuant to the Licensing Board's August 3, 1984 "Final Set of Rulings on Admissibility of Offsite Emergency Planning Contentions, Ruling On Petition For Waiver of Need For Power Rule, and Notice of Upcoming Telephone Conference Call" (at page 25), Mr. Eddleman filed "Wells Eddleman's Contentions on Harris Emergency Plan Brochure," dated August 10, 1984. In that document, Mr. Eddleman proposes 23 additional emergency planning contentions, all assertedly based on the emergency public information brochure for the Harris plant. Applicants respond herein to Mr. Eddleman's 23 new proposed contentions,

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opposing the admission of all as lacking in specificity or basis, as late challenges to substantive emergency planning, as contemplating a level of detail beyond that required by the regulations, or as mere "editing" of the brochure -- something this Board has indicated it will not countenance.

II. DISCUSSION

A. Applicable Standard For Admissibility of Contentions

Applicants have previously discussed at length the general legal standards governing the admissibility of proposed contentions in an NRC licensing proceeding. See, e.g., "Applicants' Response to Supplement to Petition to Intervene by Wells Eddleman" (June 15, 1982), at 2-19. Accordingly, there is no need to here restate in full the Commission's requirements; rather, Applicants simply summarize the general principles to be applied in determining the admissibility of the 23 Eddleman proposed contentions on the emergency public information brochure.

1. Bases with Reasonable Specificity

The Commission's Rules of Practice, at 10 C.F.R. § 2.714(b), require that an intervenor include with proposed contentions "the bases for each contention set forth with reasonable specificity."

There are several purposes which underlie the Commission's standard in section 2.714(b):

A purpose of the basis-for-contention requirement in Section 2.714 is to help assure at the pleading stage that the hearing process is not improperly invoked. For example, a licensing proceeding before this agency is plainly not the proper forum for an attack on applicable requirements or for challenges to the basic structure of the Commission's regulatory process. Another purpose is to help assure that other parties are sufficiently put on notice so that they will know at least generally what they will have to defend against or oppose. Still another purpose is to assure that the proposed issues are proper for adjudication in the particular proceeding. In the final analysis, there must ultimately be strict observance of the requirements governing intervention, in order that the adjudicatory process is invoked only by those persons who have real interests at stake and who seek resolution of concrete issues.

Philadelphia Electric Co. (Peach Bottom Atomic Power Station, Units 2 and 3), ALAB-216, 8 A.E.C. 13, 20-21 (1974) (footnotes omitted).

The notice aspect of the "bases with reasonable specificity" requirement is a natural outgrowth of fundamental notions of fairness applied to the party with the burden of proof. The Atomic Safety and Licensing Appeal Board has observed:

The applicant is entitled to a fair chance to defend. It is therefore entitled to be told at the outset, with clarity and precision, what arguments are being advanced and what relief is being asked So is the Board below. It should not be necessary to speculate about what a pleading is supposed to mean.

Kansas Gas and Electric Co. (Wolf Creek Generating Station, Unit No. 1), ALAB-279, 1 N.R.C. 559, 576 (1975) (emphasis supplied; footnote omitted). Moreover, the Licensing Board is entitled to adequate notice of a petitioner's specific contentions to enable it to guard against the obstruction of its processes. As the Supreme Court has noted, in NRC proceedings,

* * * it is incumbent upon intervenors who wish to participate to structure their participation so that it is meaningful, so that it alerts the agency to the intervenors' position and contention.* * *

Indeed, administrative proceedings should not be a game or forum to engage in unjustified obstructionism by making cryptic and obscure reference to matters that "ought to be" considered * * *.

Vermont Yankee Nuclear Power Corp. v. Natural Resources Defense Council, 435 U.S. 519, 553-54 (1978).

Yet, important as the notice aspect of the standard is, the requirement for bases with reasonable specificity goes beyond the "notice pleading" allowed in the federal courts, which has been found to be insufficient for NRC licensing proceedings. See Wolf Creek, supra, ALAB-279, 1 N.R.C. at 575, n.32 (1975). On the other hand, the regulation does not require the intervenor to detail the evidence which will be offered in support of each proposed contention. Peach Bottom, supra, ALAB-216, 8 A.E.C. at 20 (1974); see also Mississippi Power and Light Co. (Grand Gulf Nuclear Station, Units 1 and 2), ALAB-130, 6 A.E.C. 423, 426 (1973); Houston Lighting and Power

Co. (Allens Creek Nuclear Generating Station, Unit 1), ALAB-590, 11 N.R.C. 542, 548-49 (1980). In short, the standard falls somewhere in between, and "[t]he degree of specificity with which the basis for a contention must be alleged initially involves the exercise of judgment on a case-by-case basis." Peach Bottom, supra, 8 A.E.C. at 20 (1974).

There also are certain practical considerations which should play a particularly important role here in the Board's application of the "bases with reasonable specificity" standard to a particular proposed contention -- beyond the question of whether the proposed contention provides clear and precise notice of the issues on which Applicants may bear the burden of proof. First, the contention should refer to and address pertinent documentation, available in the public domain, which is relevant to this facility. See Cleveland Electric Illuminating Co. (Perry Nuclear Power Plant, Units 1 and 2), LBP-81-24, 14 N.R.C. 175, 181-84 (1981). In the instant case, the Board deferred ruling on pre-emergency public information contentions filed prior to availability of the brochure, pending service of the brochure itself, and accorded intervenors the opportunity to file refined and additional contentions after reviewing the brochure. Here, then, the requirement for specific reference to relevant documentation applies with special force to the brochure, but may also include applicable NRC Staff regulatory guides and other published reports. In addition, there should

be either a reasonably logical and technically credible explanation, or a plausible and referenced authority for the factual assertions in the contentions. The intervenor's personal opinion alone is not adequate for this purpose.

In this regard, Applicants have an objection that is applicable to numerous proposed Eddleman brochure contentions. Rather than repeating this objection in response to each of the contentions, Applicants state the objection here, and will only refer to it in specific, egregious instances. Many of the Eddleman contentions are little more than broad and unsupported allegations that the brochure is inadequate in its treatment of a particular matter. In a number of instances, Mr. Eddleman neglects to identify specific defects or inaccuracies, and fails to provide citations to the brochure or other reference documents. A number of the contentions fault the brochure for its failure to include or consider a fact or an issue; however, often no supporting rationale is offered as to why this fact or issue should be considered. Moreover, while Mr. Eddleman is quick to criticize the language of the brochure, he has (almost without exception) failed to specify the language he would substitute. His bald assertions, unsupported by factual detail or supporting legal basis, fail to meet the "bases with reasonable specificity" requirement of 10 C.F.R. § 2.714(b).

2. Challenges to Regulations

All rules and regulations of the Commission, and the underlying bases for those rules and regulations, are immune to attack in an individual proceeding unless a petition is first made to the Licensing Board for an exception or waiver. The sole ground for a petition for waiver or exception is that special circumstances with respect to the subject matter of the particular proceeding are such that application of the specific challenged rule or regulation (or provision thereof) would not serve the purposes for which the rule or regulation was adopted. The petition must be accompanied by an affidavit in support of that basis for the petition. Opportunity is provided for other parties to respond to the petition, including the submission of reply affidavits. If the Licensing Board determines that a prima facie showing has been made in support of waiver or exception, it must, before ruling, certify directly to the Commission for a determination on the matter. If the Licensing Board does not determine that such a prima facie showing has been made, it must deny the petition. 10 C.F.R. § 2.758; Potomac Electric Power Co. (Douglas Point Nuclear Generating Station, Units 1 and 2), ALAB-218, 8 A.E.C. 79, 89 (1974).

B. Regulatory Standards
Applicable to Brochures

The Commission's emergency planning regulations, at 10 C.F.R. § 50.47(b)(7) and Part 50, Appendix E, § IV.D.2, establish the requirements for emergency preparedness public education. Section 50.47(b)(7) requires, in relevant part, that:

Information [be] made available to the public on a periodic basis on how they will be notified and what their initial actions should be in an emergency (e.g., listening to a local broadcast station and remaining indoors) * * *.

Similarly, Part 50, Appendix E, § IV.D.2 requires the provision to the public of:

* * * basic emergency planning information, such as the methods and times required for public notification and the protective actions planned if an accident occurs, general information as to the nature and effects of radiation, and a listing of local broadcast stations that will be used for dissemination of information during an emergency.

The Commission's emergency planning regulations are supplemented by the regulatory guidance of NUREG-0654/FEMA-REP-1 (Rev. 1, 11/80), "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants." NUREG-0654 Evaluation Criterion G.1 provides that emergency public information materials shall address:

- a. educational information on radiation;
- b. contact for additional information;

- c. protective measures, e.g., evacuation routes and relocation centers, sheltering, respiratory protection, radioprotective drugs; and
- d. special needs of the handicapped.

With very few exceptions, Mr. Eddleman has completely failed to reference these applicable regulations and regulatory guidance in his proposed contentions.

C. The Purpose of The Brochure

The vast majority of Mr. Eddleman's proposed contentions are premised on a fundamental misperception of the role of the emergency public information brochure in the Commission's concept of operations for emergency management. The Commission's regulations on brochure content are purposely limited to the provision of "basic emergency planning information" (see 10 C.F.R. Part 50, Appendix E, § IV.D.2). The brochure is thus not intended to duplicate or obviate the need for dissemination via the EBS system of extensive, detailed, scenario-specific information at the time of an accident. Rather, the purpose of the brochure is limited to "priming" the public to receive accident-specific information via EBS at the time of the emergency. Louisiana Power & Light Co. (Waterford Steam Electric Station, Unit 3), LBP-83-27, 17 N.R.C. 949, 965 (1983), aff'd, ALAB-753, 18 N.R.C. 1321, 1331 (1983). Thus,

* * * the purpose of a pre-emergency public information brochure is informational/educational. [citation omitted]. * * * * [T]he brochure is not intended to motivate individuals to either evacuate or to follow certain procedures. * * * * The most important informational function of the brochure is to prepare people to turn on their radio and television stations upon the activation of the sirens in order to find out what actions they might be asked to take at that time.

17 N.R.C. at 960 (emphasis supplied). This primary message -- when you hear the sirens, tune to your EBS station -- is repeatedly emphasized throughout the brochure. See, e.g., pages 1, 2, 3, 4, 10, 12 and the bottom of the page for each calendar month. See also Consumers Power Co. (Big Rock Point Plant), LBP-82-60, 16 N.R.C. 540, 544 (1982) (purpose of brochure is "to give residents and transients the information they need to respond to audible alarm systems and to be sufficiently knowledgeable to understand the importance of responding").

In short, contrary to Mr. Eddleman's apparent assumption, the purpose of the brochure is not to address in detail all possible contingencies, and to describe at length the "whys" and "wherefores" of all protective action options. Rather, the emphasis is on the provision of "basic" information -- and, most especially, the importance of tuning to an EBS station upon activation of the sirens. The Commission's concept of operations contemplates that further, detailed, accident-specific information and instructions would be broadcast as

needed in the course of an emergency. See, e.g., Consolidated Edison Co. of New York (Indian Point, Unit No. 2), LBP-83-68, 18 N.R.C. 811, 943 (1983) (acknowledging the "very different roles" of the brochure and the EBS system).

Indeed, the case law on point recognizes that the provision of extensive detailed information in the brochure would be counterproductive.

[T]he level of detail for any of these subjects [to be covered in the brochure] should be consistent with the purpose for which it is intended. Overemphasis on detail may defeat the purpose of a public information program on emergency measures.

Metropolitan Edison Co. (Three Mile Island Nuclear Station, Unit No. 1), LBP-81-59, 14 N.R.C. 1211, 1521 (1981). Further,

[A] pamphlet cannot exhaustively treat the subject of the effects of radiation and it all-too-easily can become too elaborate and extensive to communicate effectively. If that were to occur, the pamphlet likely would go unread and its role as an action document would be defeated. * * * * [E]ach proposed addition to the pamphlet must be viewed with caution because additions may cumulatively increase its bulk and complexity and reduce its ability to communicate.

Consumers Power Co. (Big Rock Point Plant), LBP-82-60, 16 N.R.C. 540, 544-45 (1982).

Nor is absolute technical accuracy to be required. As one licensing board commented on a brochure:

While some of the information on radiation and upon nuclear power plants in general is not absolutely correct from a technical standpoint, any revisions made to secure absolute technical accuracy would render

this information incomprehensible to the general public. * * * [T]o inflate [material] to achieve textbook precision would defeat effective communication and would not enhance the public safety.

Louisiana Power & Light Co. (Waterford Steam Electric Station, Unit 3), LBP-83-27, 17 N.R.C. 949, 961-62 (1983), aff'd, ALAB-753, 18 N.R.C. 1321, 1331 (1983). See also South Carolina Electric & Gas Co. (Virgil C. Summer Nuclear Station, Unit 1), LBP-82-57, 16 N.R.C. 477, 491 (1982) (provision of detailed information "regarding the characteristics and consequences of nuclear accidents" is unnecessary).

D. The Role of The Licensing Board

The jurisdiction of a licensing board is limited to review of the brochure as an emergency planning document, to be judged against the Commission's established standards, set forth in Section B above. See Consumers Power Co. (Big Rock Point Plant), LBP-82-60, 16 N.R.C. 540, 548 (1982); Consolidated Edison Co. of New York (Indian Point, Unit No. 2), LBP-83-68, 18 N.R.C. 811, 943 (1983) (Licensing Board cannot demand more from brochure than regulatory requirements; "state-of-the-art" not required).

Nor are scarce adjudicatory resources to be squandered on the line-by-line litigation of emergency public information brochures. As one licensing board has observed:

Our role is uncomfortable because it can easily be misunderstood or mischaracterized as that of censor. However, we view ourselves as responsible only for seeing that necessary facts about the rapid response system are communicated, that there are no serious errors detracting from the credibility of the document, and that there are no serious omissions from the distributed material. We are not censors, but limit our concern to matters that affect the document's ability to achieve its intended purpose.

Consumers Power Co. (Big Rock Point Plant), LBP-82-60, 16 N.R.C. 540, 544 (1982) (emphasis supplied). This Licensing Board has similarly indicated, at the May 1-2, 1984 Prehearing Conference, that it will not act as "editors" of the brochure, and will admit only contentions which identify "gross" inadequacies in the brochure. See Tr. 829. Accord, Philadelphia Electric Co. (Limerick Generating Station, Units 1 and 2), Docket Nos. 50-352-OL, 50-353-OL, "Memorandum and Order Ruling On Limerick Ecology Action's Petition For Reconsideration of Rulings On Admissibility of Offsite Emergency Planning Contentions" (May 21, 1984), slip op. at 7 (expressly declining to "litigate the wording of brochures"). The Appeal Board has granted its imprimatur to this defined scope of review, ruling:

We doubt that unanimous agreement on every sentence of every brochure could ever be obtained. Such agreement is not required. Educational material must be judged in its entirety.

Metropolitan Edison Co. (Three Mile Island Nuclear Station, Unit No. 1), ALAB-697, 16 N.R.C. 1265, 1274 (1982) (emphasis supplied). As discussed below, the vast majority of Mr. Eddleman's proposed contentions can be fairly characterized as pure "editing" of the brochure. Certainly he has identified no "gross" omissions or inadequacies in the document.

E. The Proposed Contentions

1. Proposed Contention 227-A

Proposed Contention 277-A characterizes the brochure as "deficient in discussing respiratory protection measures" because it "fails to explain the best such means of protection, does not tell which means are relatively ineffective or totally ineffective, and does not give sufficient emphasis to respiratory protection. Apparently, Mr. Eddleman advocates the inclusion in the brochure of detailed technical information about the relative effectiveness for respiratory protection of various materials, such as the analysis in NUREG/CR-2272, SAND-81-7143 (which he references). But, as discussed in Sections B and C above, the Commission's regulations do not contemplate the inclusion in the brochure of such detailed technical discussions of protective actions. Rather, the emphasis is on the provision of "basic emergency planning information." See 10 C.F.R. Part 50, Appendix E, § IV.D.2 (emphasis supplied).

Mr. Eddleman further asserts that the brochure should discuss respirators as a means of respiratory protection for the general public. This portion of the proposed contention is in reality an attack on underlying substantive emergency planning, and is not an attack on the brochure. As such, the proposed contention is late. The offsite emergency response plans have never included provisions for the use of respirators by the general public. Indeed, the plans contemplate only ad hoc respiratory protection by the general public. See, e.g., ERP, Part 2, § IV.5.f (referring to "handkerchiefs over mouth"); ERP, Annex D, Message A, Option D (advising anyone out of doors to "hold a cloth over your nose and mouth"). Nor is there any regulatory basis for the use of respirators by the general public. Certainly Mr. Eddleman has not cited any other plant in the nation where respirators have been provided to the public within the plume EPZ, or discussed in a brochure as a means of respiratory protection for the general public. As such, this part of the proposed contention must be rejected as both late and lacking in regulatory basis. Finally, Mr. Eddleman's allegation that the brochure "does not give sufficient emphasis to respiratory protection" simply lacks the specificity required of a litigable contention. Accordingly, proposed Contention 227-A must be rejected in its entirety.

2. Proposed Contention 227-B

Proposed Contention 227-B criticizes the brochure "because it doesn't take sufficient account of the need for, and most effective means of, sealing around the respiratory protection." Mr. Eddleman advocates inclusion in the brochure of information about the use of pantyhose "to attach the protection," as discussed in NUREG/CR-2958. But Mr. Eddleman has not pointed to a single brochure for an operating plant which includes the information he proposes to include in the brochure here. Again, as set forth above, the Commission's emergency planning regulations do not contemplate the inclusion in the brochure of such detailed information about protective actions. If the use of respiratory protection were to be indicated in an emergency, detailed information about that protective action -- including the asserted need for "sealing" -- could be disseminated via the emergency information broadcast at the time of the accident. Proposed Contention 227-B must therefore be rejected as lacking in basis.

3. Proposed Contention 227-C

Proposed Contention 227-C is a compilation of numerous normative, non-specific assertions, such as "the brochure must assure that persons in the EPZ * * * understand the danger of a nuclear accident as well as how to avoid it" and "[i]t is vital that the information concerning what to do in an emergency be

as clear and easy to understand as possible." Broad allegations such as these lack the specificity required of a litigable contention under the Commission's regulations and, as such, must be rejected.

Mr. Eddleman does make the specific suggestion that the illustrations on page 1 be numbered "to make it clear that these are steps in a sequential process." But Mr. Eddleman's proposal itself evidences his own misapprehension of protective action options. The "steps" illustrated on page 1 are not necessarily "sequential." The third column summarizes "taking shelter" in place, while the fourth summarizes "evacuation." And, in an emergency, the public will not necessarily "take shelter" before "evacuating." Similarly, the public may be advised to "take shelter" without ever being requested to "evacuate." Thus, Mr. Eddleman's proposed change is lacking in basis. Moreover, contentions asserting the need to number pictures in the brochure amount to "editing" the brochure -- something this Board has refused to do.

Similarly, Mr. Eddleman's suggested use of "positive language" also amounts to editing the brochure. Indeed, his suggested language differs little from that actually used on page 1 of the brochure. And he has provided no basis or authority whatsoever for the implication that his suggested language is clearer or easier to understand than that actually used in the brochure.

Finally, to the extent that proposed Contention 227-C can be read to criticize the brochure as not recognizing the potential utility in an emergency of a "battery powered radio," the proposed contention lacks basis. Pictures of such radios are prominently featured on pages 1 and 3 of the brochure. In addition, such radios are included in the discussions of sheltering as a protective action (on page 4) and of evacuation (on page 5). For all these reasons, proposed Contention 227-C must be rejected.

4. Proposed Contention 227-D

Proposed Contention 227-D asserts a need for four identified changes to page 1 of the brochure. First, Mr. Eddleman asserts that the paragraphs on school children in the third and fourth columns should include a reference to page 9 of the brochure (which is the chart of all schools in the EPZ and the shelters to which they would evacuate). The short answer to this part of the proposed contention is that it amounts to "editing", and is not properly the subject of litigation. In any event, there is no need to reference page 9 as Mr. Eddleman suggests. Mr. Eddleman has failed to recognize that item 5 of the "fill-in" box on page 1 of the brochure, when completed, will include specific information about the evacuation destination of each family's school children. Moreover, that item includes the reference to page 9 of the brochure. The first part of proposed Contention 227-D must therefore be rejected.

The second part of proposed Contention 227-D asserts that "[i]f day care center children are to be sheltered/evacuated, this should be stated." This is expressly stated on page 4 (with respect to sheltering) and on pages 5 and 8 (with respect to evacuation). In addition, as noted above, the "fill-in" box on page 1 will include the specific evacuation destination of each family's school children. And that item also includes a reference to page 9 of the brochure (which is the chart of all schools in the plume EPZ -- including day care centers -- and the shelters to which they would evacuate). Thus, the second part of proposed Contention 227-D must be rejected as lacking in basis. Further, this subpart of the proposed contention too constitutes "editing" the brochure and is therefore not litigable.

The third aspect of proposed Contention 227-D focuses on an asserted need to advise people that they should not take the time to shelter pets and livestock "when this may endanger their lives or health." Again, this part of the contention is premised on Mr. Eddleman's mistaken belief that the brochure should detail all possible contingencies in all possible cases. Mr. Eddleman has simply confused the role of the brochure with that of the EBS system. The brochure need address such contingencies only very generally, by advising the public (on page 3) to "Do what your EBS station tells you to do. It could differ from what is in this booklet." Thus, if -- in the

judgment of emergency planning officials at the time of an accident -- it would be inappropriate to attempt to shelter pets and livestock, that judgment would be communicated to the public via the EBS system. The Commission's regulations simply do not require that all such contingencies be anticipated in advance and addressed in the brochure.

The final assertion of proposed Contention 227-D is the suggestion that "[i]n the 4th column [on page 1] the necessity to sign in at the evacuation center should be underscored." This part of the proposed contention must also be rejected as impermissible "editing." In any event, the words "Sign in" are already set in boldface type, for emphasis, and the "necessity to sign in at the evacuation center" is further reiterated on page 5. Thus, Mr. Eddleman's concern is baseless. Accordingly, proposed Contention 227-D should be rejected in its entirety.

5. Proposed Contention 227-E

Proposed Contention 227-E alleges that the brochure does not "explain * * * the reason you close windows and doors, cut off fans, fires or heaters, etc." This, again, amounts to "editing" the brochure, and is objectionable on that ground alone. But, in any event, page 4 explains:

Taking shelter is the best thing to do if radioactive air is expected to pass over your area soon.

(Emphasis supplied). Further, page 11 explicitly states:

How could you be exposed to radiation in an accident at the plant? Radioactive material could get into the air * * *. You could then be exposed to it in three ways.

* By radiation in the air * * *.

* * *

* From breathing * * * radioactive material.

(Emphasis supplied). Page 11 concludes:

You are not safe to stay outside while air with radioactive materials passes over you. Taking shelter is the safest thing you can do until the wind carries the radioactive material away.

(Emphasis supplied). Thus, judged in its entirety, the brochure clearly communicates the concept Mr. Eddleman seeks to impress: that radioactive material is carried in the air. Thus, the first part of proposed Contention 227-E should be rejected.

Secondly, Mr. Eddleman reiterates that the brochure does not "tell people how to effectively reduce breathing risk through * * * breathing protective devices." This portion of proposed Contention 227-E is duplicative of proposed Contentions 227-A and 227-B (which Mr. Eddleman himself references). The second part of proposed Contention 227-E must also be rejected.

The last part of proposed Contention 227-E criticizes the brochure because it does not "advise persons staying indoors to

adopt breathing protection." This is not a brochure contention at all; rather, it constitutes an attack on substantive emergency planning and, as such, is a late-filed contention. The offsite emergency plans have never contemplated the use of ad hoc respiratory protection by sheltered persons. See e.g., ERP, Annex D, Message A, Options A-E (expressly limiting the advice of respiratory protection to those "out of doors"). Mr. Eddleman has not even attempted to make -- and, indeed, cannot make -- the requisite showing of "good cause" to raise this issue at this late date. Accordingly, this part of proposed Contention 227-E, like the rest of proposed Contention 227-E, must be rejected.

6. Proposed Contention 227-F

The thrust of proposed Contention 227-F is that the brochure "doesn't explain the necessity to get as far from walls and windows as possible." Mr. Eddleman further advocates a new item in the "fill-in" box on page 1, where people would identify their "in-home shelter." This suggestion amounts to "editing" the brochure, and should therefore be rejected. Moreover, Mr. Eddleman clearly contemplates the inclusion in the brochure of detailed information about the implementation of protective actions, while the Commission's emergency planning regulations require only the provision of "basic emergency planning information." See 10 C.F.R. Part 50, § IV.D.2

(emphasis supplied). The instruction (on page 4) to "Go to a room or basement with few or no windows * * *" adequately communicates the basic concept of shielding, as a practical matter. There is simply no requirement that the information presented in the brochure be technically completely accurate. See Section B and C, supra. Proposed Contention 227-F should therefore also be rejected.

7. Proposed Contention 227-G

Proposed Contention 227-G is constituted primarily of a string of non-specific assertions. Mr. Eddleman offers no basis whatsoever for his assertion that page 2 of the brochure is "poorly organized, wordy [and] often stated in passive voice," and makes no specific proposals to implement these assertions. Contrary to Mr. Eddleman's assertion, the "important question" "Why not evacuate just to be extra-safe?" is answered quite directly on page 2: "Because that may not be the safest thing." The question is answered at greater length in the discussion of sheltering on page 4 (e.g., "Taking shelter is the best thing to do if radioactive air is expected to pass over your area soon") and on page 11 (e.g., "Taking shelter is the safest thing you can do until the wind carries the radioactive material away.")

The rest of the proposed contention focuses on the sequence of presentation of material already in the brochure and

should therefore be rejected as "editing." Moreover, Mr. Eddleman is simply mistaken to the extent that he implies that the brochure does not describe the siren signal; indeed the 3-to-5 minute signal is identified on page 1 and page 2 and in boldface on page 3 and on page 10 and at the bottom of the calendar page for each month. Siren system testing is discussed at length on page 10 of the brochure. And, "back-up actions" (e.g., knocking on doors) are discussed on page 2, after siren notification is described. Accordingly, proposed Contention 227-G must be rejected as lacking in specificity and basis, and as seeking to "edit" the brochure.

8. Proposed Contention 227-H

Proposed Contention 227-H is comprised of three separate suggestions. First, Mr. Eddleman suggests that "[t]he EBS Stations list on page 3 should emphasize the 24-hour radio and TV stations." He has simply failed to note that the table on page 3 does indicate the 24-hour stations, by asterisk. Thus, the first part of the proposed contention must be rejected as lacking in basis.

The second part of the proposed contention alleges that the brochure "should emphasize the need to get hold of portable, or other battery powered radios * * * [in] a real emergency." In fact, pictures of a portable radio are featured prominently on pages 1 and 3, and the utility of such radios is

addressed on page 4 (with respect to sheltering) and on page 5 (with respect to evacuation). This part of the proposed contention therefore lacks basis. Moreover, it constitutes "editing" the brochure and is objectionable for that reason alone.

The last part of the proposed contention asserts that "[t]he information in the long * * * box at the bottom of the page should be placed in a colored, prominent box higher on the page." This is "editing" in its purest form. In any event, the identified information is already highlighted by its placement in a box, to make it stand out from the rest of the text. And, as indicated in counsel's July 9, 1984 letter transmitting the brochure, the final product "will be typeset and reproduced with professional offset equipment," to include use of color to highlight information such as that which Mr. Eddleman seeks to emphasize. For all these reasons, proposed Contention 227-H should be completely rejected.

9. Proposed Contention 227-I

Proposed Contention 227-I has three elements, all of which are repetitive of concerns expressed in other proposed contentions. The first part of proposed Contention 227-I is that the brochure "should explain that people will be ordered to take shelter when they will get less radiation exposure by staying inside." This part of the proposed contention is duplicative

of proposed Contention 227-G, and must be rejected for the reasons discussed above.

The second part of proposed Contention 227-I asserts that the brochure "should emphasize the importance of keeping out outside air * * * [and] staying away from the outside walls and roof of shelters." This is duplicative of proposed Contentions 227-E and 227-F, and must be rejected for the reasons discussed above. This proposed contention again asserts that the brochure should detail the use of respiratory protection devices, and is to that extent duplicative of proposed Contentions 227-A and 227-B (which Mr. Eddleman himself references), and proposed Contention 227-E, and should be rejected for the reasons discussed above.

The last part of proposed Contention 227-I alleges that "[p]eople should be encouraged to find their best home sheltering areas in advance." This part of the proposed contention is duplicative of proposed Contention 227-F, and should be rejected for the same reasons. Accordingly, proposed Contention 227-I must be rejected in its entirety.

10. Proposed Contention 227-J

Proposed Contention 227-J first alleges that the brochure does not "adequately explain how long one might possibly have to stay in shelter." In fact, the brochure (at page 4) expressly instructs readers:

-- Stay in until the EBS station tells you it is safe to go out. You might be asked to stay in for 3 or 4 hours.

Mr. Eddleman fails to indicate what he would substitute; indeed, it is difficult to imagine what more might be said. As the brochure accurately reflects, it is impossible to predict in advance in the brochure how long the public might need to shelter in an emergency. That fact is necessarily dependent on the specific facts of an actual emergency, and must therefore be communicated to the public via EBS. This part of the proposed contention must therefore be rejected as lacking in specificity and basis.

Proposed Contention 227-J further suggests that people should be advised to leave their TVs on "very loud" or take their phones with them as they "take shelter." Again, Mr. Eddleman seeks to "edit" the brochure. In any event, the brochure (at page 4) instructs the public to "[g]o to a room or basement * * *" and then advises:

-- Stay tuned to your EBS radio or TV station. You will get all news and information that way.

The sequence in which this material is presented, and the constant emphasis throughout the brochure on the importance of the EBS broadcasts, communicate in a practical way the need to be able to hear the broadcasts, ensuring that people will turn up their radios and TVs as loud as necessary. There is no basis for Mr. Eddleman's assertion that the public should be

instructed to carry their phones with them around their homes. The offsite emergency plans have never contemplated use of the telephone system to provide emergency information to the general public. To the extent that Mr. Eddleman seeks to now raise that substantive issue, he is impermissibly late. For these reasons, proposed Contention 227-J must be rejected.

11. Proposed Contention 227-K

Proposed Contention 227-K asserts the need to include in the brochure "a risk-benefit instruction for sheltering pets or livestock." This is duplicative of proposed Contention 227-D, and should be rejected for the same reasons. Indeed, as a substantive matter, the brochure repeatedly emphasizes the need to stay tuned to an EBS station throughout the emergency and instructs the public (at the bottom of page 3), to "Do what your EBS station tells you to do. It could differ from what is in this booklet." Thus, if attempts to shelter pets and livestock were inappropriate due to the particular circumstances of an emergency, the public would be promptly informed at that time. There is therefore no need to burden the brochure with additional language to cover the specific contingency which Mr. Eddleman raises. Proposed Contention 227-K must therefore be rejected as repetitive, and lacking in basis.

12. Proposed Contention 227-L

Proposed Contention 227-L is composed of a number of broad, normative assertions -- objectionable for lack of specificity -- and four general criticisms of the brochure. The thrust of the first criticism is that the public should be emphatically instructed to adhere to the designated evacuation routes "even though some such routes look circuitous or turn odd directions." This portion of the proposed contention effectively seeks to "edit" the brochure. The importance of following a specific route is reflected in the brochure by the repeated instruction to follow a designated route (see, e.g., pages 1 and 5), by the inclusion in the brochure of both a chart and a map illustrating the designated routes, and by instructing the public to write in their precise evacuation route in the "fill-in" box on the first page. Mr. Eddleman provides no basis whatsoever for his assertion that more explicit directions are required.

The second part of proposed Contention 227-L suggests that the brochure should address "[t]he need for contamination checks of vehicles during evacuation." However, the offsite plans have never contemplated vehicle monitoring during evacuation; there is therefore no basis for asserting that the subject should be addressed in the brochure. Nor is there any basis for asserting that post-evacuation vehicle monitoring at the Evacuation Shelters need be discussed in the brochure,

since all members of the public are instructed to report to the Evacuation Shelters in all cases. Thus, the second part of this proposed contention must also be rejected.

The third part of proposed Contention 227-L asserts that the brochure should address "[t]he importance of not driving too fast or trying to pass up other drivers" in an evacuation. However, Mr. Eddleman fails to provide any basis for his apparent assumption that traffic laws about yielding to emergency vehicles, passing other vehicles, and speed limits will be altered in an emergency. And certainly he has provided no regulatory basis for the implication that the public must be reminded that it is required to obey traffic officers and posted laws. Nor has he indicated why necessary changes (if any) to existing traffic laws could not be communicated to the public via EBS at the time of an emergency. Accordingly, this part of proposed Contention 227-L must be rejected.

The final portion of proposed Contention 227-L asserts a need for "instructions for the handicapped" beyond the "special needs card" enclosed with the brochure. However, Mr. Eddleman fails to specify what "special instructions" he believes should be included in the brochure. Nor has he provided any regulatory basis for his apparent assumption that more than the "special needs card" is required. In any event, the brochure (on pages 2 and 4) does recognize the possibility that some of those with special needs may need to request special assistance

at the time of an emergency. The phone numbers of the respective county emergency officials are provided in the brochure (on page 13), and a blank for entry of the specific county emergency assistance phone number is included in the "fill-in" box on the summary page (page 1) of the brochure, to facilitate quick reference by those in need of assistance in an emergency. Proposed Contention 227-L must therefore be rejected in its entirety.

13. Proposed Contention 227-M

Proposed Contention 227-M first asserts that the brochure must detail, on page 5, " why doors and vents on cars should be closed and houses should be closed up." This part of the proposed contention constitutes "editing" and must therefore be rejected. The brochure must be judged in its entirety and, as discussed in reference to proposed Contention 227-E and 227-I above, the rationale behind actions such as closing windows and ventilation sources is discussed throughout the brochure. Mr. Eddleman fails to explain why the information must be included on page 5 as well.

Proposed Contention 227-M next asserts that page 5 does not "explain respiratory protection well," and alleges that an explanation such as that described in proposed Contentions 227-A and 227-B should be included in the brochure. However, the offsite emergency plans do not contemplate the use of

respiratory protection during an evacuation (although respiratory protection is recommended for those who must go outside during a sheltering advisory). See, e.g., ERP, Annex D, Message A, Options C and E. Thus, there is no basis for repeating information about respiratory protection on page 5 of the brochure. And, to the extent that Mr. Eddleman now seeks to raise the substantive issue of respiratory protection during evacuation, he is late without "good cause."

Mr. Eddleman also asserts that the proposed brochure should "advocate taping over vents on cars whose vents don't seal tightly when closed." However, he provides no regulatory basis to support the imposition of such a requirement, nor does he point to other brochures which include this information. As discussed in Section B and C above, the Commission's regulations do not contemplate the inclusion in the brochure of such detailed instructions. Rather, the emphasis is on the provision of "basic emergency planning information." See 10 C.F.R. Part 50, Appendix E, § IV.D.2 (emphasis supplied).

Mr. Eddleman further alleges that the brochure is deficient because it does not discuss "the importance of not contaminating others, especially for evacuees who do not choose to go to the evacuation center." However, Mr. Eddleman misperceives the overall concept of operations. In an emergency, all evacuees are instructed to report to designated Evacuation Shelters, even if they plan to stay elsewhere. See, e.g.,

pages 1, 5 and 8. Thus, Mr. Eddleman's proposed addition to the brochure is devoid of basis.

Finally, Mr. Eddleman asserts that the brochure is deficient in not "emphasizing the importance of signing in at the evacuation center." To the contrary, the brochure properly emphasizes the importance of signing in at Evacuation Shelters via the repetition of that instruction throughout the brochure. See, e.g., pages 1, 5 and 8. In addition, page 5 of the brochure further emphasizes the importance of signing in at the Evacuation Shelter by listing the reasons for signing in:^{1/} "That way family and friends will know you are safe. Also, you can get checked for radiation and treated if needed. After you sign in, you may stay at the Evacuation Shelter." Thus, there is no basis for Mr. Eddleman's claim that the brochure fails to emphasize the importance of signing in at Evacuation Shelters. Proposed Contention 227-M must therefore be rejected.

14. Proposed Contention 227-N

The primary thrust of proposed Contention 227-N is the claim that the brochure does not address "the risks and benefits of taking time to provide for livestock." This part of

^{1/} Mr. Eddleman asserts that one of the reasons for signing in at the Evacuation Shelter is "for the purpose of making later insurance claims." But he has completely failed to explain how signing in at the Evacuation Shelter advances this objective. In any event, that objective is not recognized by the Commission's emergency planning regulatory scheme.

the proposed contention is duplicative of proposed Contention 227-D, and must be rejected for the same reasons.

The second part of proposed Contention 227-N asserts that the brochure should explain that, at the Evacuation Shelters, "places for people with pets to stay will be found." However, this proposed contention constitutes a late challenge to substantive emergency planning. The offsite emergency plans make no provisions for assistance in sheltering evacuated pets. To the extent that Mr. Eddleman seeks to now raise that substantive issue, he is impermissibly late. Moreover, Mr. Eddleman cites no regulatory basis for the requirement he would impose. Indeed, there is absolutely no regulatory requirement that provision be made to shelter the pets of evacuees. Accordingly, proposed Contention 227-N must be rejected in its entirety.

15. Proposed Contention 227-0

Proposed Contention 227-0 asserts that the "accuracy, clearness, readability and usefulness" of the brochure map and the chart of school information are "crucial," and a different color should be used for each zone and its routes. The Licensing Board has already informed Mr. Eddleman that he need not anticipate the brochure information which is yet to be provided. Tr. 2203. This proposed contention must therefore be rejected as premature.

16. Proposed Contention 227-P

Proposed Contention 227-P, like the last part of proposed Contention 227-L, has as its thrust the claim that the brochure should discuss in detail provisions for the handicapped, beyond the "special needs card." Proposed Contention 227-P should be rejected for the same reasons as proposed Contention 227-L. Moreover, Mr. Eddleman provides no basis whatsoever for his implicit assumption that the handicapped need to be affirmatively told to take whatever protective measures they can take without help while they await assistance to implement protective actions they cannot take alone. Proposed Contention 227-P is therefore also objectionable as lacking in basis.

17. Proposed Contention 227-Q

Proposed Contention 227-Q alleges that the information about sirens on page 10 is deficient because it does not reference page 3 (EBS stations) or the "fill-in" box on page 1. This is pure "editing", and must therefore be rejected. Nor has Mr. Eddleman provided any basis whatsoever for his apparent assumption that -- upon hearing the sirens -- members of the public will turn to page 10 of the brochure, rather than turning (1) immediately to an EBS station, or (2) to page 1 of the brochure, the summary (where the EBS stations will be identified in the "fill-in" box), or (3) to page 3 of the brochure, which lists the EBS stations. And, in any event, the time required

to flip through all the pages of the brochure to locate the list of EBS stations is inconsequential. For all these reasons, proposed Contention 227-Q must be rejected.

18. Proposed Contention 227-R

Proposed Contention 227-R attacks the discussion of general information about radiation on pages 11 and 12 of the brochure as "understated, misleading and vague." The thrust of the allegations is that "the discussion seems to indicate that radiation is so common that it's almost OK," and that the discussion "ignores" the work of Gofman and Morgan "that holds that low-level exposure is potentially harmful."

Contrary to Mr. Eddleman's assertions, the brochure does not suggest that radiation is acceptable. To the contrary, page 11 states unequivocally that all exposure should be minimized:

Can radiation be harmful? Yes, that's why public health experts say you should get as little as you can. That means you need to avoid the radiation that could come from a nuclear accident.

(Emphasis supplied). Thus, there is no basis whatsoever for Mr. Eddleman's assertion that the risks of radiation are "understated."

Nor has Mr. Eddleman provided any basis for his assertion that the inclusion in the brochure of information about background radiation is "misleading." Certainly he has failed to

explain why this brochure should differ from so many others, which include information about background radiation to place in context other information on radiation. See e.g., Philadelphia Electric Co. (Limerick Generating Station, Units 1 and 2, Docket Nos. 50-352-OL, 50-353 OL, "Memorandum and Order Ruling On Limerick Ecology Action's Petition For Reconsideration of Rulings On Admissibility of Offsite Emergency Planning Contentions" (May 21, 1984), slip op. (see section entitled "What You Should Know About Radiation" in attached brochure).

Mr. Eddleman's arguments that the instruction to "go to a place with no radiation" is technically inaccurate, and that the brochure should discuss the theories of Gofman and Morgan, are similarly lacking in merit. As discussed in Sections B and C above, neither detailed information nor absolute technical accuracy are required in a brochure.

[T]he primary purpose of these brochures is not to give a course in radiation biology, but to inform the public what to listen for and what to do in case of an emergency * * *.

Metropolitan Edison Co. (Three Mile Island Nuclear Station, Unit No. 1), LBP-81-59, 14 N.R.C. 1211, 1525 (1981). Thus, there is no regulatory basis for these criticisms of the brochure. Proposed Contention 227-R should therefore also be rejected.

19. Proposed Contention 227-S

The basic thrusts of proposed Contention 227-S are that the brochure should explain that radiation "cannot be detected by any of our senses," and that "[t]he nature of harmful health effects -- genetic damage and cancer, other diseases" should be detailed. However, these criticisms of the brochure lack regulatory basis. As discussed more fully in Sections B and C above, neither detailed information nor absolute technical accuracy are required in a brochure. Certainly there is no requirement that a brochure include detailed information on "the health effects of ionizing radiation." Metropolitan Edison Co. (Three Mile Island Nuclear Station, Unit No. 1), LBP-81-59, 14 N.R.C. 1211, 1522 (1981).

Mr. Eddleman's proposed Contention 227-S further asserts that "radiation detectors should be discussed" in the brochure. However, Mr. Eddleman fails to cite any regulatory basis which would require the inclusion of such information; nor does he explain how -- as a factual matter -- the inclusion of such information in the brochure would advance public health and safety in an emergency. Indeed, it would logically seem that the inclusion in the brochure of the allegation that radiation monitoring equipment is "not always sensitive enough to tell you if you're in danger" (as he proposes) could have an adverse effect on public health and safety, by leading some members of the public to consider monitoring futile, thus discouraging them from reporting to Evacuation Shelters.

Finally, the suggestion that the brochure fails to explain "why you should listen to the EBS" is absurd. The brochure repeatedly emphasizes that the public's immediate reaction upon hearing the sirens should be to turn to an EBS station. As page 1 of the brochure explains, the public should then:

- * Stay tuned for news.
- If there is an emergency
your EBS station will
tell you what to do.

As page 1 continues, the public should "Listen to find out if your sub-zone should take shelter" and "Listen to find out if your sub-zone must evacuate." Further, page 4 of the brochure (discussing "sheltering") explains that people should "Stay tuned to your EBS radio or TV station. You will get all news and information that way." And page 4 continues, "Stay in until the EBS station tells you it is safe to go out." Page 5 (discussing evacuation) advises the public to:

- Listen to EBS stations for news about the emergency. Federal, state and local officials will be checking radiation levels. They will use the EBS stations to tell you when it is safe to go home.

Similar messages about the reasons for staying tuned to an EBS station during an emergency are included throughout the brochure. Mr. Eddleman's last criticism of the brochure is thus wholly lacking in merit. Accordingly, proposed Contention 227-S must be rejected.

20. Proposed Contention 227-T

Proposed Contention 227-T criticizes the brochure as "confusing and misleading in its discussion of nuclear accidents." According to Mr. Eddleman, "[t]he reader should be told that the plant can release radioactive materials and gases into the air during an accident, and that the wind could carry it to persons in the EPZ." And, indeed, page 11 of the brochure makes these precise points:

How could you be exposed to radiation in an accident at the plant? Radioactive material could get into the air and water, causing a risk to your health if you live near the Harris plant.

(Emphasis supplied). And page 11 concludes:

You are not safe to stay outside while air with radioactive material passes over you. Taking shelter is the safest thing you can do until the wind carries the radioactive material away.

(Emphasis supplied). Thus, the first part of this proposed contention is baseless.

The second part of the proposed contention asserts that "[t]he most important fact about nuclear accidents is that they are possible. That's why evacuation plans exist." And, again, the brochure (at page 12) already expressly addresses this point:

No energy source can be free of all risk even though such steps have been taken to make it safe. That is why special safety plans like these have been made.

And, similarly, page 13 explains:

This booklet tells you what to do if there is an emergency at the Harris plant. An emergency is not likely. Yet to be sure that you will be safe, state and local officials have made special plans to protect you.

This exact same language is also included on the front cover of the brochure. The second half of proposed Contention 227-T is thus also lacking in basis. Accordingly, all of proposed Contention 227-T must be rejected.

21. Proposed Contention 227-U

Proposed Contention 227-U asserts that the brochure is "inadequate" because it (1) doesn't explain the amount of washing necessary for best decontamination, or that radiation detectors are needed to be sure it's off; (2) doesn't adequately explain how to reduce exposure from breathing or swallowing * * *; (3) seems to imply evacuation is the only way to deal with "shine" and ground radiation." The entire contention is objectionable on the general ground that Mr. Eddleman appears to seek to "edit" the brochure to include a level of detail and technical accuracy which is beyond the contemplation of the Commission's emergency planning regulations. See Sections B and C, above. If it were necessary to communicate such detailed information to the public, it would be accomplished via EBS at the time of the emergency.

Moreover, Mr. Eddleman fails to explain how -- as a factual matter -- the inclusion of information about "the amount of washing necessary for best decontamination" would advance public health and safety in an evacuation. Indeed, providing detailed information on the subject could actually adversely affect public health and safety, by discouraging some members of the public from reporting to Evacuation Shelters for monitoring and (if necessary) decontamination. This part of the proposed contention thus lacks basis.

Similarly, there is no basis for Mr. Eddleman's assertion that the brochure fails to address "how to reduce exposure from breathing or swallowing." Respiratory protection is identified as a protective action on pages 1 and 4. Further, this part of the proposed contention is largely duplicative of proposed Contentions 227-A, 227-B, 227-E, 227-I and 227-M.

Finally, Mr. Eddleman's suggestion that the brochure implies that evacuation is "the only way to deal with "shine" and ground radiation" is patently absurd. Read in its entirety, the brochure also provides an extensive, elementary explanation of the concept of "taking shelter," as discussed in the responses to proposed Contentions 227-E, 227-F, 227-I and 227-J. Mr. Eddleman provides absolutely no basis whatsoever for the asserted need to include the information about sheltering on page 11 of the brochure as well. For all these reasons, proposed Contention 227-U should be rejected in its entirety.

22. Proposed Contention 227-V

Proposed Contention 227-V has as its general thrust Mr. Eddleman's assertion that "[i]nformation on decontamination should be highlighted, and preventive measures and first-aid procedures for contamination should be at least mentioned" in the brochure. The proposed contention is thus essentially duplicative of proposed Contention 227-U, and must be rejected for the same reasons.

Further, the proposed contention alleges that "the undetectable nature of radiation to the five normal senses" should be emphasized in the brochure. This part of the proposed contention is duplicative of proposed Contention 227-S, and must be rejected for the same reasons. All of proposed Contention 227-V should therefore be rejected.

23. Proposed Contention 227-W

Proposed Contention 227-W asserts that page 12 is "perhaps confusing and misleading" for a number of very broad reasons, but fails to specify how the alleged faults should be remedied. The proposed contention thus fails for lack of the specificity required of an admissible contention under the Commission's regulations. Moreover, the proposed contention lacks basis. Contrary to the implication of the proposed contention, there is no inherent logical contradiction between statements about the safety standards for construction and operation of the

plant and statements about the need for exercises of emergency plans. Rather, the statements illustrate "defense-in-depth" -- an emphasis on both preventing accidents and mitigating the consequences should one occur.

Similarly, Mr. Eddleman provides no basis for his apparent assumption that a single statement explaining that a serious accident is "not likely" will engender complacency in the public. He has simply lifted a single sentence out of the context of the rest of the brochure, which amply describes protective measures for the public in an emergency. Indeed, page 12 makes the precise point Mr. Eddleman urges:

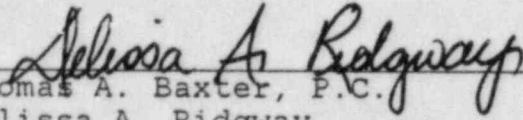
No energy source can be free of all risk even though such steps have been taken to make it safe. That is why special safety plans like these have been made. They can help people who live near the plant to be safe if an emergency were ever to happen. In case of an emergency, you need to know this booklet so you and your family can be safe.

And Mr. Eddleman's criticism of the reference to other energy sources is mere "editing." For all these reasons, proposed Contention 227-W too must be rejected. :

III. CONCLUSION

For all the reasons set forth above, Eddleman proposed Contentions 227-A through 227-W must be rejected.

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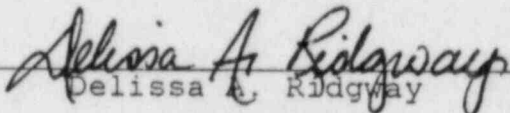
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
CAROLINA POWER & LIGHT COMPANY) Docket No. 50-400 OL
and NORTH CAROLINA EASTERN)
MUNICIPAL POWER AGENCY)
)
(Shearon Harris Nuclear)
Power Plant))

CERTIFICATE OF SERVICE

I hereby certify that copies of "Applicants' Response to Eddleman Proposed Contentions on Brochure" were served this 28th day of August, 1984, by deposit in the U.S. mail, first class, postage prepaid, upon the parties on the attached Service List.



Delissa A. Ridgway

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