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To: Collins, NRR

AUTHOR: C. Vanderhoed
AFFILIATION: NY
ADDRESSEE: Edward Jacoby

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SUBJECT: Concerns the County of Rockland intent not to sign its annual report regarding the emergency preparedness as it pertains to the Indian Point nuclear power plants

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COUNTY OF ROCKLAND
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C. SCOTT VANDERHOEF
County Executive

January 15, 2003

Mr. Edward F. Jacoby Jr.
Director, New York State Emergency Management Office
Building 22, State Campus
Albany, New York 12226

Dear Mr. Jacoby:

I am writing to inform you that the County of Rockland will not sign its annual report regarding emergency preparedness as it pertains to the Indian Point nuclear power plants. I make this decision in view of the findings I have studied in the James Lee Witt Associates report released on Friday, January 10th.

As you know, the report, or "checklist," that Rockland and other counties are required to submit at this time each year merely verifies our compliance with Federal Emergency Management Agency requirements regarding nuclear-emergency preparedness. Because our team has fulfilled and even exceeded all the FEMA requirements for 2002, instrument testing and other data will be submitted separately to you without signature certification.

That said, it is clear to me after analyzing the Witt Report that it would be wrong if not outright irrelevant to submit any formal review indicating that the plan is "current" given the substantial concerns identified in the report and its conclusion that the regional plan is inadequate to protect the public.

As Rockland's emergency management staff long has argued, the preparedness standards set by FEMA and practiced by the local teams rely too heavily on procedural compliance rather than the reality of an emergency. The Witt consultants in their report agree that such an approach amounts to a major flaw in our planning efforts to effectively protect the public. We can dramatically increase the margin of safety by focusing instead on performance-based outcomes and "real life" situations.

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In addition to declining to certify Rockland's annual report, I strongly urge by copy of this letter that the Nuclear Regulatory Commission immediately shut down Indian Point until plans are improved to protect the public adequately in the event of a terrorist attack or spontaneous catastrophic accident. Beyond that immediate step by the NRC, I also call on our congressional delegation to start to get Congress to permanently decommission Indian Point.

In light of another recent report on security concerns at the plants themselves, in which a majority of the security personnel at Indian Point 2 indicated that they did not believe they could defend the plant against a terrorist threat, my colleagues in our neighboring counties and I believe that security at Indian Point, as well as all other nuclear facilities, should be federalized and placed under the jurisdiction of the newly created Department of Homeland Security.

We believe that the Department of Homeland Security is the appropriate agency to oversee security at nuclear power plants because its mission is protect the public from terrorist and other threats. The NRC's mission, on the other hand, is to regulate civilian use of nuclear materials to ensure adequate protection of public health and safety. I also urge continued federal protection once Indian Point ceases operations as the plants still will contain radioactive material and therefore pose a public health and safety threat.

We look forward to substantial changes. We look to federal and state authorities and the utility company to account for issues of terrorism and develop a plan with the counties that can identify ways to meet the objections, concerns, and recommendations in the Witt Report.

We will continue to fight for its closure. Until the nuclear plant is fully decommissioned, we stand ready to cooperate with the state and federal authorities to make the necessary changes to improve the safety of the plant and the regional plan. And we recognize the tremendous responsibility that remains on our shoulders to protect the public.

Sincerely,


C. Scott Vanderhoef
ROCKLAND COUNTY EXECUTIVE

cc: Honorable George E. Pataki, Governor
Honorable Salvatore Corallo, Chairman, Rockland County Legislature
Honorable Edward Diana, County Executive, County of Orange
Honorable Robert J. Bondi, County Executive, County of Putnam
Honorable Andrew J. Spano, County Executive, County of Orange
Richard A. Meserve, Chairman, U.S. Nuclear Regulatory Commission
Joe Albaugh, Director, Federal Emergency Management Office