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OFFICE OF
HEARING EXAMINERS

EXHIBIT NO. 10000-27

JUN 05 AM 9 23

LIMITED APPEARANCE STATEMENT IN THE MATTER OF INDIAN POINT NO. 2 SAFETY AND LICENSING HEARINGS

I have asked to make a limited personal appearance at this late date because I have come into possession of information that may have a direct bearing on the practicality of the New York State Emergency Plan for Major Radiation Accidents Involving Nuclear Facilities. Since the purpose of these hearings is to weigh safety matters, I feel that it is imperative for you to consider this information in your deliberations.

By way of background, I perhaps should explain that the information was originally gathered for a political position paper. I had researched how local Civil Defense people relate to the County and to the State Emergency Plan. The results are somewhat disturbing.

You have heard testimony from Dr. Sherwood Davies on the State's Plan. You also heard intervenor's attorney cross-examine Dr. Davies extensively on whether the plan would work in an actual emergency situation.

My notes from talking with some of these people -- who have the awesome responsibility of carrying out such a plan in their own local community (and the County Civil Defense has the ultimate overall responsibility for putting the plan in motion) -- lead me to the conclusion that this plan is probably less than perfect.

I personally regret that the appended comments of specific CD people are anonymous but no one wanted to be quoted by name. CD Deputy Directors in Westchester County serve at the pleasure of local elected officials and can also be dismissed at the pleasure of local officials. Therefore, the people who spoke candidly with me wished to remain anonymous partly because of their apparent fear of punitive action but largely because of their concern that identity would wreck the hard-won progress that they have already made toward emergency preparedness and perhaps also destroy the esprit de corps of volunteers.

Throughout these discussions I have discovered several disturbing facts:

1. On May 9, 1970, the County took back Yorktown's CD 200-bed Mobile Hospital, with a promise to replace it. It has, to date, not been replaced. I spoke with Mr. Charles Fremd, County CD Director, and he assured me that it would be replaced as soon as the State Health Dept. was able to replace it, but it has been over two years since it was taken back.
2. Another community has a \$3000 siren that has been totally inoperable for about eight years, because it was centrally located on top of a school building and then the school board wouldn't allow it to be connected and tested daily.
3. Very few of the local people have seen Dr. Davies plan or have even heard of it. They would, therefore, continue to operate under the plan designed for coping with an emergency that arose because of an enemy nuclear attack or a plan for general emergencies. While some of the protective actions, such as police lines, might be identical, there are some actions that might be unique for a nuclear plant accident. The enemy attack plan is about 15 years old. (Since this statement was originally written, I understand that more of the local CD people have gotten copies of the N.Y. plan. I do not know that they all have.)

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The people I spoke with expressed some concern about adequate state financing and the need for closer cooperation between County and State CD and the local people.

I would respectfully urge you to investigate thoroughly how well State, County and local civil defense would work in an actual emergency before deciding whether to grant an operating license for Indian Point No. 2. Safety -- the lives of people -- are your concern and the workability or unworkability of an emergency plan is an integral part of safety.

I would like to suggest that you might want to question, in depth, Charles A. Fremd, Director of Westchester County's Office of Civil Defense, and even, perhaps the elected officials and appointed local CD Deputy Directors in a 10 mile radius of Indian Point No. 2. You are highly knowledgeable, fair and gifted at asking probing questions.

I personally feel that there may be evidence of problems, many of them related to state economics. For the sake of safety, I urge you to weigh this information for what little it may be worth and delve more deeply into the questions I have attempted to raise.

Thank you.



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Q. Have you received a copy of the N.Y. State Emergency Headquarters for Major Radiation Accidents Involving Nuclear Facilities?

A. No. The only thing I received was some questionnaire forms from the County. They asked what shelter facilities we had in case of a disaster -- it could be that (nuclear accident) or floods or anything. I made up a list and sent it in to the County Civil Defense office. That's the only thing I've heard about this sort of thing.

Q. If I had called you right now to say that there'd been a disaster and you had to evacuate people, what would you do? Have you been given any guidelines or been told about what resources you could call upon in case of an accident?

A. No. We took a course over there (White Plains) on radiation dangers and they taught us how to use a Geiger Counter to measure radiation. They also showed us films on the different affects of radiation. Actually, this is the only training we had. To be truthful as to what we'd do at this point -- if we were hit with something like that -- we just didn't receive any training on that or how people should be moved or anything.

Q. Who would you contact to find out what to do?

A. Someone in White Plains. I don't have the number right off hand -- I believe it's down at the County Police Headquarters. They have an office down there and if you can't reach it, they have a list of four or five numbers that you keep calling until you get somebody that's qualified to handle an emergency like that. You should get an answer at one of those numbers.

Q. Have they given you any information on what to tell citizens in case of a nuclear accident?

A. I believe years back there was a campaign about radiation and what to do. (He apparently meant information in case of an enemy nuclear attack.) Gee, though we haven't received any brochures that we could give people in town or anything like that, you know. Something like that would be helpful. If they had literature that could be passed out or mailed to all the people in the village in case of over exposure to radiation it would be helpful. We haven't received anything. In fact, civil defense doesn't have money for anything. It's been cut so much. There's no money to do anything.

If you want my opinion, civil defense is a slipshod operation from the top all the way down because there's no material being passed out, no literature, no money available to do anything and it's an organization in name only. I think the only function they serve in White Plains is that they go around checking X-ray machines to see if they're working properly -- like the ones dentists use. That's the only thing that I can think of that they do.

Q. How do you feel, personally, about Indian Point's nuclear plants?

A. My own feeling is that it's too new for them to throw up a whole bunch of those plants in one area. This nuclear industry is less than 50 years old. Now I know that there's a lot of little accidents up there that nobody ever hears about. I know people who work up there and they've told me. One time they dropped something (apparently the fuel rod incident at Indian Point No. 1.)

Q. Yes. I think you mean the time when they knocked some fuel rods against an abutment.

A. There's always little different types of accidents. You can try to put safety into something like that but there's always the uncertain factor. When something happens and the uncertain factor comes into it, you've got a catastrophe. I honestly don't think that nuclear plants have advanced far enough for them to say that they're completely safe. I don't feel safe personally.

Civil Defense Director # 2

Q. What guidelines do you have to follow in the case of a nuclear accident at Indian Point?

A. We follow the state standard procedures. I have a number of booklets and folders that you could look at and that are available for people. We have communications equipment and trained men; other areas have other kinds of special equipment.

Q. Have you met with Dr. Sherwood Davies of the N.Y. Bureau of Radiological Health?

A. No, we haven't.

Q. Or anyone from his office?

A. No. Should we have?

Q. Well, I had understood from Dr. Davies testimony at the IP # 2 Safety and Licensing Hearings that the state would be working with county and local officials on their plans. It's my impression that the general public doesn't seem to know what to do or when to do it if there were to be an accident.

A. Unfortunately, no one seems to defend the Civil Defense organization anywhere in the state. In fact, Civil Defense seems to be a dirty word in people's minds. We have volunteers who work hard at being prepared for an emergency. Local governments and communities don't support us very actively. Civil Defense is an item in the budget they'd rather neglect and use the money for other useful purposes. Until, of course, the time arises when they have a need for us.

Q. Wasn't there suppose to be some state aid for Civil Defense and it was then knocked out of the budget?

A. That's correct. The state has practically zeroed out its budget. Even the directorships of civil defense have been transferred to the highway department. The reasoning given was that Civil Defense has at its disposal, in an emergency, all vehicles belonging to the state and they can also commandeer vehicles belonging to the telephone company, Con Ed or any construction outfit. So somebody decided that -- since they didn't want to spend any money -- they should transfer all this over to the highway department, which has most of the vehicles anyway. I think from a management standpoint it's ridiculous.

Q. Don't you think that the whole issue of Civil Defense and the possibility of a nuclear accident (no matter how remote) should come out into the open and be discussed?

A. Very likely.

Q. Do you think that there's a possibility of an accident at Indian Point?

A. Well, it's not an impossibility.

Q. Do you have a copy of the New York State Emergency Plan for Major Radiation Accidents Involving Nuclear Facilities?

A. Yes

Q. Does it strike you as rather vague?

A. It wasn't drawn up specifically for nuclear accidents. It was drawn up for enemy-type nuclear invasion.

Q. No. This is one drawn up last year specifically for radiation accidents involving nuclear facilities.

A. We don't have that. There probably is a copy with Civil Defense at the County level.

Q. What information would you tell people in the event of a nuclear accident? What protective action would you advise them to take?

A. I assume that the emergency plan is the same as for any nuclear accident. It isn't different than what it would be for any national emergency like a nuclear attack.

Q. You have information on telling people how to seal their houses and that sort of thing?

A. Yes, and we have the volunteer manpower to inform the people. We have communications facilities, high powered speakers, radiation detectors, etc. We're equipped to do anything necessary and it's been due to a large struggle on our part. We have worked hard to get equipment and to train our people. The general public is lax in that it doesn't keep village and town officials and also county and state officials on the ball to keep Civil Defense up to snuff. It's become, in general, a terrible struggle to get any kind of budget at all to maintain Civil Defense. The volunteers give a great deal of time and effort and they don't get any kind of backing for even very minor things like the materials to work with.

Q. Some people, like the Mayor of Buchanan, feel the plants are absolutely safe. How do you feel?

A. I'm not feeling very safe about them.

Q. You're not?

A. Anytime you have a high-powered machine around like that, there's always the possibility of an accident. How can you feel safe about something like that?

Q. Can I quote you on that?

A. It's just my personal opinion. Support for Civil Defense has to come from citizens. When they wake up and start taking action, then the officials of the villages and towns will get together and say, "Well, maybe we ought to do something." It should be thought out and come out into the open. It's only the public who can do anything. If I opened my mouth, we'd get our budget slashed another thousand dollars. We can't scream. All we can do is the best we can. We've been prepared for any emergency for 15 years.

Q. Wouldn't things run smoother if villages and county and state and civil defense people all got together and made specific plans and also worked with hospitals and schools?

A. Only the public can do anything. Officials at all levels of government won't do anything unless the people ask for it. It's something they'd rather not spend money on because they aren't going to see any results until something happens. When something does happen and they're not prepared — that's something else again. We should at least have sufficient funds in our budget to at least give a warning to our residents. About eight years ago we purchased two sirens. The Lakeland School Board was agreeable to having one of the sirens placed on top of the Toddville School and after it was installed they wouldn't let it be rung, for a test, once a day at noon. So it's been dormant sitting on top of the school for seven or eight years. It isn't connected and it couldn't be rung if it had to be. The other siren is on Furnace Dock Road near Valeria Home and it's controlled by the switchboard operator at the VA Hospital. It's tested every day at noon. We'd originally planned to buy ten more but they cost \$3000 a piece. However, we're not too worried because we can accommodate the public in other ways — we can have local fire departments ring their own fire alarms as a warning if need be.

Q. What exactly is the signal?

A. Let me check. It's a three to five minute wavering sound or a series of short blasts on horns or sirens. It would be the same for a nuclear facility accident as for an enemy attack.

Q. You'd be able to differentiate it from a regular fire alarm?

A. Definitely.

Q. Just generally, what are the areas in which your people are proficient?

A. Our communications equipment and training are excellent. We also can do radiation monitoring, control crowds, warn people of protective action they should take, survey areas for danger, etc. We used to do radiation monitoring around Indian Point No. 1, but it got dull and monotonous because there was never any excess radiation. Yorktown also has good facilities. They have a 200 bed hospital that can be set up in twenty minutes. They have a self-contained separate generating plant and doctors and nurses. They can be ready to operate within twenty minutes of notice. *(An article in the August 10, 1971 issue of The Yorktown quotes Robert Fernhoff, Yorktown CD Deputy Director, as saying that he was not happy to report that "after a test drill on May 9, 1970, Yorktown had to give up its 200-bed mobile hospital to County Civil Defense Headquarters.

Since many of the supplies were obsolete, a replacement was promised. As yet, none has arrived.") I double checked 4/3/72 and again on 5/25/72 with Dr. Fernhoff and the County has not replaced it yet.

Q. Do you have information that is available to the public?

A. Yes, we have literature for anyone who wants it. People get up-tight about this sort of thing. They don't want to face up to the fact that something can happen. It may be a very remote chance that something would happen, but like the Boy Scouts say -- Be Prepared.