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UNITED STATES
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In re: Docket Nos. 50-247-LR; 50-286-LR
License Renewal Application Submitted by ASLBP No. 07-858-03-LR-BD01
Entergy Nuclear Indian Point 2, LLC, DPR-26, DPR-64
Entergy Nuclear Indian Point 3, LLC, and
Entergy Nuclear Operations, Inc. June 29, 2012
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**PRE-FILED WRITTEN REBUTTAL TESTIMONY OF
DR. FRANÇOIS J. LEMAY
REGARDING CONSOLIDATED CONTENTION
NYS-12C (NYS-12/12A/12B/12C)**

On behalf of the State of New York ("NYS" or "the State"),
the Office of the Attorney General hereby submits the following
rebuttal testimony of François J. Lemay regarding Consolidated
Contention NYS-12C (NYS-12/12A/12B/12C).

I. INTRODUCTION

Q. Please state your full name.

A. François Jean Lemay.

Q. Dr. Lemay, could you briefly summarize the testimony
you provided on December 21, 2011?

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1 A. International Safety Research ("ISR") was retained by
2 NYS in connection with the State's Consolidated Contention 12C.
3 In my December 21, 2011 testimony, I explained ISR's analysis
4 and conclusion that Entergy and Nuclear Regulatory Commission
5 (NRC) Staff underestimated the total economic cost of a severe
6 nuclear accident at Indian Point (IP). This underestimation is
7 primarily a result of their use of Sample Problem A input
8 values, which are not specific to the conditions at IP because
9 they include costs and times for decontamination that are
10 unrealistic given current known decontamination data and the
11 complexities of an urban to hyper-urban area such as that
12 surrounding IP.

13 Q. What is the purpose of this rebuttal testimony you are
14 now providing?

15 A. NYS has asked me to respond to Entergy's March 30,
16 2012 and NRC Staff's March 30, 2012 testimony on Consolidated
17 Contention 12C.

18 Q. Have you read the testimony submitted by Entergy and
19 by NRC Staff on NYS's Consolidated Contention 12C?

20 A. Yes. I have reviewed Entergy's Statement of Position
21 (ENT000449), Entergy's Pre-Filed Written Testimony (ENT000450)
22 (Entergy Testimony), and the supporting exhibits filed by

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1 Entergy on March 30, 2012. I have also reviewed NRC Staff's
2 Statement of Position (NRC000039), NRC Staff's Pre-Filed Written
3 Testimony (NRC000041) (NRC Staff Testimony), and the supporting
4 exhibits filed by NRC Staff on March 30, 2012.

5 Q. What are your overall conclusions regarding NRC Staff
6 and Entergy's testimony?

7 A. Neither Entergy nor NRC Staff have provided a
8 documented basis for the cost of the decontamination value used
9 in their calculation of the economic costs associated with a
10 severe accident at IP. The decontamination time value selected
11 by Entergy represents a scenario that appears unreasonable and
12 unrealistic, based on past experiences and especially in light
13 of the currently unfolding experience at Fukushima.

14 Even after performing additional calculations to account
15 for some of the relevant points raised by Entergy and NRC Staff,
16 ISR concludes that the values used by Entergy lead to an
17 underestimation of the offsite economic cost risk (OECR) by a
18 factor between 3 and 7 for IP2. Furthermore, ISR concludes that
19 a similar underestimation factor range applies to IP3.

20

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1 **II. PREPARATION FOR REBUTTAL TESTIMONY**

2 Q. Have you reviewed any additional documents since your
3 December 21, 2011 testimony in preparation for this rebuttal
4 testimony?

5 A. Yes.

6 Q. I show you Exhibits NYS00422A through NYS000431. Do
7 you recognize these documents?

8 A. Yes. These are true and accurate copies of the
9 documents that were referred to, used and/or relied upon in
10 preparing this rebuttal testimony. They include documents
11 prepared by ISR in support of this testimony, documents prepared
12 by government agencies, peer reviewed published articles, recent
13 reports related to Fukushima, and documents prepared by Entergy,
14 Sandia National Laboratories, Pacific Northwest Laboratory, NRC
15 or the utility industry.

16 Q. How do these documents relate to the work that you do
17 as an expert in forming opinions such as those contained in this
18 testimony?

19 A. These documents represent the type of information that
20 persons within my field of expertise reasonably rely upon in
21 forming opinions of the type offered in this testimony.
22

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1 **III. SCOPE OF CONSOLIDATED CONTENTION NYS-12C**

2 Q. Dr. Lemay, I'd like to start off by clarifying the
3 scope of work ISR completed for NYS. Did NYS ask you to perform
4 an independent Severe Accident Mitigation Alternatives (SAMA)
5 analysis for IP?

6 A. No, the ISR report (NYS000242) was not intended to be
7 an alternative SAMA analysis.

8 Q. What was the scope of your analysis in connection with
9 NYS 12C?

10 A. The purpose of our analysis, as stated on the first
11 page of the ISR report (NYS000242), was to "assess Entergy's use
12 of the [MELCOR Accident Consequence Code System 2] MACCS2 code
13 to estimate the economic costs." NYS asked ISR to review and
14 analyze Entergy's use of the MACCS2 code to estimate the
15 economic costs associated with a severe accident at IP, and to
16 review NRC Staff's evaluation of Entergy's SAMA analysis, which
17 relied upon those economic costs, as part of the Final
18 Supplemental Environmental Impact Statement (FSEIS). NYS asked
19 ISR to assess whether the MACCS2 input values related to
20 economic costs at IP were reasonable and, if not, to provide a
21 reasonable range of input values.

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1 Q. Does the ISR report (NYS000242) offer a critique of
2 the MACCS2 code itself or suggest that the code should not have
3 been used?

4 A. No. ISR has not commented on the use of the MACCS2
5 code itself or any limitations of the MACCS2 code. Instead,
6 ISR's analysis focuses on the inputs to the MACCS2 code that are
7 used to calculate the costs associated with a severe accident.

8 Q. How did ISR conduct its analysis of the MACCS2 code
9 input values used for IP?

10 A. ISR's analysis is focused on the effect of the
11 critical input parameters on the total economic cost of a severe
12 nuclear accident. After performing a sensitivity analysis to
13 identify the input parameters that had the largest impact on the
14 OECR, ISR compared Entergy's input values with values calculated
15 from data produced by other analysts in the field. In other
16 words, ISR's Report (NYS000242) sought to "benchmark" Entergy's
17 input values against others values and to provide a range of
18 reasonable, site-specific, and appropriate input values. This
19 concept of benchmarking is not foreign to the IP SAMA Analysis
20 since it was used by Entergy to compare its SAMA candidates with
21 those for other operating plants that have submitted license

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1 renewal applications as discussed in Appendix G of the FSEIS
2 (NYS00133I at G-1).

3 Q. What do you mean by benchmarking?

4 A. Benchmarking is often used to validate codes and
5 methodologies when an exact solution or experimental data is
6 available. It is also used when there is no unique solution to a
7 problem, or when considerable uncertainty is associated to a
8 result.

9 In that context, benchmarking consists of establishing
10 points of reference by comparing one's current practices with
11 what others in the field are doing. In the nuclear industry,
12 benchmarking is an essential exercise because it provides for an
13 important exchange of information amongst experts in the field,
14 leading to the use of the best data and methodologies.

15 Q. How did ISR compare Entergy's values to literature-
16 derived values?

17 A. We relied on our experience and also reviewed the
18 literature to identify and calculate a range of site-specific
19 input values that experts in the field of accident mitigation
20 would use to calculate the economic costs associated with an
21 accident at IP. For many sensitive input parameters, ISR found
22 that the input values used by Entergy and accepted by NRC Staff

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1 were outside the range of reasonable values identified in the
2 literature. Because of this, Entergy and NRC Staff
3 underestimated the total OECR by a factor of at least 3 to as
4 much as 7.

5 Q. Did either Entergy or NRC Staff perform a benchmarking
6 exercise for Entergy's inputs to the MACCS2 code?

7 A. No, neither Entergy nor NRC Staff have attempted to
8 benchmark (i.e., quantify the reasonableness) the MACCS2 input
9 parameters used to calculate the OECR. This is inconsistent
10 with Entergy and NRC Staff's approach to other parts of the SAMA
11 analysis.

12 Q. Please explain how Entergy's lack of benchmarking for
13 the MACCS2 input parameters is inconsistent with their work on
14 other parts of the SAMA analysis.

15 A. As NRC Staff explained, their SAMA analysis for Indian
16 Point uses probabilistic risk assessments (PRA).

17 The PRA for a commercial power reactor has traditionally
18 been divided into three levels: Level 1 is the evaluation of the
19 combinations of plant failures that can lead to core damage;
20 Level 2 is the evaluation of core damage progression and
21 possible containment failure resulting in an environmental
22 release for each core-damage sequence identified in Level 1; and

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1 Level 3 is the evaluation of the consequences that would result
2 from the set of environmental releases identified in Level 2.
3 All three levels of the PRA are required to perform a SAMA
4 analysis, and the MACCS2 code is used to perform the consequence
5 analysis in the Level 3 portion of the PRA.

6 NRC and Entergy expended considerable effort to verify the
7 source term and core damage frequency used in accident
8 assessment—Level 1 and Level 2. This is explained in Appendix G
9 of the FSEIS (NYS00133I at G-1 to G-10). Entergy conducted peer
10 reviews and benchmarking to verify the reasonableness and
11 robustness of the Level 1 and Level 2 PRA as described in
12 Attachment I to NL-08-028 (ENT000460). These initiatives
13 allowed Entergy to quantify the uncertainties on the key
14 parameters of the Level 1 and Level 2 PRA and to account for
15 these uncertainties with multipliers. Specifically, Entergy
16 applied a multiplier of 8 to account for internal and external
17 events (i.e. PRA Levels 1 and 2) and the corresponding
18 uncertainty (Entergy Testimony A62).

19 There is no evidence that Entergy's calculation of the cost
20 and duration of the decontamination for IP has been documented
21 and that Entergy performed the same peer review or benchmarking
22 for the Level 3 PRA, with the exception of the VALWNF value,

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1 which was later revised by Entergy to address the loss of
2 tourism and business. Entergy has not explained why they
3 conducted the benchmarking exercise for the Level 1 and Level 2
4 PRA, but not the Level 3 PRA.

5 Q. What effect does the lack of Level 3 benchmarking have
6 on the SAMA analysis?

7 A. Without this benchmarking, Entergy and NRC have not
8 quantified the reasonableness and the uncertainty of the key
9 parameters they used to calculate the OECR. In short, Entergy's
10 SAMA analysis is not defensible because the portion of the SAMA
11 analysis that relies upon the MACCS2 code lacks a documented
12 cost basis, a robust peer review, and a benchmarking exercise.

13 Q. But in A6b, NRC Staff's experts claim that the
14 "existing margin in the SAMA analysis account for
15 uncertainties." Their experts then go on to conclude that this
16 margin accounts for uncertainties in all three levels of the
17 PRA. Do you agree with this assertion?

18 A. No. The multipliers for the Level 1 and 2 analyses do
19 not account for uncertainties in the Level 3 assessment, such as
20 those for the decontamination cost or time. As I just
21 explained, Entergy and NRC have not attempted to quantify the

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1 uncertainty of the Level 3 PRA and therefore, cannot account for
2 the magnitude of the uncertainty.

3 **IV. RESPONSE TO ENTERGY'S AND NRC STAFF'S CLAIM THAT FUKUSHIMA**
4 **REPRESENTS A WORST-CASE SCENARIO AND IS NOT RELEVANT**

5 Q. Dr. Lemay, please explain how the MACCS2 code models
6 severe accidents and ultimately calculates OECR.

7 A. The MACCS2 code models eight different categories of
8 severe accidents, called release categories. As I explained in
9 my December 21, 2011 testimony and report, the OECR calculated
10 by the MACCS2 code is a frequency-averaged cost. The OECR is
11 obtained by adding the total offsite economic cost for each of
12 eight release categories after weighting them by their
13 respective frequencies.

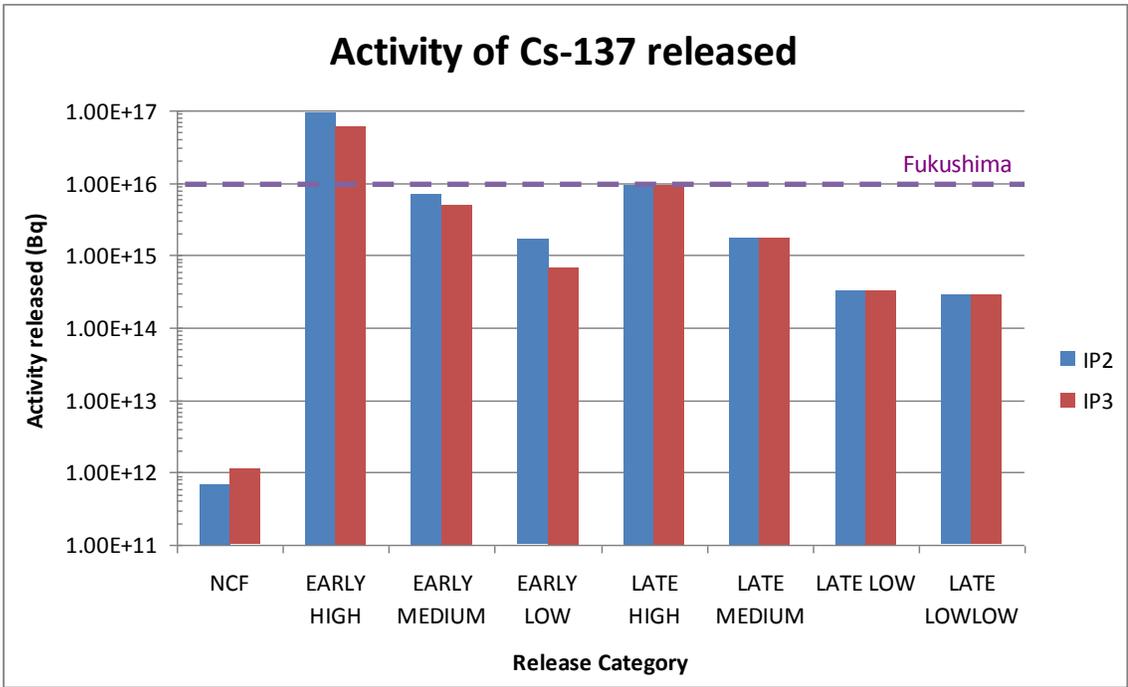
14 Q. Are the eight release categories defined by the user?

15 A. Yes. Typically, the eight release categories are
16 selected by the user to represent a range of severe accidents,
17 from lower consequence/higher probability accidents to higher
18 consequence/lower probability accidents. In the case of the IP
19 SAMA analysis, the eight release categories were defined by
20 Entergy.

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1 Q. Dr. Lemay, how do the eight release categories, as
2 modeled by Entergy compare to last year's nuclear disaster at
3 Fukushima?

4 A. The bar chart below was created by ISR for this
5 testimony. It shows the activity of Cs-137 released during the
6 Fukushima accident compared to that of each release category
7 used by Entergy (ENT000464).



8
9 The source of the Fukushima release used in the bar chart
10 are the reports by the Investigation Committee on the Accident
11 at Fukushima Nuclear Power Stations of Tokyo Electric Power
12 Company, Chapter 5, December 26, 2011, attached hereto as
13 Exhibit NYS00422A-NYS00422C; and Institut de Radioprotection et

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1 de Sûreté Nucléaire, Note d'information, 22 mars 2011, attached
2 hereto as Exhibit NYS000423.

3 As shown in the chart of the 8 release categories modeled
4 by Entergy, the activity of Cs-137 released at Fukushima is
5 actually six to ten times lower than the activity that Entergy
6 modeled for the simulated release category "EARLY HIGH."

7 Q. Do you agree with Entergy and NRC Staff's criticism of
8 your work saying that Fukushima would be considered a "worst-
9 case scenario" accident?

10 A. No. Fukushima is severe, but not worst-case. As I
11 previously explained and as seen on the bar chart, Fukushima
12 fits within the range of severe accidents defined by Entergy.

13 Q. Dr. Lemay, why did you use data from the Fukushima
14 accident to estimate consequences at IP?

15 A. The accident at Fukushima gives us the most recent
16 information available on the timeline and the magnitude of
17 decontamination efforts following a severe accident. It is a
18 real-world point of reference for assessing the cost of a severe
19 accident at IP.

20 Q. What impact do the eight release categories have on
21 OECR?

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1 A. Some of the eight release categories have a relatively
 2 small economic impact, while some have a relatively large
 3 economic impact. Tables 5 and 6 from ENT000464, reproduced
 4 below, show the contribution of each release category to the
 5 total OECR.

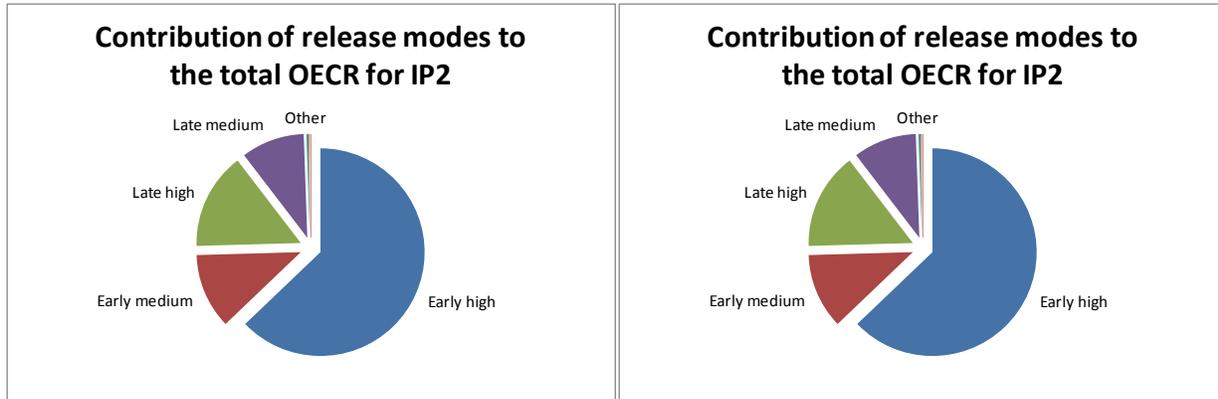
Table 5 IP2 Mean PDR and OECR Using Year 2000 Meteorological Data

Release Mode	Frequency (/yr)	Population Dose (person-sv)*	Offsite Economic Cost (\$)	Population Dose Risk (PDR) (person-rem/yr)	Offsite Economic Cost Risk (OECR) (\$/yr)
NCF	1.19E-05	4.75E+01	9.98E+04	5.64E-02**	1.18E+00
EARLY HIGH	6.50E-07	6.51E+05	2.05E+11	4.23E+01	1.33E+05
EARLY MEDIUM	4.23E-07	1.94E+05	5.87E+10	8.21E+00	2.48E+04
EARLY LOW	1.11E-07	7.93E+04	6.39E+09	8.81E-01	7.10E+02
LATE HIGH	6.88E-07	1.63E+05	4.64E+10	1.12E+01	3.19E+04
LATE MEDIUM	3.43E-06	6.87E+04	6.06E+09	2.36E+01	2.08E+04
LATE LOW	6.43E-07	1.61E+04	6.59E+08	1.04E+00	4.24E+02
LATE LOWLOW	5.82E-08	1.38E+04	5.62E+08	8.04E-02	3.27E+01
Totals				8.74E+01	2.12E+05

Table 6 IP3 Mean PDR and OECR Using Year 2000 Meteorological Data

Release Mode	Frequency (/yr)	Population Dose (person-sv)*	Offsite Economic Cost (\$)	Population Dose Risk (PDR) (person-rem/yr)	Offsite Economic Cost Risk (OECR) (\$/yr)
NCF	6.30E-06	8.04E+01	2.95E+05	5.06E-02**	1.86E+00
EARLY HIGH	9.43E-07	5.08E+05	1.70E+11	4.79E+01	1.60E+05
EARLY MEDIUM	1.24E-06	2.00E+05	5.55E+10	2.47E+01	6.87E+04
EARLY LOW	1.46E-07	5.21E+04	3.58E+09	7.59E-01	5.21E+02
LATE HIGH	4.23E-07	1.63E+05	4.61E+10	6.89E+00	1.95E+04
LATE MEDIUM	2.01E-06	6.85E+04	6.06E+09	1.37E+01	1.22E+04
LATE LOW	3.75E-07	1.61E+04	6.58E+08	6.03E-01	2.47E+02
LATE LOWLOW	5.66E-08	1.38E+04	5.62E+08	7.81E-02	3.18E+01
Totals				9.48E+01	2.61E+05

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1
 2 As can be seen from the numbers circled in red, release
 3 category "EARLY HIGH" contributes over 60% to the total OECR for
 4 IP2 and IP3. "EARLY HIGH," "EARLY MEDIUM," and "LATE HIGH,"
 5 contribute over 90% to the total OECR.

6 On the other hand, release categories "NCF," "EARLY LOW,"
 7 "LATE LOW," and "LATE LOWLOW" combined contribute less than 1%
 8 to the total OECR for IP2 and IP3.

9 Q. Do you agree with NRC Staff, that input parameters
 10 that represent an average of all the release categories are
 11 appropriate to use, as they suggest in NRC Staff Testimony A6d?

12 A. No, particularly if the use of average parameters
 13 gives unrealistic results for the release categories that
 14 contribute the most to the OECR. In general, Entergy selected
 15 input parameters that are appropriate for the release category
 16 being modeled (release fractions, release duration); however,
 17 for TIMDEC and CDNFRM, they used the same values derived from

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1 Sample Problem A for every release category. The suggestion by
2 NRC Staff that it is acceptable to average input parameters over
3 all release categories is wrong. In fact, the relative
4 contribution of all release categories is determined when the
5 Offsite Economic Cost is multiplied by the frequency to obtain
6 the OECR.

7 If Entergy and NRC Staff insist on using a single value for
8 the input parameters related to the cost of decontamination, it
9 would be appropriate to use input parameters that more closely
10 align with the more severe end of the release spectrum because
11 the three most severe release categories make the largest
12 contribution to the total OECR.

13 **V. RESPONSE TO ENTERGY AND NRC'S TESTIMONY REGARDING THE**
14 **HISTORY AND PEDIGREE OF NUREG-1150**

15 Q. In their testimony, both NRC Staff and Entergy argue
16 that the only appropriate values for decontamination time and
17 costs which should be used to analyze offsite economic costs in
18 the area around IP come from NUREG-1150 (NRC Staff Testimony at
19 A39, Entergy Testimony at A51). Are they referring to the
20 "Sample Problem A" values discussed in the ISR report
21 (NYS000242)?

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1 A. Yes. The Sample Problem A values are the same as the
2 values for the Surry nuclear power plant in NUREG-1150.

3 Q. What is your understanding regarding NRC Staff and
4 Entergy's rationale for only using values from Sample Problem A?

5 A. NRC Staff and Entergy focus on what Entergy calls the
6 "pedigree" of NUREG-1150 (Entergy Testimony at A26, A72, A76,
7 A95). They argue that the Sample Problem A values found in
8 NUREG-1150 are widely recognized and accepted in the nuclear
9 community. Both parties also justify the appropriateness of the
10 values found in Sample Problem A by stating that NUREG-1150 was
11 subject to extensive peer review and public comment (Entergy
12 Testimony at A26; NRC Staff Testimony at A39).

13 Q. Were the Sample Problem A values from NUREG-1150
14 developed specifically for IP?

15 A. No. As I explained in my previous testimony
16 (NYS000241) and the ISR report (NYS000242), these values were
17 developed for the Surry site surrounded by farmland in rural
18 Virginia.

19 Q. NRC Staff (A39) supports the use of values from Sample
20 Problem A by discussing the fact that NUREG-1150 was properly
21 vetted because it was subject to public comment. Have you

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1 evaluated whether any public comments were received on the
2 economic cost portion of NUREG-1150?

3 A. Yes, the following comments were included in NUREG-
4 1150d (NYS00252D at D-31 to D-32):

5 [PUBLIC] COMMENT: The models used in calculating
6 the cost of a severe accident lack many factors
7 that should be taken into account. Many of the
8 assumptions are questionable and unfounded. The
9 models have not been benchmarked. Some
10 interpretations and conclusions that were made in
11 draft NUREG-1150 are questionable. The cost
12 estimates need to be more thoroughly documented
13 to understand and evaluate the calculations.

14 [NRC] RESPONSE: The present version of NUREG-1150
15 provides a limited set of risk-reduction
16 calculations, principally related to the
17 potential benefits of accident management
18 strategies in reducing core damage frequency. It
19 does not assess the costs of these or other
20 improvements. Such analyses are more properly
21 considered in the context of specific regulatory
22 action.

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1 * * *

2 [PUBLIC] COMMENT: Decontamination costs used in
3 the calculations may be based on decontamination
4 of test sites in deserts instead of agricultural,
5 residential, and commercial property.

6 [NRC] RESPONSE: The draft NUREG-1150 cost/benefit
7 analyses reflected the conventional NRC methods
8 for assessing costs and benefits. Because
9 cost/benefit analyses are more properly
10 considered in the context of specific regulatory
11 activities, they are not provided in this version
12 of NUREG-1150.

13 Q. Do the public comments and NRC's responses to comments
14 on NUREG-1150 shed any light on how economic costs associated
15 with a severe accident should be calculated?

16 A. Yes, NRC's responses to the comments I just cited
17 suggest that the authors of NUREG-1150 expected NRC Staff to
18 require site-specific assessments of the costs of
19 decontamination "in the context of specific regulatory
20 activities," such as those currently being conducted at IP. The
21 responses from the authors of NUREG-1150 do not justify the use

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1 of the Sample Problem A inputs at IP or any other particular
2 reactor.

3 Q. What is NUREG-1150's justification for the Sample
4 Problem A decontamination times of 60 days and 120 days for
5 light and heavy decontamination, respectively?

6 A. NUREG-1150d, page D-30 (NYS00252D) states:
7 A reduction by a factor of three was assumed
8 to require 60 days of decontamination work;
9 a reduction by a factor of 15 was assumed to
10 require 120 days of decontamination work.
11 The decontamination efforts were assumed to
12 commence at the end of the 7-day emergency
13 phase.

14 NUREG-1150 has no further justification for the use of the
15 decontamination times in Sample Problem A.

16 Q. What other support does NUREG-1150 have for the Sample
17 Problem A cost and decontamination time values?

18 A. NUREG-1150 (NYS00252A) states on p. 2-20 that "the
19 reader seeking extensive discussion of the methods used is
20 directed to [r]eference [NUREG/CR-4551 (NRC000057), a companion
21 study published in December 1990] and [r]eference [NUREG/CR-
22 4691, the MACCS manual] which discusses the computer code used

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1 to perform the offsite consequence analysis (i.e., the MELCOR
2 Accident Consequence Code System (MACCS), Version 1.5)."

3 Q. Did you review NUREG/CR-4551, referenced by NRC Staff
4 (A39, A61, A81) and Entergy (A35, A36, A70, A72, A76, A77, A88,
5 A107), for documentation on how the Sample Problem A
6 decontamination times and costs were derived?

7 A. Yes, the document only contains the Sample Problem
8 input files for each of the five sites (including the Surry
9 Site). NUREG/CR-4551 discusses many of the MACCS2 input
10 parameters, but does not discuss how the decontamination time
11 and cost of decontamination were obtained.

12 Q. Do NRC Staff and Entergy cite any other documents to
13 support the pedigree of NUREG-1150 and the decontamination times
14 they used from Sample Problem A?

15 A. Yes. While NUREG-1150 and NUREG/CR-4551 provide no
16 detailed explanation for decontamination times, in A81 of NRC
17 Staff's testimony, Staff cites an additional document published
18 in April 1984 as support. This document is NUREG/CR-3673,
19 "Economic Risks of Nuclear Power Reactor Accident" (NRC000058).

20 NUREG/CR-3673 does describe a timeline for the duration of
21 decontamination, but its description in Figure 4.2 (NRC000058 at
22 4-5) is not entirely consistent with the description contained

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1 in NUREG-1150. In NUREG/CR-3673, the first 30 days after the
2 start of the accident sequence are used for the "collection of
3 dose-rate information for decision making." Thus,
4 decontamination starts at 30 days and ends at 120 days. In
5 NUREG-1150, decontamination starts at 7 days. This discrepancy
6 illustrates that there is no single documented basis for the
7 cost and time of decontamination.

8 Q. Did you make any observations regarding the timeline
9 for the duration of decontamination which was discussed in
10 NUREG/CR-3673?

11 A. Yes, I have concluded that the assumptions made in
12 NUREG/CR-3673 are unreasonable for a severe accident at IP.

13 To conclude that average clean-up at Surry would take 90
14 days with approximately 46,000 workers, NUREG/CR-3673 (NRC00058
15 at 4-20) assumed labor comprises half the cost of
16 decontamination and that a worker would cost \$30,000 per year.

17 Applying the same methodology as NUREG/CR-3673 to the cost
18 of decontamination calculated by Entergy for the "EARLY HIGH"
19 release category at IP2, a total of 1.5 million workers (363,000
20 worker-years) would be required to decontaminate the affected
21 area in 90 days. It is not reasonable to conclude that 1.5
22 million workers would be available and therefore, used to

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1 decontaminate an affected area after a severe accident.
2 Therefore, the assumptions regarding the timeline in NUREG/CR-
3 3673 are invalid.

4 Even if we assumed that decontamination will take a full
5 year, 363,000 workers would still be required. This too is
6 unlikely and leads me to conclude that the average time for
7 decontamination would be more than a year.

8 ISR created an exhibit containing the details of the
9 analysis I just explained, which is attached hereto as Exhibit
10 NYS000431.

11 Q. Does NUREG/CR-3673 provide any support for the Sample
12 Problem A decontamination cost?

13 A. On page 4-15, NUREG/CR-3673 (NRC00058) gives
14 approximate costs of decontamination that, once adjusted for
15 CPI, match the values used in Sample Problem A. It further
16 states:

17 The cost estimates used in this study for
18 various levels of decontamination effort in
19 an area are taken from a detailed review of
20 decontamination effectiveness and costs
21 performed at Sandia National Laboratories
22 (SNL) [Os84].

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1 There is no further discussion of the cost estimates in the
2 NUREG/CR-3673 document. It thus appears that the costs
3 contained in Sample Problem A are documented in the document
4 referred to as "[Os84]."

5 The references section of NUREG/CR-3673 lists [Os84] as
6 "Ostmeyer, R.M., and G.E. Runkle, An Assessment of
7 Decontamination Costs and Effectiveness for Accident
8 Radiological Releases. Albuquerque, N.M.: Sandia National
9 Laboratories, to be published." NRC00058 at 8-8.

10 Q. Does Os84 shed light on what data the Sample Problem A
11 values were based upon?

12 A. The document [Os84] upon which the Sample Problem A
13 cost estimates are based, as stated in NUREG/CR-3673, does not
14 appear to exist in a published form and therefore was not likely
15 to have been subject to peer review or public comment.
16 Therefore, it is not a reliable source upon which experts in
17 this field would base any findings.

18 We conducted a search and could not locate [Os84]. We
19 asked NYS for a copy, but NYS was not able to locate the
20 reference.

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1 Q. Has Entergy or NRC Staff offered any document that
2 shows the calculations and/or data that support the use of the
3 values found in Sample Problem A?

4 A. No.

5 **VI. EFFECT OF NRC'S PRIOR SITE-SPECIFIC ANALYSIS OF**
6 **DECONTAMINATION FOR INDIAN POINT**

7 Q. Other than the ISR report (NYS000242), are you aware
8 of any site-specific analysis of the economic costs associated
9 with a severe accident at IP?

10 A. I am not aware of any site-specific analyses performed
11 by Entergy.

12 However, while researching the "pedigree" of NUREG-1150 we
13 learned that in the 1980s NRC Staff contracted with Battelle
14 Pacific Northwest Laboratory (PNL) to conduct a case study of
15 the economic costs associated with severe accidents at IP. This
16 site-specific case study is described in Chapter 5 of "NUREG/CR-
17 5148 Property-Related Costs of Decontamination," dated February
18 1990 and attached hereto as Exhibit NYS00424A-NYS00424BB.

19 Q. How did you locate NUREG/CR-5148?

20 A. When attempting to respond to NRC's testimony
21 regarding the appropriateness of Sample Problem A and its roots

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1 in the "pedigree" of NUREG-1150, ISR researched the origins of
2 the economic cost parameter input values reported in NUREG-1150.

3 NUREG-1150 contained a citation to a document which
4 appeared to form the basis of the Sample Problem A values
5 entitled: "NUREG/CR-3413 Off-Site Consequences of Radiological
6 Accidents: Methods, Costs and Schedules for Decontamination,"
7 which was completed in November 1984, published in August 1985,
8 and is attached hereto as Exhibit NYS00425A-NYS00425G.

9 NUREG/CR-3413 explains the results of a PNL study commissioned
10 by NRC following the accident at Three-Mile Island. It further
11 describes a database and computer program called DECON that was
12 developed to conduct a decontamination analysis of a large,
13 radiologically contaminated area. DECON was designed to be used
14 with CRAC2, a predecessor to the MACCS2 code. The methodology
15 used by DECON appears to be very similar to that of CONDO
16 (NYS000250).

17 ISR was interested in learning more about the database and
18 DECON program, but could not find any use or mention of the
19 DECON code past the mid-1980s. Through internet searching, ISR
20 located an email address for one of the NUREG/CR-3413 authors,
21 J.J. Tawil. On May 2, 2012, ISR sent Dr. Tawil an email
22 inquiring about the history of the DECON program and what became

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1 of it. Our email exchange with Dr. Tawil is attached hereto as
2 Exhibit NYS000426.

3 Dr. Tawil wrote:

4 I think the primary difficulty was that my
5 last project for the NRC was to characterize
6 the off-site consequences of reactor
7 accidents . . . for three reactor sites, one
8 of which was Indian Point I think
9 the NRC was a little shocked at the
10 magnitude of the off-site consequences of an
11 SST-5 at Indian Point and decided not to
12 publish the report.

13 After receiving this email from Dr. Tawil, we shared it
14 with NYS. It's my understanding that the NYS librarian was able
15 to locate NUREG/CR-5148 based on the information in Dr. Tawil's
16 email and a reference to a to-be-published 1990 document in
17 *Sandia Site Restoration*.

18 Q. How do the decontamination values in the NUREG/CR-5148
19 IP case study compare to ISR's analysis of decontamination costs
20 using CONDO?

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1 A. The methodology employed by PNL using the DECON code
2 provides further support for using data to develop site-specific
3 MACCS2 input values.

4 It is not possible to directly compare the decontamination
5 costs contained in NUREG/CR-5148 with those calculated by
6 Entergy because they use different habitability criteria,
7 different decontamination factors (DFs) and different source
8 terms.

9 However, the detailed calculations performed by Dr. Tawil
10 (NYS00424A-NYS0424BB) show that in urban areas, the cost of
11 decontamination of building contents can exceed the cost of
12 decontamination of land and structures (NYS000424G, Figure 4.3,
13 at 4.26 - 4.28). He also finds that in urban areas,
14 decontamination of building contents is labor intensive and
15 labor costs are a large fraction of the cost of decontamination
16 (NYS000424B - NYS000424E, Section 2.4, at 2.8 - 2.71).

17 Q. Has either Entergy or NRC Staff explained why they did
18 not rely on the database and DECON program developed by PNL or
19 NUREG/CR-5148 IP case study to develop site-specific inputs for
20 the IP SAMA analysis?

21 A. No.

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1 Q. Given the history and lack of documented support for
2 the Sample Problem A values, is it reasonable for Entergy and
3 NRC Staff to rely on Sample Problem A and ignore the data and
4 literature cited in the ISR report and the NUREG/CR-5148 IP
5 site-specific case study commissioned by NRC?

6 A. No. At a minimum, Entergy and NRC Staff should have
7 benchmarked the Sample Problem A values from NUREG-1150, to
8 verify their robustness when applied to determine the OECR at
9 IP. Such a benchmarking exercise cannot replace a detailed
10 calculation of the cost or time of decontamination, but it can
11 give confidence that the values are reasonable.

12 ISR conducted such a benchmarking exercise. However,
13 Entergy and NRC Staff have dismissed the wealth of other
14 relevant literature and data upon which ISR relied:

- 15 • Experience at Chernobyl (NYS000249, NYS000250,
16 NYS000251, NYS000263)
- 17 • Experience at Fukushima (NYS000264, NYS000265,
18 NYS000266, NYS000267, NYS000268, NYS000269)
- 19 • Data from CONDO Report (NYS000250)
- 20 • Data from RISO (NYS000251, NYS000253)
- 21 • Data from Luna Report (NYS000255)
- 22 • Data from *Site Restoration* Report (NYS000249)

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- Data from Reichmuth Report (NYS000256)

Q. Is Entergy's statement in A72 that "[a]lthough the basis for the NUREG-4551 cost estimate for farm decontamination is not fully explained in that document, we know of no more appropriate decontamination data that is readily available to licensees to use in a SAMA analysis" reasonable?

A. No. As shown in the ISR report, many other data sources exist that Entergy could have relied upon for benchmarking purposes or to generate site-specific input values.

VII. RESPONSE TO ENTERGY AND NRC STAFF TESTIMONY REGARDING ISR'S MACCS2 INPUT CALCULATIONS

Q. Are there any topics discussed in NRC Staff or Entergy's testimony that ISR does not contest?

A. Yes, in their testimony, NRC Staff and Entergy discuss some points that are not part of Contention 12C or that have no impact on the conclusions of reached by ISR. In reaching its conclusions, ISR did not rely on challenges to the following points:

- MACCS2 code (Entergy Testimony at A26, A37 to A52; NRC Staff Testimony at A60): Contention 12C does not contest the use of MACCS2 for SAMA analysis. ISR agrees that MACCS2 input parameters represent suitable

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1 averages for the cost and decontamination time in a
2 grid element.

- 3 • Dose reduction factor (Entergy Testimony at A87; NRC
4 Staff Testimony at A52): and deposition velocity (NRC
5 Staff Testimony at A41 to A43). ISR's calculations
6 used the same dose reduction factors (3 and 15) as
7 Entergy uses. ISR did not modify or contest the use
8 of the deposition velocity chosen by Entergy for its
9 calculations. In fact, ISR agrees that MACCS2 uses
10 dose reduction factors that are related, but not
11 identical to DFs.

- 12 • Cesium (Entergy Testimony at A126; NRC Staff Testimony
13 at A20 and A21): ISR recognized and agreed that Cesium
14 is the most important radionuclide of consideration
15 for decontamination following a severe accident at a
16 nuclear reactor.

17 Q. What is your response to Entergy's argument (ENT000449
18 at 27-28) that the SAMA analysis "estimates average consequence
19 results for the entire 50-mile radius region around the IP site
20 (an area of approximately 7,854 square miles), not just the
21 comparatively small region of New York City, which comprises
22 approximately 2%" and that the State "attempt[s] to scale up

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1 certain cost estimates related to the New York City portion
2 without including commensurate scaling down of estimates for the
3 98% of the SAMA analysis region that is outside of New York
4 City?"

5 A. We disagree with Entergy. Using the data from *Site*
6 *Restoration* as a starting point, there is no need to scale down
7 the cost of decontamination in the region outside of New York
8 City because the population density (790 pers per km²) is
9 comparable to the density around Albuquerque (700 pers per km²).

10 In our original calculation, the NYC area accounted for 2%
11 of the 50 mile area around IP. After removing the surface area
12 which could be accounted for by water and farmland, our revised
13 calculations show that the area with more than 10,000 persons
14 per km² (i.e. what we classified as the NYC metro area) is 4% of
15 the total non-farmland area.

16 ISR is well aware that the SAMA analysis estimates average
17 consequences for the entire 50-mile radius region and we have
18 averaged the costs on the basis of land use area. To be clear,
19 ISR did not apply the same cost to the 4% non-farmland area that
20 represents NYC as to the remaining 96%. We only assigned the
21 high cost per km² for decontaminating NYC to a very small area
22 (4%). We assigned the lower cost of decontaminating the

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1 remaining urban or semi-urban area to the rest of the 50 mile
2 area around IP that is not farmland or water, an area that is
3 76% of the total area. The other 20% accounting for water and
4 farmland is not included in our calculation.

5 **A. ISR's Response to Testimony Regarding the Calculation**
6 **Of Population Dose Risk (PDR)**

7 Q. In A82, Entergy claims that ISR should have considered
8 not only OECR, but also the changes in Population Dose Risk
9 (PDR). What is your response?

10 A. ISR provided all of the MACCS2 output files, which
11 also contain the population dose results for the calculations of
12 PDR.

13 ISR agrees that changes in some of the input parameters may
14 affect PDR, and the costs associated with PDR, in a different
15 manner than how they affect OECR. In response to Entergy and
16 NRC Staff's arguments, ISR checked the impact of the input
17 parameter changes discussed in the ISR report on the dollar
18 value equivalent of PDR.

19 Q. What is the effect of the changes to input parameters
20 discussed in the ISR report on PDR?

21 A. For all of the MACCS2 runs that we used to justify our
22 conclusions, we have now calculated the present dollar value

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1 equivalent of the total off-site population dose from the PDR
2 and the total OECR using the equations provided in the Entergy
3 report: Re-Analysis of IP2 and IP3 SAMAs (ENT000459). The total
4 present dollar value equivalent for ISR report's maximum input
5 values (NYS000242, Table 13), decreases from \$17.8M to \$17.1M if
6 the cost associated with the decrease in PDR is included.

7 In summary, the change in PDR as calculated in our MACCS2
8 runs has no impact on our conclusions. It changes the total cost
9 by less than 4%.

10 Q. Do ISR's conclusions apply only to IP2?

11 A. No. In the ISR report (NYS000242), ISR ran the MACCS2
12 code for IP2 to illustrate the changes in the calculated OECR
13 when the sensitive inputs are changed.

14 In A27 and A28, NRC Staff challenged this by saying that
15 IP2 has a higher source term than IP3. As I explained above, the
16 source term is the activity released during the accident and in
17 MACCS2, it is specified as a release fraction of the core
18 inventory in units called Becquerel. For the SAMA analysis, the
19 activity of Cesium-137 released is the parameter of interest.

20 It's true that IP2 has a higher source term than IP3, but
21 it's also true that IP3 has higher release mode (or release
22 category) frequencies. The release mode frequency is a measure

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1 of the likelihood of this particular release mode (or release
2 category) and it multiplies the off-site economic cost to obtain
3 the OECR. The effect on OECR by the higher source term for IP2
4 is offset by the effect of the higher release mode frequencies
5 for IP3 and, therefore, the resulting OECR values for IP2 and
6 IP3 are comparable. They are \$2.12E+05/yr for IP2 and
7 \$2.61E+05/yr for IP3.

8 In response to Entergy's and NRC staff's testimony, ISR re-
9 ran the MACCS2 simulations using the ATMOS input file for IP3
10 and ISR's proposed input values (i.e. in the CHRONC input file)
11 to verify that there is no material difference between IP2 and
12 IP3. The results for IP3 were comparable to IP2. The
13 underestimation of the OECR calculated by Entergy resulted in a
14 factor between 3.2 and 7.6 for IP3, compared to 3.0 and 6.9 for
15 IP2. These are the revised factors after ISR's calculations were
16 adjusted to account for the comments made by Entergy and NRC
17 Staff.

18 **B. ISR's Response to Testimony Regarding Nonfarm**
19 **Decontamination Cost (CDNFRM)**

20 Q. Did ISR evaluate whether assumptions regarding CDNFRM
21 raised by Entergy and NRC Staff would affect the ultimate
22 calculation of OECR?

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1 A. ISR determined that although much of the testimony
2 presented by Entergy and ISR had no bearing on our analysis,
3 some of the testimony required further analysis in order to
4 determine whether the ultimate calculation of the OECR would
5 change based on the assumptions Entergy and NRC Staff provided
6 in their testimony. We performed further analysis of several
7 parameters (e.g., the cost of decontamination per unit area)
8 used to calculate CDNFRM.

9 Q. What is your response to NRC Staff's argument in NRC
10 Staff A64 and A65 that the area ISR used to calculate CDNFRM
11 improperly includes surface water and farmland?

12 A. In response to Entergy and NRC Staff's point that
13 surface water and farmland should not be included in the area
14 used to calculate CDNFRM, ISR recalculated the values for
15 CDNFRM, subtracting surface water and farmland from the area.
16 As shown in Table 13 of the revised tables from the ISR report
17 that ISR created for this testimony, attached hereto as
18 NYS000430, the impact of this change is a decrease of 13% at the
19 low end of the range for the OECR. There is no change at the
20 high end of the range. Thus, even when surface water and
21 farmland are removed from the area, Entergy and NRC Staff have
22 still underestimated OECR by, at minimum, a factor of 3.

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1 Q. In NRC Staff A64 and A65, Staff claims that ISR
2 incorrectly accounted for parkland in the calculation of CDNFRM.
3 Is this true?

4 A. No, ISR's approach to parkland is correct. Based on
5 the Entergy MACCS2 site input file, parkland area was not
6 accounted for as farmland and therefore must be included in the
7 only other category, as nonfarm land area.

8 In our calculations, we implicitly categorize parkland as
9 the area outside the NYC metro area, which is either semi-urban
10 or urban. This is justifiable because in order to retain the
11 value of the parks, the cost of decontamination (principally
12 tree felling and removal) and replacement of trees, soil and
13 grass is likely comparable to a semi-urban or urban area on a
14 per square kilometer basis.

15 This approximation is valid since park land accounts for
16 about 10% of the urban or semi-urban area outside NYC metro area
17 and is therefore, not a large component of the cost.

18 **(1) ISR's Response to Testimony Regarding the Use of**
19 **Site Restoration and the Use of the Reichmuth Study**

20 Q. What is your response to Entergy's Testimony at A121
21 that ISR should not have included the cost of compensation in

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1 calculating CDNFRM in Approach A (*Site Restoration/Luna*) and
2 Approach B (Reichmuth)?

3 A. We removed the compensation costs and re-calculated
4 CDNFRM for Approaches A and B, as shown in the tables attached
5 hereto as NYS000430. The resultant effect on the OECR is a
6 decrease of the upper bound by 5%.

7 Q. What is your response to Entergy's assertion in A121
8 that ISR ignores differences between New York and Albuquerque
9 and, thus, improperly extrapolates data from *Site Restoration*?

10 A. In A121, Entergy asserts that "[d]econtamination costs
11 would be expected to be generally proportional to [interior]
12 square footage for a residence." Entergy claims that the
13 interior square footage for housing is greater in Albuquerque
14 compared to New York City (NYC), and that there should be a
15 reduction in the decontamination costs using *Site*
16 *Restoration/Luna* for NYC. Entergy further states the same would
17 be expected for commercial property.

18 Reference ENT000469 shows that average homes in the five
19 boroughs of NYC are smaller than in Albuquerque. There is no
20 evidence, however, that the multi-story residential and
21 commercial buildings that are common in the NYC area would have

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1 less interior square footage than in Albuquerque, which has
2 fewer multi-story buildings.

3 Furthermore, Entergy (A121, A129) claims that the housing
4 density in the area outside the NYC metro region is about 50%
5 that of the City of Albuquerque, so there should be a reduction
6 in the decontamination costs for this region.

7 The authors of the *Site Restoration* Report state that they
8 "visited several residential, commercial, and industrial sites
9 in and near Albuquerque, NM." (NYS000249) Therefore, if
10 housing density is used to assess the cost, the whole area
11 around Albuquerque City must be considered. From the New
12 Mexico: 2000 Population and Housing Unit Counts (Census Bureau),
13 attached hereto as NYS000427, the housing density of the
14 Albuquerque census county division is approximately 700
15 units/square mile, which is comparable to the 790 units/square
16 mile reported by Entergy for the area outside the NYC Metro
17 region.

18 Q. What is your response to Entergy's testimony in A129
19 that the data from *Site Restoration* is inappropriate for the
20 calculation of CDNFRM since it is based on a plutonium
21 dispersion scenario, for which decontamination is more expensive
22 than for a nuclear reactor accident?

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1 A. Our use of *Site Restoration* was intended to be a point
2 of reference in a benchmarking exercise that illustrates various
3 approaches to determining the cost of decontamination (\$/km²) and
4 the resulting CDNFRM (\$/person). For estimation purposes, the
5 two parameters extracted from *Site Restoration*: the
6 decontamination cost per area and the corresponding DF, are
7 irrespective of the geographic extent and severity of the
8 accident.

9 The data from *Site Restoration* is one way to calculate
10 CDNFRM, and the ISR report explains how the *Site Restoration*
11 costs can be adjusted to be more applicable to a nuclear
12 accident (NYS000242, Approach A at 16-18). For example, the ISR
13 report assumed that the costs of a nuclear reactor accident
14 would be one to two times higher than the costs of a plutonium
15 dispersion scenario. This is because Cs-137, as well as the
16 remaining gamut of radionuclides released (including Pu-239)
17 from the reactor, must be considered when decontaminated, in
18 addition to Pu-239.

19 Q. What is your response to Entergy's testimony in A122
20 and A134 that the data from *Site Restoration* focuses on a small
21 geographical area, and did not account for economies of scale
22 that could be realized for larger areas?

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1 A. It is reasonable that economies of scale are possible
2 during the decontamination of large areas, such as farmland.
3 However, NUREG/CR-5148 (NYS00424A-NYS0424BB) shows that a large
4 part of the cost of decontamination in urban areas is related to
5 the labor intensive tasks of cleaning the buildings' contents.
6 There appears to be no practical way to scale these tasks
7 economically.

8 In addition, the logistics of planning a large scale
9 decontamination program, including budget approval, approval for
10 waste repositories, and set up times would be long, contentious
11 and difficult. For comparison, it has taken one year to
12 finalize plans and budgets for preliminary remediation efforts
13 in the Fukushima Prefecture as shown in the Road to Recovery,
14 attached hereto as NYS000428.

15 Q. What is your response to Entergy's testimony in A135
16 that consideration of on-site waste disposal and waste volume
17 reduction, as discussed in *Site Restoration*, would lead to
18 significantly lower estimates of decontamination costs?

19 A. There are significant issues concerning on-site waste
20 disposal for a severe nuclear accident. The approval and
21 planning for on-site waste repositories is a long and
22 contentious process (NYS000264). In a hyper-urban region such as

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1 NYC, on-site disposal is likely impossible due to the lack of
2 suitable space. For the rest of the 50-mile SAMA region, there
3 would be long drawn out negotiations to identify suitable
4 locations for on-site disposal. Wherever such repositories are
5 located, they would result in a decline in property values,
6 which is currently not considered in the MACCS2 calculation.
7 Therefore, we believe it may be more cost-effective to employ
8 off-site waste disposal.

9 The waste volume reduction of 50-60% considered in *Site*
10 *Restoration* is for farmland or rangeland decontamination. Our
11 use of *Site Restoration* data is solely for the determination of
12 CDNFRM, which is only for nonfarm land. Therefore, this waste
13 volume reduction does not apply to our calculations.

14 **(2) ISR's Response to Testimony on the Use of CONDO**

15 Q. What is your response to Entergy's testimony in A143
16 that when using the CONDO approach, the decontamination
17 techniques that ISR chose are not consistent with the DFs for
18 light and heavy decontamination?

19 A. We disagree. ISR selected decontamination techniques
20 from the lists contained in CONDO (NYS000250 at Table A7 of
21 Appendix A) that most closely represented light and heavy
22 decontamination. Some techniques, such as felling and removal

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1 (DF=10) of trees are essentially the only option for both levels
2 of decontamination. Vacuuming, cleaning and washing (DF=5) for
3 building interiors are also the only option for both levels of
4 decontamination. After removing these techniques and other
5 outliers such as removal (DF=1.4) for plants and shrubs and
6 removal and replacement (DF=50) for paved areas, light
7 decontamination techniques have a DF of 3 to 5, and heavy
8 decontamination techniques have a DF of 10.

9 Q. What is your response to Entergy's testimony in A145
10 that ISR's approach to adding a "hyper-urban" designation for
11 the NYC metro region and classifying the remaining area as urban
12 is unjustifiable when using the CONDO methodology?

13 A. The CONDO methodology classifies environments
14 according to their population density: rural (<25 per km²); semi-
15 urban (25 to 1000 per km²); and urban (>1000 per km²) (NYS000250
16 at 54). With the revisions made to the nonfarm land area I
17 discussed on page 36 of this testimony, there are two population
18 grid elements (designated as the NYC Metro area) that have a
19 population density that exceeds 10,000 per km², based on the
20 Entergy MACCS2 site input file. The remaining grid elements
21 have a population density between 25 and 10,000 per km².
22 Therefore, ISR determined that it was necessary to add a "hyper-

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1 urban" designation for the NYC Metro area, given its
2 extraordinarily high population density.

3 To define a range, we calculated the minimum value based on
4 the assumption that the NYC Metro region is urban, and the
5 remaining area is semi-urban. This is supported by the
6 aforementioned classifications provided in CONDO.

7 Q. What is your response to NRC Staff's testimony in A69
8 that MACCS2 assumes that contamination is spread over a flat
9 plane and that it implicitly addresses 3-D structures through
10 the use of per capita costs like CDNFRM and, thus, ISR should
11 not have included multipliers in the CONDO approach to address
12 3-D aspects of decontamination?

13 A. First, it appears that NRC Staff is describing
14 contamination by gravitational settling. Gravitational settling
15 only applies to very large particles (>100 μm), and is only
16 important close to the release point.

17 In the MACCS2 model, airborne contamination is transferred
18 to a surface through a transfer coefficient called the dry
19 deposition velocity. This transfer coefficient is a function of
20 the particle size, the chemical form of the particles, the
21 chemical affinity of the surfaces and the roughness of the

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1 topography. This transfer coefficient applies to vertical and
2 horizontal surfaces, and even to leaves in the trees.

3 Second, the cost of urban decontamination ($\$/\text{km}^2$) is
4 proportional to building density and internal space density. All
5 four ISR approaches (A to D) began with a calculation of the
6 decontamination cost per unit area of nonfarm land ($\$/\text{km}^2$) with
7 consideration of 3-D buildings and structures. In order to
8 account for floor and building density, multipliers must be
9 used. The use of multipliers is consistent with CONDO and other
10 costing tools such as DECON, which is presented in NUREG/CR-3413
11 and which I discussed on pages 26-28 of this testimony.

12 With the appropriate multipliers, the cost per unit area of
13 nonfarm land ($\$/\text{km}^2$) is multiplied by the area of nonfarm land
14 and then divided by the population to obtain a value for CDNFRM.
15 In the absence of a documented methodology for the costs used by
16 Entergy to determine CDNFRM as discussed in Section V of this
17 testimony, this is the reasonable and most appropriate method to
18 calculate CDNFRM.

19 Q. What is your response to NRC Staff's testimony in A74
20 that ISR's assumption of uniformity for the exteriors and
21 interiors of buildings renders ISR's cost estimates unrealistic
22 and unreasonable?

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1 A. NRC Staff is correct that contamination would not be
2 uniform on building roofs, exterior walls, and interior space;
3 but it is not cost effective to differentiate between the
4 portions of surfaces which would require decontamination and
5 those that would not in any given building. It is more likely
6 that bulk decontamination, such as hosing or vacuuming, would
7 take place first followed by verification for hot spots. Our
8 assumption is reasonable given the likely operational efforts
9 and strategies which would be employed in the event of a severe
10 accident.

11 Q. In A140, Entergy suggests that your use of
12 spreadsheets based on the CONDO database, instead of the code,
13 may have errors, inaccuracies or biases. Is this plausible?

14 A. We have included these spreadsheets along with any
15 assumptions in Annex C of our report (NYS000242 at 46-56). As
16 such, they are available for review and criticism. Any other
17 claims regarding our calculations using the CONDO data were
18 addressed in preceding responses of this testimony.

19 **(3) ISR's Response to Testimony on the Use of RISO**

20 Q. What is your response to Entergy's critique of the
21 RISO approach in A149 and A150?

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1 **C. ISR's Response to Testimony Regarding Decontamination**

2 **Time (TIMDEC)**

3 Q. Has ISR reviewed its estimates for TIMDEC in light of
4 testimony provided by Entergy (A102 and 103) and NRC Staff
5 (A57)?

6 A. Yes, ISR has considered this testimony by NRC Staff
7 and Entergy. As I discussed earlier in this testimony, the only
8 real support NRC Staff or Entergy's testimony provides for the
9 Sample Problem A TIMDEC values is NUREG-1150 and NUREG/CR-3673
10 (NRC000058). As I also discussed earlier in this testimony on
11 pages 22-23 of this testimony, the Sample Problem A TIMDEC
12 values are not reasonable, and NUREG-1150 describes an
13 idealistic decontamination scenario based on these unrealistic
14 values, without justifying their use or showing how they were
15 calculated. Additionally, I explained how the discussion of
16 decontamination time in NUREG/CR-3673 is based on unreasonable
17 assumptions.

18 In preparing this rebuttal testimony, ISR also reviewed
19 reports regarding decontamination following Fukushima that have
20 been published since December 2011. In light of these recent
21 reports on decontamination efforts in the Fukushima Prefecture
22 (NYS000428), there is support for changing the lower bound of

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1 TIMDEC to 1 and 2 years for light and heavy decontamination,
2 respectively.

3 According to these reports, full-scale decontamination for
4 the outer edges of the plume deposition began one year after the
5 accident. Since it is on the outer edges of the plume
6 deposition, it is representative of light decontamination.
7 Amongst other things, the delays have been caused by the lengthy
8 time it has taken to develop a decontamination plan, which is
9 dependent on detailed radiation surveys and procurement of
10 suitable and efficient decontamination equipment and materials,
11 and by the time it has taken to gain approval of the
12 supplementary budget by the government. Another reason for the
13 delay is the need to secure approval from the local communities
14 for storage sites for decontamination waste. (NYS000265).
15 These delays would be expected following a severe accident at IP
16 and have nothing to do with the direct damage caused by the
17 Tsunami.

18 It is therefore possible that residents from some areas
19 will be allowed back to their home after a delay of more than a
20 year. Therefore, at the low end, a minimum TIMDEC of 1 year is
21 justifiable by the recent reports.

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1 If light and heavy decontamination is conducted in series
2 (i.e., light decontamination first and then heavy) as is the
3 case for the Fukushima Prefecture, a minimum TIMDEC of 2 years
4 for heavy decontamination is also reasonable. In MACCS2, the
5 cost associated with TIMDEC is solely the decline in property
6 value during inhabitation. The impact of the change in TIMDEC on
7 the OECR is a 30% decrease at the low end of the cost.

8 Q. Both the NRC (A57) and Entergy (A102, A160) have
9 reiterated that the intention of the MACCS2 decontamination
10 model is to restore property to habitability based on the
11 defined dose criterion, not to entirely decontaminate the area.
12 Based on this, they infer that the ISR estimates of TIMDEC are
13 too large. Do you agree?

14 A. TIMDEC represents the average time from evacuation of
15 a population to return to their original home in a given grid
16 element. It is possible that within that grid element, some
17 people will return to their property more quickly than TIMDEC,
18 and that decontamination efforts may continue long after TIMDEC.
19 Given the large uncertainty in determining this time, we defined
20 a range of values based on real-world experience with actual
21 severe accidents—Fukushima and Chernobyl.

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1 As discussed in the previous answer, we now consider that
2 the minimum time between evacuation and return home for areas
3 requiring light decontamination is 1 year and 2 years for heavy
4 decontamination. This appears reasonable, from the current
5 experience in the Fukushima Prefecture. Maximum times of 15 and
6 30 years respectively represent upper bounds based again on the
7 decontamination plans in the Fukushima Prefecture (NYS000269).
8 An appropriate average value would be somewhere between these
9 minimum and maximum values.

10 Q. What is ISR's response to Entergy's claim in A103 that
11 the costs associated with large TIMDEC values are due to per
12 diem expenses for relocated individuals and, thus, ISR's
13 analysis results in an "intentional defeating of [the] MACCS2
14 decontamination optimization model"?

15 A. Entergy misunderstands how the MACCS2 inputs of TIMDEC
16 and POPCST work. Interdiction costs are the sum of relocation
17 costs, such as per diem expenses for relocated individuals, and
18 the decrease in property value during decontamination. TIMDEC
19 is only a factor in the decrease in property value during
20 decontamination. Relocation costs are solely a function of the
21 POPCST value and the population. As discussed in the ISR report

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1 (NYS000242 at 28-29) for the POPCST parameter, relocation costs
2 are assumed for a duration between 20 and 93 weeks.

3 Q. Entergy and NRC Staff make several arguments about
4 various decontamination techniques, including leaving
5 contamination in place and new methods. (Entergy Testimony at
6 A91; NRC Staff Testimony at A38) What is your response to this
7 testimony?

8 A. In A91, Entergy claims that leaving contamination in
9 place, but burying it may be a financially attractive
10 alternative that reduces the dose. This issue has no bearing,
11 positive or negative, on our calculations and final conclusions.
12 We agree that this technique could work well in farmland where
13 deep-plowing can bury the contamination, but it is less
14 applicable to the urban areas of NYC where concrete and paved
15 surfaces are predominant.

16 In addition, no matter what the decontamination technique,
17 it is difficult to achieve a high dose reduction factor (DRF=15)
18 where cesium is present, even if some surfaces can be
19 decontaminated perfectly (DF>100). As an example, it may be
20 easy to decontaminate the glass surfaces with a DF>100. However
21 it may not be possible to decontaminate the brick to a DF>5. The
22 actual DRF achieved near the building will be much less than

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1 DF>100 and closer to the DF=5. The lowest DF determines the
2 achievable DRF, so even though the glass is thoroughly
3 decontaminated, the dose reduction factor will not be as high
4 due to the remaining cesium contamination in the brick.

5 **D. ISR's Response to Testimony Regarding Other Entergy**
6 **and NRC Staff Comments About MACCS2 Parameters**

7 Q. What is your response to Entergy's testimony in A153
8 regarding the VALWNF parameter, specifically that the increased
9 factor associated with lost tourism and business bounds the
10 increased factor associated with scaling up the 1997 SECPOP2000
11 values to 2004 values?

12 A. The values taken from SECPOP2000 represented the 1997
13 value of possessions such as houses, automobiles, etc. Entergy
14 used the 2004 Gross County Product (GCP) to additionally account
15 for lost tourism and business in the calculation of VALWNF. In
16 general, the GCP is the total value of goods and services
17 produced. NYS00270A-NYS00270B.

18 From the above, SECPOP2000 values and GCP values account
19 for two separate things and they cannot bound one another. Both
20 values are needed in the calculation of VALWNF, and both should
21 be in 2004 dollars.

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1 Q. Regarding the POPCST parameter, Entergy suggests in
2 A157 that the long-term relocation cost should be based on
3 historical unemployment durations instead of the current term
4 for unemployment benefits. What is your response?

5 A. The unemployment as a result of a severe nuclear
6 accident, potentially affecting up to 20 million people, would
7 not be comparable to traditional, historical unemployment.
8 Given that the unemployment in 2005 had an average duration of
9 18 weeks (Entergy Testimony at A157), a range of 20 to 93 weeks
10 would be reasonable for unemployment triggered by a severe
11 nuclear accident.

12 Q. What is your response to Entergy's testimony in A99-
13 A101 regarding the reasonableness of the calculations performed
14 with the MACCS2 code as modified by ISR?

15 A. Entergy incorrectly testifies that the modified MACCS2
16 code did not run properly. The original set of runs performed
17 with the MACCS2 code modified by ISR failed to run to completion
18 because a single carriage return character was missing at the
19 end of the input files. When that carriage return character was
20 added, the input files ran to completion without error and gave
21 the results presented in the ISR Report.

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1 Furthermore, ISR is well aware of the verification
2 requirements when performing nuclear safety calculations. In
3 accordance with ISR's rigorous internal QA Standards, we ran all
4 the sample problems provided by Sandia and all input files
5 prepared by Entergy using the MACCS2 executable provided by
6 Sandia and the version modified by ISR in order to ensure that
7 the model was running properly. Our results were identical to
8 those published by Sandia and by Entergy. The modified code
9 provides correct results.

10 **IX. CONCLUSION**

11 Q. Does the testimony from NRC Staff and Entergy affect
12 ISR's overall conclusions about the economic cost estimates used
13 in the SAMA analysis for IP?

14 A. No. The analysis conducted by ISR shows that
15 Entergy's input parameters to the MACCS2 code significantly
16 underestimated the total economic cost of a severe nuclear
17 accident at IP.

18 I have reviewed all the exhibits referenced herein. True
19 and accurate copies are attached.

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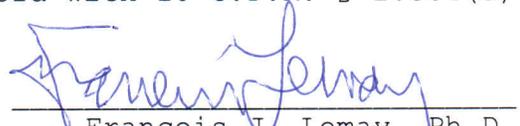
UNITED STATES
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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In re: Docket Nos. 50-247-LR; 50-286-LR
License Renewal Application Submitted by ASLBP No. 07-858-03-LR-BD01
Entergy Nuclear Indian Point 2, LLC, DPR-26, DPR-64
Entergy Nuclear Indian Point 3, LLC, and
Entergy Nuclear Operations, Inc. June 29, 2012
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DECLARATION OF DR. FRANÇOIS J. LEMAY

I, Dr. François J. Lemay, do hereby declare under penalty of perjury that my statements in the foregoing rebuttal testimony and my statement of professional qualifications are true and correct to the best of my knowledge and belief.

Executed in Accord with 10 C.F.R. § 2.304(d)



François J. Lemay, Ph.D.
Vice-President International Safety Research
38 Colonnade Road North
613-241-4884
FrancoisLemay@i-s-r.ca

June 29, 2012

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Consolidated Contention NYS-12C*