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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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In the matter of: :
:
METROPOLITAN EDISON COMPANY :
:
(Three Mile Island Unit 1) :
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Docket No. 50-289
(Restart)

25 North Court Street,
Harrisburg, Pennsylvania

Friday, May 1, 1981

Evidentiary hearing in the above-entitled
matter was resumed, pursuant to adjournment, at 8:30 a.m.

BEFORE:

IVAN W. SMITH, Esq., Chairman,
Atomic Safety and Licensing Board

DR. WALTER H. JORDAN, Member

DR. LINDA W. LITTLE, Member

Also present on behalf of the Board:

LAWRENCE BRENNER, Esq.
Legal Advisor to the Board

8105050410

1 APPEARANCES:

2 On behalf of the licensee, Metropolitan Edison
3 Company:

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10 On behalf of the Commonwealth of Pennsylvania:

11 ROBERT ADLER, Esq.
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15 Harrisburg, Pennsylvania

16 On behalf of Newberry Township TMI Steering
17 Committee:

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22 On behalf of Anti-Nuclear Group
23 Representing York:

24 GAIL BRADFORD

25 On behalf of Three Mile Island Alert:

JOHN MURDOCH
LOUISE BRADFORD

On behalf of the Regulatory Staff:

JAMES TOURTELLOTT, Esq.
JOSEPH R. GRAY, Esq.
Office of Executive Legal Director,
United States Nuclear Regulatory Commission,
Washington, D. C.

C O N T E N T S

WITNESS:

DIRECT CROSS REDIRECT RECROSS BOARD ON BOARD CROSS

Adolph L. Belser,
Randy L. Curry and
Michael E. Wertz (Resumed)

By Ms. Gail Bradford	20,893			
By Mr. Gray	20,919			
By Mr. Zahler	20,954			
By Ms. Straube	20,964			
By Ms. Gail Bradford	20,974			
By Chairman Smith				20,979

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P R O C E E D I N G S

1
2 CHAIRMAN SMITH: Are we ready to proceed?

3 Good morning.

4 I wanted to report an ex parte conference on
5 scheduling. After we adjourned last evening, I discussed
6 with Ms. Bradford the Board's inclination not to accept
7 without further consideration the asserted non-availability
8 of the League of Women Voters for today.

9 That discussion led to a conference among all of
10 the parties still in attendance, including the Licensee, the
11 Commonwealth, the staff and Ms. Bradford, in which it was
12 pointed out by the Commonwealth and Mr. Trowbridge that
13 there will be a need in any event for a session after today
14 on the SER supplements.

15 When we learned that, we decided it would not be
16 necessary for the League of Women Voters to be available for
17 testimony today. That way we will wind up with this panel
18 and then discuss scheduling matters. We will rule on the
19 proposed rebuttal evidence on psychological issues at the
20 conclusion of the testimony of this panel.

21 Is there any other preliminary business?

22 MS. STRAUBE: Chairman Smith, upon reviewing the
23 York County plan after taking the Annex V and Annex W off of
24 it, there is no Annex V and Annex W for York County
25 attached, so we are making copies now and we will distribute

1 them to the parties.

2 CHAIRMAN SMITH: Are you ready?

3 MS. GAIL BRADFORD: Good morning. Is this working?

4 Whereupon,

5 ADOLPH L. BELSER,

6 RANDY L. CURRY and

7 MICHAEL E. WERTZ,

8 the witnesses on the stand at the time of the previous day's

9 recess, resumed the stand and testified further as follows.

10 CROSS EXAMINATION - Resumed

11 BY MS. GAIL BRADFORD:

12 Q Could you turn to Annex B, please?

13 (Pause.)

14 Mr. Curry, I had some concerns about the number of
15 persons who would be needing to use or have the use of
16 dosimetry or potassium iodide, and I started outlining the
17 emergency workers I thought might need dosimetry and
18 potassium iodide, and I do notice at the back of Annex B
19 there is a listing of emergency workers and the number of
20 potassium iodine units. That list appears at page B-23.
21 The section is Annex B, IV, Section C.

22 Could you explain whether the listing totalled --
23 which says KI units, and those pages of the York County plan
24 means that that would be a number of persons or a reasonable
25 estimate of the number of persons who would be emergency

1 workers?

2 A (WITNESS CURRY) When I compiled the listing for
3 predistribution of potassium iodide, I took a number of
4 factors into account. I solicited from the affected
5 municipalities their input on how many dosage units they
6 would require for their operations.

7 I did so again with a commonsense viewpoint of not
8 to overstock but to keep an ample supply for individuals
9 that might require it. The breakdown is effected in the
10 emergency management agencies based on the number of people
11 that normally would occupy an emergency operations center in
12 the planning portion.

13 The general distribution to fire companies, police
14 departments and ambulance services is based upon the normal
15 members that respond actively in response to an emergency.

16 I also used, again with the commonsense concept,
17 that these dosage units contain a 14-day supply and
18 therefore during the initial stages of an incident they
19 could be, in effect, shared by emergency workers if we did
20 not have individual units for everyone.

21 So in other words, for an initial three-day supply
22 we could in effect quadruple the availability of the
23 potassium iodide that we predistributed. I am sure within a
24 three-day period we could get as much of the potassium
25 iodide that we would need from external sources.

1 Q Do you anticipate distributing potassium iodide to
2 bus drivers, school bus drivers?

3 A (WITNESS CURRY) At this point I do not. You will
4 see a contingency supply maintained at the courthouse that
5 is rather large. I did that purposely for contingencies
6 such as you mentioned for bus drivers and whoever else may
7 need it. The courthouse is centrally located and we could
8 distribute it very quickly.

9 Q Will all of this potassium iodide be maintained at
10 the courthouse or will it be predistributed to the townships
11 and fire halls?

12 A (WITNESS CURRY) The identified distribution will
13 be predistributed to the emergency workers themselves.

14 Q In advance of an emergency?

15 A (WITNESS CURRY) It has been identified to me by
16 the Pennsylvania Emergency Management Agency that this will
17 be done by June of this year.

18 Q Do you expect to have potassium iodide available
19 for use by persons who are emergency workers at reception
20 centers who may be doing emergency work there?

21 A (WITNESS CURRY) I do not see a specific need for
22 it. If the Bureau of Radiation Protection recommends that,
23 obviously we will get it to them.

24 Q Do all of these persons -- or would this be a
25 reasonable estimate of the number of dosimetry sets needed?

1 A (WITNESS CURRY) I am using as a basic assumption
2 that this would essentially be the dosimetry requirements
3 also.

4 Q Do you have enough dosimetry for all of these
5 people?

6 A (WITNESS CURRY) I have sufficient supplies of the
7 CDV-742. I do not have in my possession the thermal
8 luminescent dosimeters of the -- I think it is a CDV-730.
9 But again, through working with the Pennsylvania Emergency
10 Management Agency, they have indicated that this will be
11 supplied also in essentially the same time frame as the
12 potassium iodide distribution.

13 Q From my counting up in this chart, I came up with
14 360 TLDs. Would that be accurate?

15 A (WITNESS CURRY) Sixty?

16 Q Three hundred and sixty, I believe.

17 A (WITNESS CURRY) I would think it would be more
18 than that. I have not done a total, but I requested
19 essentially the same dosimetry requirements as I have for
20 potassium iodide. That would include a reserve supply,
21 which is in effect 300 at the emergency operations center.

22 Q Would you be obtaining or attempting to obtain
23 dosimetry for bus drivers, for school bus drivers?

24 A (WITNESS CURRY) Again, this would be managed, as I
25 indicated, with the potassium iodide. If we were notified

1 that there is in fact an irradiated environment that bus
2 drivers would be going into, we would distribute them at
3 that time from the courthouse stockpile.

4 Q So you would anticipate having enough supplies on
5 hand but would not distribute it unless you thought it was
6 necessary.

7 A (WITNESS CURRY) Not to bus drivers, to emergency
8 services only.

9 Q Do you know whether the Red Cross has any
10 monitoring devices or dosimetry that would be useful in an
11 emergency situation at Three Mile Island?

12 A (WITNESS CURRY) I am not aware of any monitoring
13 equipment that they maintain. Again, the Red Cross has a
14 representative on my staff when we have a mobilized
15 operation, and I would be providing monitoring equipment at
16 reception areas as required.

17 Q Will you attempt to preinform emergency workers
18 about potassium iodide so they may find out from their own
19 doctors in advance if they may not be able to take potassium
20 iodide?

21 A (WITNESS CURRY) In the units that are going to be
22 distributed, it is my knowledge that there are basic
23 instructions identified for its use, identified by the
24 Department of Health with potential side effects and how it
25 is used.

1 The plan is also going to be distributed to the
2 affected municipalities, and there is a portion in on
3 Throblock. As far as making specific recommendations to
4 individuals to consult their family physicians, I do not
5 have the medical expertise to make that recommendation. If
6 the Department of Health suggested, obviously I will pass it
7 along.

8 Q Are your plans based on an assumption that the
9 potassium iodide will be in tablets or --

10 A (WITNESS CURRY) Tablets. Not the saturated
11 solution. This is the Thyroblock I think is the commercial
12 name.

13 Q Are you also prepared if the potassium iodide is
14 only available in liquid form?

15 A (WITNESS CURRY) That is kind of speculative
16 because I have been assured that it will be made available
17 in the tablet form.

18 MS. STRAUBE: Chairman Smith, could I make a
19 comment at this point?

20 CHAIRMAN SMITH: Yes, ma'am.

21 MS. STRAUBE: Okay Well, I do not think either of
22 the county coordinators are aware yet of the change in the
23 Department of Health's policy on potassium iodide, and that
24 is just because of the recent change. Could I just make them
25 aware of it so their answers can be clarifying?

1 CHAIRMAN SMITH: Ms. Bradford is agreeing to that.

2 MS. BRADFORD: No objection.

3 MS. STRAUBE: For your information, when the
4 Department of Health testified in this proceeding they found
5 out that they could not get potassium iodide in tablet form
6 and they intend to get it in the liquid form, which I
7 believe is called Lugol.

8 So, as I understand it, the plans are going to have
9 to be somewhat changed. That is just for background
10 information for the purposes of your answers.

11 WITNESS CURRY: Great. I stand corrected.

12 (Pause.)

13 BY MS. GAIL BRADFORD: (Resuming)

14 Q In thinking about the plan, I became concerned
15 about coordination, which I would assume PEMA would have to
16 do, so that the five risk counties all sounded their sirens
17 and started off their emergency broadcast system stations at
18 approximately the same time if there was a need to do so to
19 start them off.

20 Will PEMA coordinate that?

21 A (WITNESS BELSER) Yes. When PEMA notifies the
22 counties, it will provide them with a not only day but the
23 time when the sirens are to be activated, and since the
24 counties will be notified basically simultaneously, why,
25 then the sirens will be activated, for all and intents and

1 purposes, virtually simultaneously as well.

2 Q Oh, you mean when a situation has gotten to a
3 general emergency or -- you will notify --

4 A (WITNESS BELSER) Notify. Actually, the director
5 of PEMA -- and of course after we get the assessment and so
6 forth and recommendations from the Bureau of Radiological
7 Protection, the Director of PEMA then in conference with the
8 Governor determines exactly what actions are to be taken.
9 At that time PEMA will put out the word to the counties to
10 activate the siren systems, and they will be told at what
11 time that this is to be done so that the alert is
12 simultaneous.

13 Q Does PEMA have any guidelines at the moment about
14 how long a period of time the counties might be given to
15 prepare between the time that the county first hears about
16 the situation and the time that -- or hears of the situation
17 has gone to a general situation and the time that the sirens
18 are supposed to go off.

19 That, to my mind, is a critical period of time
20 during which any communications which want to be done in
21 advance of the general public finding out would have to be
22 done.

23 A (WITNESS BELSER) I am not sure that I thoroughly
24 understand your question, but let me say this and then we
25 can pursue it further as may be required. As we progress

1 through the various stages of alert from an unusual event to
2 an alert conceivably to a site emergency and ultimately to a
3 general emergency, the counties are being constantly
4 informed as to the situation.

5 Conceivably, depending upon the situation, there
6 might be a requirement for sounding the sirens during a site
7 emergency, for instance. In that case the time lag between
8 PEMA notifying the counties and the county pushing the
9 button should be insignificant.

10 The preparatory time that you are referring to
11 should have been going on all along since the first
12 indications that there is a problem. There are progressive
13 stages that they logically go through in activating their
14 forces in getting ready for whatever type of emergency you
15 are going to.

16 Hopefully you are going to have maximum time
17 because more often than not we anticipate that we will not
18 go from a no-response level to a general emergency in one
19 fell swoop. More often than not it will go through
20 developmental stages, and their readiness posture should be
21 increasing until this thing progresses until such time an
22 alert for whatever it may be is terminated.

23 Does that answer your question?

24 Q Yes, sir. And I also wonder whether there will be
25 any minimum time that PEMA would hold aside between

1 notifying the counties and asking them to sound the sirens
2 in the event of a very rapidly developing emergency.

3 A (WITNESS BELSER) I think you are talking about
4 decision-making time at this particular point. The
5 situation develops, and from the very early stages of it our
6 emergency operations center has been fully developed, and as
7 the information becomes available from the Bureau of
8 Radiological Protection, decisions are going to be made very
9 rapidly.

10 And of course, you have been exposed to General
11 Smith, and he makes decisions very rapidly. Of course he is
12 doing so before he makes those decisions. Naturally, they
13 have to be discussed with the Governor, but the time lag is
14 very, very short, very fast. But I cannot attach to it
15 seconds or minutes or be more specific than that.

16 Q In general, or in York and Dauphin Counties do the
17 counties notify the school superintendents?

18 A (WITNESS CURRY) It is our plan to notify the
19 school superintendents. We demonstrate that on a daily
20 basis for weather phenomena that may affect the school.

21 Q Is that also true in Dauphin?

22 A (WITNESS WERTZ) Yes. We would notify the school
23 districts. Most of the school districts within the risk
24 area of Dauphin County have purchased a radio receiver that
25 we can activate by tone and notify all the school districts

1 at one time with one radio transmission rather than call
2 them all on the phone individually when school is in session.

3 Q Now, is that school districts or school buildings,
4 also?

5 A (WITNESS WERTZ) No, that is just the school
6 districts. It is in the administrative offices. The school
7 district then would have to contact the individual buildings.

8 Q Is that also true in York?

9 A (WITNESS CURRY) That is true.

10 Q In the plan on pages 7 and 8 there is a list of
11 municipal responsibilities. It is rather lengthy. In
12 addition to those responsibilities, would you say that the
13 municipals are responsible for determining additional
14 traffic control needs during an emergency?

15 A (WITNESS CURRY) Are you referring to a listed item?
16 (Pause.)

17 Q It is on page 7 and 8 in the beginning of your
18 plan, 7 and 8 in the York plan. I don't know what page it
19 is in the Dauphin plan. It is item VI, Subsection C,
20 Municipal Responsibilities.

21 A (WITNESS CURRY) Are you indicating an absence of
22 responsibility to identify traffic control points? Is that
23 what --

24 Q Oh, no, sir. I am just coming up with a list of
25 what municipals are responsible for in your concept.

1 A (WITNESS CURRY) In the development of the local
2 municipal plans, we would expect the local police
3 departments in conjunction with their emergency management
4 agencies to identify traffic control points within their
5 realm of responsibility.

6 This would not include if a major evacuation
7 routing ran through their municipality that was normally
8 patrolled by the State Police. We are talking about traffic
9 control points that on a day-to-day basis they deal with are
10 known could be impediments to an egress routing of the
11 population.

12 Q Would you also say that municipalities which are
13 located outside of the EPZ would be responsible for locating
14 traffic control points which may need to be controlled to
15 facilitate the egress from the EPZ?

16 A (WITNESS CURRY) They would have to be made aware
17 of the major routings so that they could, yes. I have
18 talked to virtually every affected police department
19 representative that would have traffic buildup going through
20 their towns and identified that we would need their full
21 cooperation in keeping the traffic flow.

22 Q Is that also true in Dauphin County?

23 A (WITNESS WERTZ) Yes, ma'am, it is.

24 Q Have you preidentified any obvious traffic control
25 points? You do not have to list the traffic control points.

1 A (WITNESS CURRY) They have not been included in
2 this plan. Again, we are talking about something we deal
3 with on a daily basis. Just to give you an example, in Red
4 Lion Borough, Route 74, which is a major evacuation routing,
5 and Route 24 join in the square. That is an obvious point
6 that we are going to require some traffic flow.

7 But again, we are talking about professional police
8 officers that know their jurisdiction, that we establish a
9 continual rapport with, and as far as identifying every
10 potential traffic control point in the county, I do not
11 really see a necessity for including it in the county plan.

12 Q Are the municipalities responsible for determining
13 additional monitoring or dosimetry or equipment needs that
14 they have within their municipality?

15 A (WITNESS CURRY) They would not be directly
16 responsible for determining the requirements because we
17 would identify to the affected emergency services, not
18 municipalities per se, what we would like them to do in the
19 decontamination and monitoring field. For example, the Glen
20 Rock Fire Department we would identify basically what we
21 would consider their monitoring needs and provide them with
22 that equipment. If they indicated that they needed more, we
23 would talk about it, obviously.

24 Q Is this also true of the Dauphin County plan
25 concept?

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1 A (WITNESS WERTZ) Yes, ma'am, it is.

2 Q Are the municipalities responsible for finding any
3 replacement bus drivers, for instance, if any are needed, or
4 would that be the school's responsibility or your
5 transportation coordinator's responsibility?

6 A (WITNESS CURRY) It is everybody's responsibility,
7 depending on what particular resource you are talking about.
8 If the municipality has a designated bus that they had
9 earmarked for their use, whoever coordinates that activity
10 within the municipality should be able to make some kind of
11 alternative arrangements for replacement drivers if
12 required.

13 At the school district level obviously they have
14 the same responsibility. The transportation coordinator
15 will be a key figure as far as coordinating resources, and
16 we would do everything we can based on available resources
17 for replacement drivers, not necessarily somebody that has,
18 you know, a certification that they can drive this
19 particular bus, and obviously in an emergency you do with
20 what you have, but yes, the coordination would be effected
21 by all levels.

22 Q Have you studied the bus availability lists that
23 are in the Parsons, Brinckerhoff plan and do you know
24 whether there are additional buses beyond those listed which
25 are available in the immediate a' a?

1 A (WITNESS CURRY) As I mentioned in my testimony
2 yesterday, I have read through the Parsons, Brinckerhoff
3 plan, and one of the things that I did know is they did not
4 have a complete listing of transportation resources
5 identified in the county. Again, I think it more
6 appropriate to maintain a listing of resources because they
7 are a changing entity within the resources manual maintained
8 in the county EOC. That is the document I would use as far
9 as resources inventory.

10 MR. ZAHLER: Mr. Chairman, I would just like to
11 correct, because there was some loose language here. It is
12 referred to the Parsons, Brinckerhoff plan in both the
13 question and the answer. In fact, it is not a plan, it is a
14 study. It should not be confused as a plan.

15 CHAIRMAN SMITH: I think that is consistent with
16 the evidence, don't you?

17 MS. GAIL BRADFORD: Yes, I understand that I just
18 misspoke.

19 BY MS. GAIL BRADFORD: (Resuming)

20 Q There is a description in the Rogovin Report done
21 for the NRC which I think describes the importance of
22 municipal and school plans, and I would like to read this
23 brief description to you and see whether you would agree
24 with it or not. It is attributed to Oran Henderson, former
25 director of PEMA. It appears on page 132 of Volume I.

1 "I could prepare you the most beautiful state plan
2 that could assure you the NRC would approve, but if that
3 plan is not disseminated and the subordinate county and
4 local municipal plans prepared that dovetail with the state
5 plan and take the guidance in the state plan, you still do
6 not have anything. It is the local government, the county
7 government that are going to have to have the capability to
8 execute any evacuation if evacuation were necessary."

9 Is it your view that the municipal and school plans
10 are vitally important to the operation of the county plan?

11 A (WITNESS CURRY) It is highly desirable, in my
12 opinion, to have written plans. The absence of written
13 plans at the local level do not indicate that there will not
14 be emergency response at local level. Most of the
15 individuals and responders identified in a written plan
16 perform similar activities on a daily basis, obviously not
17 with the scope of a large-scale evacuation, but they will
18 essentially be using the same resources they use for fire
19 response, for police response, for emergency medical
20 response.

21 Q What about schools?

22 A (WITNESS CURRY) The schools also have procedures
23 for busing their children, either home during a winter storm
24 scenario, anything that would threaten the children, and the
25 lack of a written plan identifying explicit details would

1 not completely negate a response.

2 It would be highly desirable to have these written
3 plans and have them at all affected levels, but I do not
4 think a statement saying that without these written plans,
5 that there would be inadequate response. I cannot make
6 that general statement.

7 Q Mr. Wertz, would you care to comment?

8 A (WITNESS WERTZ) I think basically it is PEMA as a
9 coordinating agency among the state government agencies and
10 departments and counties of Pennsylvania, I feel that the
11 county on the same level is a coordinating agent with the
12 municipalities.

13 Your resources, both manpower and vehicles, et
14 cetera, are in those municipalities, and if they are not
15 well prepared with a plan to give them a sense of direction,
16 I do not think that the state and county plans would be as
17 functional.

18 I think it is very important that the
19 municipalities and school districts do have good written
20 plans.

21 Q Did you have anything to add, Mr. Belser?

22 A (WITNESS BELSER) To my way of thinking, a plan is
23 worthless unless you can implement it. I think that Cran
24 Henderson's comment -- and I have not read the document that
25 you are looking at -- is very aptly stated, true, and we

1 have just consummated the first stages of trying to have the
2 county plans support the state plan and have just submitted
3 Cumberland County's plan, the last of the five, to the RAC
4 for its informal review.

5 One of the things that we concentrated on was being
6 sure that the county plan supports the state plan. They are
7 all tied together, the head bone is attached to the ankle
8 bone kind of concept. And as Mr. Wertz has stated, the
9 municipalities have to be prepared.

10 Now, when we say a plan -- and I before being
11 affiliated with PEMA had an opportunity to go out and work
12 in the municipalities at the lowest possible level in
13 assisting them in putting plans together. I found, though I
14 was not involved in any way, shape or form during the
15 incident -- as a matter of fact, I have been on board a very
16 short period of time, as I am sure you are aware -- I found
17 that more often than not you talk to many people out there
18 and they know what to do, and they did it well during the
19 Three Mile Island incident.

20 But when you ask them to put that on paper, when
21 you ask them to reduce that to writing, that creates real
22 problems; but that does not in any way obviate, if you will,
23 the necessity for having a plan, and I believe that there
24 should be a plan at the state level and there must be one at
25 the county level, and there should be some form of planning

1 -- now, it might be a standard operating procedure It might
2 be a piece of paper which is fairly simplistic in form in
3 which it just outlines who has responsibility for doing what
4 and what they had to do it with.

5 It does not necessarily have to be formal, but
6 there should be some visible evidence of planning, and
7 naturally that cannot be done in a vacuum. It has to be
8 done and those people need to be aware of what
9 responsibilities have been assigned to them by the county,
10 and these things must be all connected together and must be
11 supportive of each other.

12 Q Would you say they have to be written down to the
13 extent that, for instance, a school plan and a municipal
14 plan could be coordinated with the county concept?

15 A (WITNESS BELSER) Yes, because I think something
16 must be written down because it is very, very difficult.
17 Talk is cheap. You need to coordinate. And of course we
18 are talking about basically the same thing. Coordination is
19 absolutely essential and you must communicate, and that is
20 vital whether you are talking about writing -- articulation
21 takes many forms.

22 But in order to evaluate a degree of preparedness,
23 the medium for doing so is something in writing.

24 (Pause.)

25 Q I just have a few questions about the Dauphin

1 County plan. The first one is a little broad. But you
2 listen to Mr. Curry's answers, and in general is your
3 situation substantially the same as York County's as
4 described by Mr. Curry?

5 A (WITNESS WERTZ) Yes, it is. I think basically Mr.
6 Curry's answers to the questions that you have put before
7 him were almost verbatim what I would have liked to have
8 answered to that same question.

9 Q And do you have essentially the same reliance on
10 municipal and school planning?

11 A (WITNESS WERTZ) Yes, ma'am.

12 Q And the same communications concepts, the same use
13 of radio or phone as is cited in the York plan?

14 A (WITNESS WERTZ) Yes.

15 Q Or as Mr. Curry talked about.

16 A (WITNESS WERTZ) Yes.

17 Q Have you made the same kinds of decisions about
18 which emergency workers will need what equipment? Potassium
19 iodide monitoring? Dosimetry?

20 A (WITNESS WERTZ) Yes, we have. Basically we have
21 followed the guidelines of PEMA. We have identified our
22 potential emergency workers in each municipality and have
23 given the list to have KI predistributed and also the same
24 with radiation detection devices.

25 Q There was some discrepancy which I found between

1 the Parsons, Brinckerhoff study's concept of the direction
2 flow for persons in the Steelton-Highspire area and the PEMA
3 map which is Commonwealth Exhibit 2B, I believe, in which I
4 believe the Parsons, Brinckerhoff people had persons in
5 Steelton and Highspire heading -- well, they did not have
6 them taking the turnpike. They had them heading north.

7 Have you examined that situation? Do you know
8 whether there is a conflict there? I see Mr. Belser nodding
9 his head.

10 A (WITNESS BELSER) It is my turn. Yes, on our map,
11 this blue and white map that I have here, we show our
12 evacuation route going approximately three miles toward the
13 facility (indicating). It goes the three miles toward the
14 facility, albeit it is not the best arrangement, but it is
15 going in order for them to get onto the turnpike so that
16 they evacuate in the direction of where their children are
17 going to be and their children are ultimately going to be in
18 Bedford.

19 This is an element which we have a difference with
20 the study because their study shows them evacuating almost
21 north of Front Street. They have since changed that. They
22 route them up Second Street, but that is routing the people
23 away from the area where their children are planned to be,
24 and some change or some arrangement has to be made to
25 accommodate these differences.

1 Q What arrangement will you make? Will Parsons,
2 Brinckerhoff be able to -- or will they identify what
3 changes that change in transportation flow would make in
4 their time estimate?

5 A (WITNESS BELSER) I cannot answer that question
6 specifically. Regardless of what they do, my responsibility
7 for the plans, I will have to take those all into
8 consideration and make the ultimate decision how we are
9 going to handle that. I have no way of knowing what Parsons
10 and Brinckerhoff may do as far as their study is concerned.

11 Q Does PenDOT or does PEMA have the capability to
12 analyze what change that given population's change in
13 direction would make in the evacuation time estimates?

14 A (WITNESS BELSER) Yes. Yes, we do. And naturally
15 one of the considerations when we did our planning, which
16 has been a continuous thing, is not only the road network,
17 the densities, the capability for handling roads. You will
18 note on that map it is the only place where there is any
19 movement toward the facility. All movement is away from the
20 facility. And of course you say you are going three miles
21 -- that is the main evacuation route and that is all that is
22 shown on this map, are main evacuation routes.

23 You conceivably could be entering that at any place
24 during that three miles, so you would not be going as many
25 miles toward the plant. We used that because for the people

1 in that area the only way you could get them to the turnpike
2 where the children were going to be moved to ultimately was
3 to go that way.

4 I would say that the only thing we could do at this
5 stage of the game in the overall planning aspect is
6 determine whether those children which are presently in the
7 county plan scheduled to go to Bedford could conceivably be
8 moved somewhere else, perhaps directly north to accommodate
9 that sort of thing, and to do that we have to take a look at
10 the total picture.

11 It cannot be something done in isolation. It has
12 to be done in terms of the total picture of reception points
13 and that sort of thing. It is not easy, but yes, it is
14 within our capability.

15 Q Mr. Wertz, have you noticed other discrepancies in
16 the Parsons, Brinckerhoff study's concept of operations and
17 the Dauphin plan?

18 A (WITNESS WERTZ) No. As I said before, I have read
19 through the plan one time. I have not gone into it in
20 detail. I have not had it for that long a period of time.
21 That was one that had been -- that I did notice and it was
22 also brought to my attention.

23 But I feel like Mr. Belser at this time. I think we
24 have taken the quickest route to move those people rather
25 than routing them through a very populated and traffic

1 congested area.

2 Q Is it generally true in the Dauphin County plan
3 that the school district reception centers or host reception
4 centers may be different from the municipality reception
5 center so that if a family without transportation is
6 evacuated, they may not go to the same reception center as
7 their children are evacuated to?

8 A (WITNESS WERTZ) The way it is now, we have what we
9 call student pickup points. They are along the major lines
10 that the people would be using to go to a reception
11 center. The idea behind that is that the parent can stop
12 at that reception center and pick up their student and take
13 them with them to the reception center and in turn stay with
14 them when they are in shelter.

15 Q Students would be standing outside?

16 A (WITNESS WERTZ) Pardon?

17 Q Students would be standing outside until their
18 parents came by?

19 A (WITNESS WERTZ) No, ma'am. For example, one of
20 the student pickup points is Ft. Indiantown Gap, and they do
21 have the facilities to put the students inside. If I would
22 refer to the plan, I could tell them all to you. But the
23 people that are using, for example, Interstate 81 can just
24 slide right into Ft. Indiantown Gap, pick up their student
25 and take them along with them to their area where they would

1 be given shelter.

2 Q Does this concept also apply to the York County
3 plan?

4 A (WITNESS CURRY) The same basic ideology is
5 employed, yes. Again, the main objective of a reception
6 center and a designated reception center for children is a
7 place that the parents can pick up the children. We would
8 like that to be done as soon as possible. But our primary
9 objective is to get the children out of the risk area if
10 there is a potential hazard to them, and logically working
11 on the pickup of their children, the time element is not as
12 critical as obviously is removal from the area, but
13 essentially the concept is the same, yes.

14 Q So essentially it does not concern you that the
15 listed reception centers for municipalities might be
16 different from the school district that is affected.

17 A (WITNESS CURRY) It concerns me but -- and we try
18 to coordinate them as much as possible, but I do not think
19 that if there is an inconsistency, it would be that critical
20 to the execution of the plan because we are not talking
21 about that many affected students in that situation.

22 A (WITNESS WERTZ) In all instances the evacuated
23 parents would be passing within a few miles of that student
24 pickup point and it would be very easy for them to stop and
25 pick up their student. We have coordinated in such a way

1 that nobody would have to go out of their way or do
2 extensive traveling to pick up their student.

3 Q In the Dauphin plan or in the York plan is there
4 any plan for monitoring or decontaminating exiting cars or
5 persons who do not go to reception centers?

6 (Panel of witnesses conferring.)

7 A (WITNESS CURRY) Addressing the York County plan,
8 no. In the revised version we do not have any specific
9 references to people that do not go to mass care centers for
10 decontamination monitoring. If the Bureau of Radiation
11 Protection indicates there has been an exposure, we do have
12 the Emergency Broadcast System as a vehicle to identify to
13 individuals that have been in a particular area to get them
14 checked out at a local fire company even if they do not stop
15 at a mass care center.

16 And again, this information can be relayed to a
17 large contiguous area around York County and the state.

18 Q Is that also true in the Dauphin plan?

19 A (WITNESS WERTZ) Yes, it is.

20 Q Now, would they have to go to a local fire company
21 in the TMI area or would any fire company have monitoring
22 equipment suitable?

23 A (WITNESS CURRY) That would be worked out on an ad
24 hoc basis. It would be coordinated, obviously, with
25 individuals that do have monitoring equipment. At that

1 stage it would be a coordinated effort of the state agency
2 and Federal Emergency Management Agency would obviously get
3 involved at that point because we are talking about two
4 different states or three different states.

5 MS. GAIL BRADFORD: Well, sir, I think that is all
6 my questions for this panel. It is less than an hour.

7 CHAIRMAN SMITH: That is very good.

8 (Laughter.)

9 Ms. Bradford had a few hours available to her
10 overnight. She had reorganized her cross-examination plan
11 and obviously she was working on the off hours.

12 What is your pleasure? I would call upon Mr. Gray,
13 I believe, next.

14 MR. GRAY: That is fine.

15 BY MR. GRAY:

16 Q Mr. Curry, in your written testimony in response to
17 Contention EP-6A, you refer to hospital disaster plans. Do
18 such hospital disaster plans exist within York County?

19 A (WITNESS CURRY) I have two of the three hospital
20 disaster plans on file in my office. They are
21 all-encompassing disaster plans. They do have specific
22 annexes that identify procedures in dealing with irradiated
23 victims. They give basic medical treatment procedures to be
24 followed, what basic resources should be consolidated and
25 what part of the hospital that they would be receiving these

1 people.

2 Q And those hospitals you are referring to, where are
3 they located?

4 A (WITNESS CURRY) The two specific hospitals that I
5 am talking about are York Hospital and Memorial Osteopathic
6 Hospital, both located within the York City area. I have
7 talked to Hanover Hospital and it is my understanding that
8 they do not have a particular annex identified for treating
9 radiological emergency response victims.

10 However, there is information available to them
11 although it is not an integral part of their disaster plan.

12 Q In your written testimony in response to Contention
13 EP-6B, you indicate that the county communications center
14 has a composite listing of wrecker/towing services. Is this
15 a listing for each municipality within that portion of York
16 County in the plume EPZ?

17 A (WITNESS CURRY) I do not have that contention in
18 front of me, I mean that statement.

19 (Witness reviewing document.)

20 Q Do you have your --

21 A (WITNESS CURRY) Oh, I have it now. The composite
22 listing that I am talking about is a Flex File system that
23 is available at every dispatcher's work area. It is a
24 series of files that can be referred to very quickly that
25 has basic services that are used on a daily basis, police,

1 fire, different places that police officers take lunches.

2 They identify, for example, in the context of these
3 files when a particular police vehicle is going signal
4 five. It means they are having lunch at a certain
5 restaurant. So they can be reached at all times.

6 These files also include wrecker and towing
7 services that have preidentified themselves to the county
8 communications for dispatch to emergency actions.

9 Q Now in an emergency, in the event that the county
10 resources for things such as wrecker and towing services
11 during an evacuation were insufficient, how would the county
12 go about obtaining augmented wrecker services or things of
13 this nature, presumably from the state?

14 A (WITNESS CURRY) If we had exhausted all means
15 within the county or if I had difficulty coordinating
16 responses from the county resources, I would most assuredly
17 ask help from PEMA. PEMA would be a coordinating agency
18 with the National Guard entities, external county entities
19 in trying to resolve -- they would be identified under the
20 unmet need category.

21 Q In your written testimony in response to Contention
22 EP-6C you state that "amateur radio/fire/police services
23 assure redundancy to telephonic communications to local
24 governments on a 24-hour basis" for York County. Would you
25 explain how that redundancy would be provided?

1 A (WITNESS CURRY) As I mentioned before, virtually
2 all municipalities within York County -- and we have 72 --
3 have as a minimum either a fire department or a police
4 department or an ambulance service, all of which have radio
5 communication capability with the county EOC.

6 I have developed an amateur radio operations plan
7 that assigns preidentified amateur radio operators,
8 volunteers that when the need arises to operate mobilized
9 local emergency operations centers, that they would go there
10 and through them we would have a redundant communications
11 capability.

12 The county has procured since I have been there a
13 permanently prepositioned amateur radio transceiver that I
14 anticipate using for continued communications with the local
15 EOCs so that we do not saturate or overuse emergency radio
16 frequencies such as fire, police or ambulance, but obviously
17 if we had to use them, we would.

18 Q Have you gotten the letter of agreement yet with
19 the four intercounty amateur radio clubs? I think you
20 indicated in your testimony that you were working on that.

21 A (WITNESS CURRY) Yes, I have. I have attended a
22 meeting just last week and I had attended a series of
23 meetings before that because again, we have completely
24 reorganized amateur radio utilization within the county
25 within the last eight months. And written concurrence was

1 obtained from three of the four clubs.

2 One individual, the president of the club, did not
3 make it to the meeting but I talked to him and he assured
4 that he would sign it, he had a copy of the operational
5 plan, understood the responsibilities delineated in the
6 plan, and his membership would not have a problem in
7 fulfilling those responsibilities.

8 Q While we are on the matter of letters of agreement,
9 you have indicated in your written testimony, I believe,
10 that you are attempting to obtain a letter of agreement from
11 Adams County for the relocation center. Have you gotten
12 that one yet?

13 A (WITNESS CURRY) I have a discussion Wednesday
14 again with the county coordinator for Adams County, Mr.
15 James Fox. He and I have talked about specifics of
16 utilization of Adams County mass care on a number of
17 different areas. His proposal for ratification of this --
18 and he told me Wednesday that he had a resolution drafted
19 for adoption by his county commissioners although a general
20 resolution indicated that they would provide, in conjunction
21 with the Adams County chapter of the American Red Cross, up
22 to 11,000 mass care spaces for York County evacuees.

23 He did not have the ratification formalized by his
24 county commissioners at that time. He indicated some
25 administrative problems but he assured me that there would

1 be no problem in our working together if it was required;
2 and again, county coordinators do help each other out.

3 Q You state on the second page of your testimony that
4 the U.S. Department of Agriculture board will be housed in
5 Pleasant Acres. Where is Pleasant Acres?

6 A (WITNESS CURRY) Pleasant Acres is a complex that
7 is owned by the county. It is commonly known as the Home
8 for the Aged. We do have a series of county offices at that
9 location because it is county-owned property, including the
10 York County Planning Commission. That is where the county
11 agent is based, and the USDA Emergency Board is in the
12 process of setting up offices there now.

13 The proximity is outside the plume exposure pathway
14 emergency planning zone, and again, their offices would be
15 located at a sub-first-floor level, giving them a protection
16 factor, although not equivalent to the county emergency
17 operations center, greater than a normal house.

18 Q Under the York County Emergency Plan, what would
19 that USDA board's responsibilities be during an emergency?

20 A (WITNESS CURRY) The county USDA board would be,
21 again, meeting and working to solve specific
22 agricultural-related problems that came up. A member of the
23 board is the county agent, the extension service agent. He
24 would be working out of the county ECC. and the specific
25 assignment I made in the amateur radio plan is to have a

1 representative at the USDA board and at the county
2 courthouse so that there can be a continual exchange of
3 information between the county agent and the USDA board.

4 Obviously, if the Department of Agriculture
5 assigned supplemental manpower, I would think that they
6 would probably aggregate with the USDA emergency board at
7 the Pleasant Acres facility. Again, it is an informational
8 pool in solving specific problems that come up.

9 Q Has the USDA emergency board as well as the county
10 agent been made aware of what you expect of them with regard
11 to responsibilities during an emergency?

12 A (WITNESS CURRY) I have not talked specifically
13 with the representative members that make up the USDA
14 board. The county agent is my liaison and he interacts with
15 these people daily. I have had a number of sessions with
16 the county agent and he has provided me a letter of support
17 indicating his acknowledgment of the kind of information I
18 will be looking for and the kind of assistance we would need
19 in a disaster response, yes.

20 Q In response to Contention EP-14 on the second page
21 of your written testimony, you refer to the new siren alert
22 system that the Licensee is in the process of installing.
23 What is the York County Emergency Management Agency doing in
24 regard to establishing procedures for activating that siren
25 alert system? Have you begun to establish procedures for

1 the activation of that?

2 A (WITNESS CURRY) As far as for procedures for
3 activating the sirens, they will be the same for the
4 existing civil defense siren network. The York County Board
5 of Commissioners have signed a letter of agreement with GPU
6 Metropolitan Edison indicating we will accept the
7 responsibility for activation of the sirens when the system
8 is in place.

9 Q On the third page of your written testimony you
10 indicate that the York Daily Record published an article
11 stating that emergency public information brochures had been
12 distributed, and I know there has been some oral testimony
13 concerning this but I am not quite clear on precisely what
14 has been distributed and what the status is.

15 Can you indicate specifically what brochures were
16 distributed?

17 A (WITNESS CURRY) The brochures referred to, I think
18 I have a copy with me.

19 (Witness reviewing documents.)

20 MS. GAIL BRADFORD: Do you mean this brochure?

21 WITNESS CURRY: Yes.

22 MS. GAIL BRADFORD: We had copies distributed here.

23 (Counsel handing document to witness.)

24 (Witness reviewing document.)

25 WITNESS CURRY: Pennsylvania Exhibit 5 is the

1 brochure I am referring to. The particular references that
2 were made in the written testimony -- and I have copies of
3 the news articles that I referred to -- simply identified
4 that these brochures have been distributed to the affected
5 municipalities' emergency management coordinators and would
6 be distributed by them to affected households within the
7 plume exposure pathway.

8 It also gave an indication that the brochures
9 should be maintained in the individual's household, the York
10 Dispatch article that ran copies of the maps and also gave a
11 consolidated version of basic protective actions that
12 individuals should follow.

13 BY MR. GRAY: (Resuming)

14 Q Did you indicate that to some extent this
15 distribution had been made by some municipalities,
16 distribution to residents of municipalities?

17 A (WITNESS CURRY) Yes, I have.

18 Q Do you know how many of the municipalities within
19 the York County plume EPZ have distributed that brochure to
20 their residents?

21 A (WITNESS CURRY) To the best of my knowledge, all
22 that were issued brochures by my agency have made
23 distribution of them.

24 Q Do you know if those municipalities made any
25 distribution to places where transients may frequent, such

1 as hotels, motels, that sort of transient location?

2 A (WITNESS CURRY) The protective action plan that
3 was in effect at the time of the distribution of these
4 brochures did identify the responsibility for the local
5 coordinators to make sure motels, hotels, places of
6 transients, parks within their affected municipality did
7 receive copies.

8 I also, when I disseminated the brochures, I did so
9 at a county level meeting at the York County Courthouse, and
10 I reiterated the distribution instructions. I have not
11 received specific feedback on individual motel units and/or
12 transient locales receiving -- I have not received that kind
13 of feedback.

14 Q Mr. Curry, is what Mr Belser indicated about the
15 siren activation, coordination through PEMA of siren
16 activation for the counties, is that consistent with your
17 understanding of the siren activation planning that you have
18 for York County?

19 A (WITNESS CURRY) Generally yes, but with the
20 clarification that the county recognizes it is our
21 responsibility for the activation of the siren systems. If
22 we receive information that there is a potential or imminent
23 hazard to our citizens, we will not hesitate to activate the
24 system on our own volition. We will not do it arbitrarily,
25 and generally we will follow guidance from the state agency,

1 but it is our responsibility.

2 Q So you could quite well activate the sirens in your
3 county at a time when other risk counties for TMI are not
4 activating theirs.

5 A (WITNESS CURRY) Let me again reiterate that
6 counties talk to each other. We have mutual aid frequencies
7 with all the affected risk counties, and if we hit the
8 sirens, we will notify our neighbors, our contiguous
9 counties, that we are hitting the sirens.

10 Q Would you anticipate that you would delay
11 activation of your sirens during an emergency until you have
12 contacted your county emergency management staff, notified
13 them of the existence of an emergency?

14 A (WITNESS CURRY) It would depend on the scenario.
15 If there was an imminent danger, no, I would not delay it.
16 I would ordinarily administratively delay activation until I
17 could reach my county commissioners because they have the
18 ultimate responsibility for the system, but in my
19 discussions with the commissioners and our working
20 arrangements, if there is an imminent threat I would not
21 hesitate to do it on my own authority.

22 Q On the third page of your written testimony you
23 refer to a police services officer who is part of the county
24 emergency management staff. Now, that person is not
25 intended to have overall command of law enforcement forces

1 in York County in the event of an emergency, is he?

2 A (WITNESS CURRY) No, he is not.

3 Q Okay. At the bottom of the third page of your
4 written testimony you indicate that the York County
5 emergency plan does not identify any requirement for the use
6 of temporary signs in support of an evacuation. Do you
7 contemplate the use of any such signs in an evacuation?

8 A (WITNESS CURRY) The written testimony was to
9 address a specific contention. There was a reference in the
10 previous edition of the protective action plan that
11 indicated temporary signs would be placed on egress
12 routing. I think there was a misinterpretation of what
13 these signs would consist of.

14 It was my understanding that these signs would be
15 signs that were in prior existence and used by PenDOT, such
16 as "Slow," "Yield," "Traffic Congestion Ahead," "Traffic
17 Control Points," or whatever. I did not look for specific
18 signs that say "TMI Evacuation Route," things of that sort.

19 And in consonance with the state plan again, this
20 is a coordinated plan to bring the two plans and all the
21 risk municipality plans together. Since that was assigned
22 the functional responsibility to PenDOT, it was therefore
23 deleted from the county plan.

24 Q On the fourth page of your written testimony you
25 refer to a home study course for training fire company and

1 police units in the use of radiological monitoring
2 equipment. Do you know what training has been completed on
3 this for various municipal fire company and police units
4 within York County?

5 A (WITNESS CURRY) The home study course referred to
6 is a graded eight-hour home study course. It is basic
7 radiological training to complete the makeup of this
8 course. There is also an eight-hour hands-on instrument
9 course requirement for an individual to be certified on
10 paper as a trained radiological monitor. Again, this
11 training is specifically geared for operating civil defense
12 instruments for emergency response subsequent to a nuclear
13 attack.

14 There has been extensive training of these home
15 study courses prior to beginning my role as emergency
16 management coordinator for York County. I have a listing of
17 trained radiological monitors that have completed both the
18 home study and the instrument course on file in my office
19 and they number well over 100.

20 I have taken it as a specific project to make these
21 courses available to fire companies, to police departments
22 and to other concerned entities that deal with emergencies
23 on a daily basis. I have recently worked with my
24 radiological defense officer, who is a MOBDES officer. He
25 has recently received certification to conduct training for

1 the radiological training, the home study portion.

2 This is the first time I know of that York County
3 has its own internal training capability. I would also like
4 to point out that the training required to operate the
5 Geiger-Muller counter in my estimation can be done within a
6 few minutes.

7 The main point that I would like to make as far as
8 training capability goes with the monitors, I would like to
9 have it done not only for radiological emergency incidents
10 but an even more pressing concern in my training efforts is
11 for hazardous materials that are on the highway.

12 I have talked to police chiefs throughout the
13 county and fire chiefs, and in my prepositioning of the
14 monitoring equipment I have recently acquired, I want to
15 make sure that we have one of these things in virtually
16 every emergency vehicle in the county.

17 Again, I cannot force anybody to take radiological
18 training. I can only offer it.

19 Q On the fourth page of your written testimony in
20 discussing the emergency broadcast system you state that the
21 EBS network is to include a CPCS-1, CPCS-2 and CPCS-3
22 network. What are those things, CPCS networks?

23 A (WITNESS CURRY) Most people have very little
24 knowledge about the internal workings of the Emergency
25 Broadcast System, including many people in the emergency

1 preparedness field. As a general description, the Emergency
2 Broadcast System is a voluntary network of participating
3 media to provide us a vehicle to disseminate public
4 information for protective actions.

5 It is broken down on three levels of
6 prioritization. The White House is the top priority,
7 obviously. The second level is the county level as far as
8 disseminating emergency information, and the third level is
9 the state. The CPCS references are an acronym again. We
10 use a lot of acronyms in the emergency preparedness
11 business. It is Common Program Control Station.

12 Now, this is a station that can activate a dual
13 tone which notifies all of the participating radio and TV
14 media that the Emergency Broadcast System is being
15 activated. The CPCS-1 for York County is WSBA radio.

16 It was not picked by York County Emergency
17 Management Agency. Its designation was done by the FCC in
18 conjunction with the state civil defense agency at the time
19 because of the equipment that they had available. Because
20 they have a 24-hour operation, during the civil defense
21 buildup years they were provided equipment such as a remote
22 programming unit identified previously.

23 The have a fallout shelter with a representative
24 protection factor that meets federal requirements, and
25 basically they have a capability to make sure on virtually a

1 24-hour a day basis that we can get the word out. There is
2 a redundancy built into this activation system. We have
3 designated in the EBS operational plan other stations
4 designated as secondary and tertiary points for initiating
5 the broadcast.

6 All of the participating stations will have this
7 information. The CPCS station is merely an activator. For
8 example, by CPCS-2 station is WZIX radio, which is located
9 right in the square of York, so if I do not have telephonic
10 communications, they are four buildings away. I can
11 establish a runner service with no problem.

12 Q Turning to the York County emergency plan and the
13 county responsibilities listed on page 7 of the plan, I
14 would ask you to look at item 10 on page 7, which indicates
15 that the county is to determine total resource requirement
16 shortfalls and report them to PEMA.

17 Have you determined the county resource shortfalls?

18 A (WITNESS CURRY) Again, the determination of total
19 county resource shortfalls is merely a coordinating effort
20 at the county level. This is obviously to be done in a dual
21 type situation, one we want to identify unmet needs and
22 resource shortfalls beforehand. With the concept of
23 operations delineated in our revised radiological emergency
24 response plans, the previously identified unmet needs are
25 going to have to be reassessed.

1 It is my interpretation that the total resource
2 shortfalls, although previously identified, can be worked
3 out for the plume exposure pathway on the most part with
4 internal resources based on the revised concept of
5 operations. However, this also means that during an actual
6 contingency, that resource shortfalls will be identified at
7 the municipal level and consolidated and identified at that
8 point.

9 It is my personal interpretation and understanding
10 that identification of resources beforehand is good but it
11 is not really practicable until we deal with the specific
12 scenario.

13 We can designate yes, we need "x" number of buses,
14 "x" number of ambulances, "x" number of whatever large
15 transportation resources would be needed, but as far as
16 delving into specifics such as flashlight batteries and
17 stuff and a lot of things I am getting, I am kindn of
18 filtering them out at the county level. I have not made an
19 aggregate resource shortfall notification to PEMA, no.

20 Q The municipalities are also supposed to make the
21 county aware of their resource shortfalls, and are they
22 doing that?

23 A (WITNESS CURRY) Yes, sir. They are. That is my
24 souce of information from the municipalities. I have found
25 in the plans that I have received that the resource

1 shortfalls identified are in many instances not taken into
2 account that we should exhaust all the locally available
3 resources before we request unmet needs.

4 I have readdressed requirements that I personally
5 felt did not exhaust all local means to the concerned
6 municipalities for their rereview. We would hope to be able
7 to identify most resources by either procurement means on a
8 voluntary lend basis out of a grant, out of existing public
9 or quasi-public entities before we just arbitrarily shoot a
10 large inventory of unmet needs because I think that would be
11 counter-productive.

12 Q Under the listing of municipal responsibilities in
13 the York County emergency plan, item 1 indicates that
14 municipalities are to provide emergency operations centers.
15 Have the municipalities within the York County portion of
16 the plume exposure pathway EPZ established EOCs?

17 A (WITNESS CURRY) To the best of my knowledge, they
18 have as a minimum designated an emergency operations
19 center. It is not my interpretation that they are mandated
20 to operate an emergency operations center on a 24-hour basis
21 similar to the county operation.

22 They just have to have a place designated, and in
23 the event the emergency operations center has to be
24 mobilized, the individuals responsible will have functional
25 responsibilities for emergency response, know where to go, and

1 I can say for the most part that has been accomplished
2 though not been formalized in writing.

3 Q Item 8 on page 9 indicates that the municipalities
4 are to make available to the county medical coordinator
5 their listings of invalids not in medical facilities. Have
6 those listings been made available for the various
7 municipalities?

8 A (WITNESS CURRY) Again this is my interpretation of
9 this reading. The municipalities throughout the county not
10 only in the risk area maintain listings of people with
11 special health needs. I would not think, other than if it
12 was included in the municipal plans, that it would be that
13 critical to continually maintain that with the county
14 medical director.

15 I think we could solicit that information and have
16 it accumulated within a very short period of time,
17 reiterating again the county medical director is a volunteer
18 member of the county emergency management staff.

19 Q In Annex E of the York County plan on Pennsylvania
20 State Police York County traffic control points,
21 specifically page E-3 of Annex E, you indicate at the bottom
22 there that there has been a verification with Major George
23 Evan of the Pennsylvania State Police.

24 What do you mean by verification? Do you mean that
25 Major Evan has verified that he will provide the number of

1 personnel at the particular locations listed in this table?

2 A (WITNESS CURRY) That indication means that -- and
3 again, the particular reference there was verified by a
4 representative of the Pennsylvania Emergency Management
5 Agency, and the verification was that these traffic control
6 identification points are consistent with the State Police
7 radiological emergency response plans, operational
8 procedures.

9 Major Evan is the coordinator for the State Police
10 for that plan. Just for information, I have discussed the
11 context of these traffic control points with Major Evan
12 subsequent to this verification being made and have
13 indicated it would be in the best interest of all of us,
14 himself, the troop commander for York County, who has been
15 recently appointed -- I have met him but I have not been
16 able to sit down and discuss specifics for different
17 disaster contingency operations -- that as a minimum we
18 three will get together and work out and coordinate the
19 details of the state and county plans.

20 Q In Annex Q, page Q-2, Item C.4, it indicates that
21 York County will require training for identified officials
22 in 1981. Do you see that statement?

23 A (WITNESS CURRY) Yes, I do.

24 Q What specific officials is that referring to?

25 A (WITNESS CURRY) The officials you are talking

1 about?

2 Q Yes. The identified officials that training will
3 be required for in 1981.

4 A (WITNESS CURRY) I think what I will do, and again,
5 this is a semantical change as far as "require," I am going
6 to change that wording, if you have a problem with that.

7 The county is not going to require anybody to do
8 anything. We will make it available to all individuals
9 within the affected risk areas that desire it that are on
10 emergency staffs that desire to take it. We will highly
11 recommend this training for the elected officials, for the
12 emergency management coordinator, for individuals that have
13 specific response duties for radiological emergency.

14 As far as specific titles, no.

15 Q Mr. Belser, yesterday you stated that the
16 Commonwealth proposes to use the Parsons, Brinckerhoff
17 evacuation time estimate in its planning effort and
18 considers those time estimates to be usable. Do you mean
19 that the state has now decided to use the Parsons,
20 Brinckerhoff evacuation time estimates in making the
21 protective action decisions?

22 A (WITNESS BELSER) In amplification, the Parsons,
23 Brinckerhoff study is a study. We propose to use it as an
24 adjunct to our planning. There are in our review -- there
25 are errors, there are omissions and there are differences

1 between our plan and our concept of our planning effort and
2 the Parsons, Brinckerhoff effort or study.

3 Most of these are resolvable and by and large --
4 that does not necessarily mean that if we could resolve most
5 of them, that we would accept that study carte blanche for
6 implementation. It does not make sense and that is not the
7 purpose of the study.

8 One of the aspects which the Parsons, Brinckerhoff
9 did not touch on are the resources that you need for this
10 thing. I mean it is fine to come off with a study, but the
11 resources, the personnel resources when you start talking
12 about traffic control points, for instance, that cuts across
13 a number of spectrums, if you will.

14 It cuts across. When you talk about the main
15 evacuation routes, we are talking about state police
16 requirement. When you talk about the municipalities within
17 a county, you are involved with local police forces. All of
18 the county, the state police and the municipalities have
19 been in this planning effort, as I think has been brought
20 out here quite well, and have established traffic control
21 points within their communities and they know exactly where
22 they should be.

23 After all, they are familiar with the ground, and
24 the plans that we have were put together over the past two
25 years by people who know this thing chapter and verse on the

1 ground.

2 So when you come off of the study, a computer
3 model, if you will, which undoubtedly is exceptionally well
4 done and probably meets the Nuclear Regulatory Commission's
5 requirements, when you become pragmatic about it then you
6 have to consider these other aspects before you say yes.
7 When you say we accept it, you have to qualify what
8 acceptance really means.

9 And as far as the state is concerned, I will say
10 this. As a planning standard, as a planning standard we
11 propose to use the upper bound -- and you are familiar with
12 the study, I am sure. There is an upper bound and a lower
13 bound, and the lower bound is a situation wherein your
14 response forces are not ready, your resources are not
15 primed, if you will, and you have a situation where you have
16 a rapidly escalating scenario ultimately ending up in a
17 general emergency.

18 And of course, in the upper bound you come off with
19 time frames that are longer. Now, in Pennsylvania here our
20 planning efforts have been ultraconservative, have been and
21 continue to be. After all, we do plan on a 360 degree
22 evacuation, which is very unusual, as I am sure you are
23 aware; and number two, in our evacuation plans we plan on
24 evacuating all the population, yet we know very well that in
25 all probability -- we know for a fact from prior instances,

1 less than 50 percent will probably require evacuation. More
2 often than not they will voluntarily evacuate.

3 So by using the upper bound in our determinations
4 for protective actions, this gives us a very conservative
5 approach which we want to continue to perpetuate.

6 Some of the other things that are involved here,
7 the differences are ones which we have to look very
8 carefully at. Now first of all, we recognize that we have
9 to change our EPZ. This map that I have lying here was done
10 a year and a half ago, and our artist used some license with
11 his compass in that he did not use latitude or longitude
12 when he placed the center points, so consequently our radius
13 is a quarter of a mile off. Those things need to be
14 changed, and I most certainly am looking at redoing this
15 effort.

16 There are some differences in the EPZ between ours
17 and what the Parsons, Brinckerhoff study used, not
18 intentionally, but they are there, as to what parts of
19 Harrisburg are involved or not involved. There are areas
20 that we have to adjust in our planning because it roughly
21 involves about 12,000 people less in their approach than
22 there is in ours.

23 We have some differences in their approach to the
24 problem, in their concept of evacuation. Their concern was
25 to get the people out of the EPZ by the most direct,

1 shortest route, but it did not necessarily consider exactly
2 getting them out by the most -- the quickest route does not
3 get them out anywhere near where their children are going to
4 be in a number of cases. That could conceivably create real
5 confusion, especially if you are evacuating to the east and
6 you find out that your kids are over here in the west.

7 So what I am saying here is there are some things
8 that have to be looked at very, very carefully. Right now,
9 just as an indication of some of the things that we are
10 doing here, to give you some magnitude of sorting out these
11 things, there are 31 traffic control points identified in
12 the study.

13 We found out here, we determined that two of them
14 are state police responsibilities, so Major Evan has been --
15 we have had some extensive sessions with the planner that I
16 have working on this thing, sessions about that, but 29 of
17 those TCPs are municipal or regional requirements.

18 Well, okay. Now you got to get down with those
19 people and say, all right, are these ones, other than the
20 ones they have already determined, is this an additional
21 requirement? If it is an additional requirement, where are
22 the people going to come from? It is all right to identify
23 traffic control points or bottleneck points or choke
24 points. It is fine to identify them but there are the
25 practical aspects of life that have to be looked at very

1 carefully, and that is the sort of thing that we are doing.

2 One of the reasons why we, I would say, use the
3 upper bound is because regardless of the degree of
4 resolution -- and I'm sure much of this can be resolved --
5 it has pointed up a lot of things to us where we have made
6 some real boo-boos, which we are going to straighten out and
7 pull this all together.

8 But that is where we stand on it, and we feel that
9 regardless of the degree of what we come off with, our
10 conservative approach and using the upper bound, which we
11 can vary according to the situation, as a decision-making
12 tool, if you will, this will give us what we want.

13 Q Thank you, Mr. Belser.

14 There was previous testimony in this proceeding
15 indicating that in fact the state and the licensee had some
16 differences with regard to the time estimate study and work
17 was being done to resolve those differences, and what I was
18 really inquiring about was whether those have been resolved
19 and the state has now made a decision.

20 I believe you have answered that that they have not
21 been quite resolved yet.

22 A (WITNESS BELSER) Thank you.

23 Q Mr. Wertz, you indicate on the first page of your
24 written testimony as to the need for substitute local
25 coordinators, that if a local emergency management

1 coordinator cannot be reached, elected municipal officials
2 will be contacted.

3 Are elected municipal officials qualified as
4 substitute coordinators? Do they know the municipal and
5 county plans and the duties of the local coordinators such
6 that they could be appropriate substitute coordinators?

7 A (WITNESS WERTZ) Yes, sir, I believe they are.
8 They have the ultimate responsibility for the emergency
9 services and planning within their municipality. We have
10 asked the local coordinators to give us a listing of
11 alternate context in their absence. In the interim we are
12 using the elected municipal officials because it is their
13 definite responsibility to see that this is done.

14 Q You indicate there on the first page of your
15 written testimony that notification of key people will be by
16 radios where possible. What key people are you referring to?

17 A (WITNESS WERTZ) We would be talking about the
18 staff personnel of our emergency management agency and our
19 county commissioners. By radio we are talking radio alerting
20 equipment. By setting out a tone on the radio, it is
21 activated to give us notification that services are needed.

22 Q Are you speaking of something like beepers carried
23 by various personnel?

24 A (WITNESS WERTZ) Yes, sir.

25 Q I see.

1 You indicate on the first page of your written
2 testimony that the evacuation of the Dauphin County
3 emergency operations center is not anticipated. Why don't
4 you anticipate that that would have to be evacuated?

5 A (WITNESS WERTZ) At this time when the evacuation
6 plans were originally written for the Dauphin County EOC
7 they were withinside the 20-mile EPZ. As it stands now they
8 are outside the 10-mile radius. Although they are still in
9 the white area EPZ, they are outside the 10-mile radius, and
10 we feel that being in the basement of the courthouse, we
11 would have no reason to move.

12 We have refined and held that part in the plan in
13 the event that we would decide to move for any reason other
14 than nuclear incidents, flood or whatever. Since it as
15 already written, we have refined it and kept it as a backup.

16 Q You indicate on the first page of your testimony
17 that Dauphin County is redoing its communications systems.
18 What are you redoing? What is being done there?

19 A (WITNESS WERTZ) Okay. I am not a technician as
20 far as radio systems go. What is happening is we are
21 converting our system to a system called microwave. About
22 all I can tell you as far as a description of microwave is
23 that it is the most modern type of radiocommunications
24 available right now. We are putting in more transmitters,
25 new tower sites.

1 We are renovating our communications center,
2 increasing its size. We are increasing the amount of
3 equipment that is in the communications center. We will
4 have two separate police consoles to dispatch and handle
5 police traffic. We will have a new fire console. We will
6 have a new medical services console. We will also have a
7 supervisory console that will be able to backup, take over
8 or supplement any of the other consoles that are in the
9 communications center.

10 This will increase our channel capability. We will
11 be separating our emergency management network, which is a
12 separate radio network for local government and county
13 government officials to coordinate with our agency, not
14 interfering with any police, fire or ambulance frequency.
15 That will be into another console also.

16 Q On the second page of your written testimony
17 regarding a listing by municipalities of pickup points for
18 persons without transportation for an evacuation, have the
19 municipalities completed their listing of pickup points?

20 A (WITNESS WERTZ) Of the 16 municipalities affected,
21 I have written plans for eleven of them. I know that three
22 of the plans that are not completed are near completion.
23 The pickup points for those 14 municipalities are listed in
24 the municipal plans.

25 Q How do you anticipate that the public will be

1 informed of these pickup points?

2 A (WITNESS WERTZ) Yes, sir. In fact, Londonderry
3 Township has drawn up their own municipal brochure that
4 addresses just their municipality and is in the process of
5 distributing it to the residents of their township. It
6 lists the pickup points for the townships and local groups'
7 emergency numbers, any information that they might need.

8 This pamphlet is in consonance with the county plan.

9 Q How about the other municipalities? How will they
10 inform their citizens of pickup points?

11 A (WITNESS WERTZ) Quite a few of them have taken
12 large ads in newspapers. Middletown Borough, for example,
13 has published a large ad giving the basics to their plan in
14 the paper. Quite a few of them have copied pickup points
15 and pertinent information and mailed it to their people with
16 their tax notices.

17 CHAIRMAN SMITH: Let me interrupt. I think again
18 we have seriously underestimated the time needed, so we are
19 going to have to decide what we are going today.

20 How about you, Mr. Zahler? Are you still on the
21 schedule that you thought you would be?

22 MR. ZAHLER: Yes. In fact, I will have
23 substantially less than half an hour because a lot of my
24 questions have already been asked.

25 CHAIRMAN SMITH: We are not in too bad shape.

1 How about you, Ms. Straube?

2 MS. STRAUBE: I am just looking. I think almost
3 all my questions have been asked.

4 CHAIRMAN SMITH: All right.

5 How about additional cross?

6 MS. GAIL BRADFORD: I have only noted two questions
7 so far.

8 CHAIRMAN SMITH: All right.

9 MR. GRAY: Maybe I can pick up the pace here a
10 little bit.

11 BY MR. GRAY: (Resuming)

12 Q You indicate on the second page of your testimony,
13 Mr. Wertz, that the Dauphin County emergency plan identifies
14 64,000 spaces for sheltering, which is far above what you
15 believe will be required. How many sheltering spaces do you
16 actually believe will be required?

17 A (WITNESS WERTZ) I believe at this point in time it
18 would be in the neighborhood of 30,000.

19 Q What is the basis for that?

20 A (WITNESS WERTZ) By determining 50 percent of the
21 population that would have to be moved that would need
22 sheltering, I feel that 50 percent of the population that
23 would be moved would find their own sheltering, either with
24 camps or with relatives.

25 Q But the 50 percent number is the 64,000 that you

1 are providing for; isn't that correct?

2 A (WITNESS WERTZ) I do not think it says "have been
3 provided for." It says have been identified that could be
4 used if we need them, sir.

5 Q And that is 50 percent of the evacuating
6 population, is it not, those 64,000 spaces?

7 A (WITNESS WERTZ) Yes, sir.

8 Q But you anticipate that far fewer than 64,000 will
9 actually be needed.

10 A (WITNESS WERTZ) That is right, sir.

11 Q And the basis for your believing that far fewer
12 will be needed is what?

13 A (WITNESS WERTZ) The fact that people will go to
14 friends and relatives and will not seek sheltering that
15 would be needed from municipality or host area.

16 Q The third page of your testimony, you indicate that
17 98 ambulances are needed to support the revised Dauphin
18 County emergency plan, yet I believe your Dauphin County
19 plan lists only about 48 ambulances as being available; is
20 that correct?

21 A (WITNESS WERTZ) That is correct.

22 Q How will you make up the ambulance shortfall?

23 A (WITNESS WERTZ) We are currently talking with our
24 emergency medical services counsel and have been discussing
25 with PEMA to coordinate the bringing in of ambulances from

1 support counties to back up our needs. We have identified
2 225 available ambulances from the counties north of us that
3 would be available to help in the event of an evacuation.
4 However, we have not at this time firmed up any commitment
5 from those ambulances.

6 Q On the third page of your testimony you indicate
7 that planning for the notification and availability of CAT,
8 C-A-T, bus drivers is under development. What reliance is
9 there on CAT buses for the Dauphin County planning?

10 A (WITNESS WERTZ) At this point in time we have just
11 -- the county itself has just hired a full-time
12 transportation coordinator. We do not have a whole bunch of
13 bus resources outside of the school districts in Dauphin
14 County.

15 The transportation coordinator has come on the
16 emergency management staff to assist us two weeks ago. He
17 is also a member of the board of directors of CAT and is in
18 the current process of working out some contingency plans
19 with them to see how many of their buses would be available
20 for Dauphin County and to identify the unmet needs beyond
21 the bus resources of Dauphin County.

22 At this point in time CAT would be one of the major
23 transportation resources available to Dauphin County.

24 Q Moving to your Dauphin County plan, on page 5 of
25 the plan under county responsibilities, what unmet needs has

1 Dauphin County identified?

2 A (WITNESS WERTZ) Basically at this time we have
3 coordinated the input from our local municipalities. We
4 have identified unmet transportation needs as far as buses.
5 I am not sure of the exact number without looking it up. We
6 have identified the shortage of ambulances, which we have
7 addressed earlier, and we have addressed a shortage of some
8 police personnel for traffic control.

9 WITNESS BELSER: Mr. Chairman, may I request a
10 short break?

11 CHAIRMAN SMITH: Yes. I think we are all about
12 ready for one. Let's take a ten-minute morning break.

13 (Recess.)

14 CHAIRMAN SMITH: We will be adjourning today at no
15 later than 12 o'clock.

16 BY MR. GRAY: (Resuming)

17 Q Mr. Wertz, has the county provided training for
18 municipal emergency management coordinators?

19 A (WITNESS WERTZ) Just a little background on that.
20 The training program for Dauphin County has been very
21 limited in the past. I came on board as the coordinator in
22 November. In the interim between the time the previous
23 coordinator had resigned and the time that I was hired, the
24 department ran on a day by day basis, and most of the
25 programs that were existent went by the wayside.

1 We are now in the process of totally redoing the
2 Dauphin County training plan. We get new coordinators,
3 municipal coordinators that come on board. I did go out and
4 meet with them and give them a presentation upon what their
5 duties and job-related activities are and give them an
6 update on what has been going on in the county to this point.

7 We have currently petitioned all the municipal
8 coordinators for their recommendations for training programs
9 as well as the numbers of people they have that would be
10 interested in these types of training programs. We are
11 going to put together the training programs by
12 prioritization of need, and we are in the process of doing
13 that at this time.

14 Q On page 10 of the Dauphin County emergency plan,
15 item 4-K indicates in a general emergency the county will
16 distribute printed emergency public information packages.
17 Precisely what is in these emergency public information
18 packages?

19 A (WITNESS WERTZ) Okay. These are under development
20 at this time. The county does have its own printing shop,
21 and on a very short-term notice, if we would have to print
22 materials and put them together into a package, we would
23 have the ability to print these materials and possibly give
24 them out at reception centers or at mass care centers to
25 keep people updated as to what is happening.

1 Q I just would like to point out on page 11 of the
2 Dauphin County plan, Section 8, the first sentence talks
3 about basic distribution of the Lancaster County emergency
4 radiological response plan. That apparently is a
5 typographical error. Is that --

6 A (WITNESS WERTZ) Yes, sir, that is a typo.

7 MR. GRAY: The staff has no further questions.

8 CHAIRMAN SMITH: Mr. Zahler.

9 BY MR. ZAHLER: (Resuming)

10 Q Mr. Belser, would you tell me what you meant by the
11 phrase "micro-assistance" in the first sentence of your
12 testimony?

13 A (WITNESS BELSER) I knew that was coming. I used
14 that expression because the type of assistance that we have
15 been providing from the state as it pertains to radiological
16 emergency response planning is perhaps not only unique but
17 different than assistance which we provide in our other
18 planning efforts. I would say in that case that would be
19 micro-assistance.

20 My responsibilities are quite broad. I am
21 responsible for the preparation and the revision of the
22 State and the Commonwealth disaster operations plan, 67
23 county plans, disaster operations plans, the crisis
24 relocation planning effort which involves moving people of
25 the Commonwealth out of the ten risk areas into other parts

1 of Pennsylvania as well as moving people from other states
2 into Pennsylvania, and its little cousin, which we call
3 mini-crisis location, which is oncoming, and then, of
4 course, there is Annex E, and there is at the present time
5 eleven county plans similar -- we have a tendency to think
6 that the only thing that exists is Three Mile Island, but we
7 have four other nuclear plants here and they also have plans
8 which are under revision.

9 Now, prior to November of last year, our planning
10 effort was somewhat splintered because we received varying
11 guidance. It was not until we received new Regulation 0654,
12 FENA Rev. 1, which brought together the efforts of the
13 Nuclear Regulatory Commission and the Federal Emergency
14 Management Agency, that we had a document which we could
15 rely upon and hopefully is not going to change, at least for
16 some time, in our planning efforts.

17 We realized upon receipt of that and what we did
18 want is to take the plans -- each of the county plans, all
19 of the plans for all eleven counties had already been sent
20 to the RAC for review, and all of a sudden when that FEMA
21 Rev. 1 came out, they all for all purposes were worthless.

22 So just before Christmas we found ourselves back at
23 square one starting all over again in our planning effort.
24 To accomplish this in the time frames which we are all
25 familiar with here and with the emphasis being on Three Mile

1 Island, we had to change our approach to revising these five
2 plans since they are the ones which we are talking about
3 here.

4 I realized one of our -- in our planning efforts we
5 do provide assistance not only for these planning efforts
6 but for all the departments and agencies of the state
7 government, of which there are 36 that have emergency
8 management planning responsibilities. So we had to change
9 our way of thinking.

10 We knew very well that the counties had very, very
11 limited resources to do this with, plus the fact that they
12 cannot stop everything else in order to work on the plans.
13 So something had to be done. We started off with taking
14 each plan which they had and establishing a very detailed
15 cross reference between 0654 and the then existing county
16 plans to point up to the emergency management coordinators
17 exactly what needed to be done, and these were detailed
18 comments, and where possible, how-to-do-it comments. That
19 is important to be of assistance.

20 It is fine to point up the errors that people have
21 made, but it is more important to be in a position to tell
22 them how to correct it, and as I said, that was the
23 essential aspect of it.

24 Then after identifying all of these things and
25 making them available to the coordinators and giving them an

1 opportunity to digest it, it became apparent that there were
2 some aspects of it, as an example, when you are talking
3 about radiological exposure control annexes to a plan, that
4 word is even difficult to spell, let alone expect people to
5 put that together.

6 So we realized at the state level that we needed to
7 put together -- we needed to do at our level where we had in
8 some cases more and better expertise to do these things
9 which could be made available to the counties. That was
10 followed on by a technique which had not been used before,
11 and what we did then is I established sessions where each of
12 the county coordinators came in to PEMA and we sat down with
13 all of my planners, of which I have three total, and we all
14 took pencils in hand and we went to work and we worked
15 together.

16 There is a definite mutuality in this planning
17 effort, and in order to protect the health and safety and
18 welfare of the Commonwealth, you cannot isolate yourself.
19 It is a problem for all of us. So we got together and we
20 sat down, and I can assure you there is a certain degree of
21 uniformity in our plans.

22 Admittedly, the responsibility for making that plan
23 is still the county's responsibility, but they need all the
24 help that they can get, and when I say micro-assistance, I
25 am saying that we got down and we got involved in the

1 minutiae of it.

2 Although I do not know all the details, the chapter and
3 verse of it, I have a pretty good idea what is in every plan
4 in this Commonwealth.

5 I hope that that delineates and explains why I used
6 the word "micro-assistance."

7 Q Do personnel from emergency management services
8 participate in some of this effort, Kline, Knopf and Wojak
9 people?

10 A (WITNESS BELSER) Yes, they did. We started
11 working on the five county plans. Kline and Wojak got
12 involved in assisting the counties and worked quite closely
13 with us. When I say closely with us, sitting at the table
14 as close as you and I are together to make sure that the
15 efforts were synchronized and that we were pulling together
16 to get this job done.

17 And I might add I established a milestone schedule
18 back at Christmas-time -- well, I did not come on board
19 until the 1st of January in FEMA, around the 15th of
20 January, and we met that schedule because the Cumberland
21 County plan went to the RAC on Tuesday of this past week.

22 Q Do I take it from what you said that all five risk
23 county plans have now been submitted to the RAC for informal
24 review?

25 A (WITNESS BELSER) That is correct.

1 Q Mr. Curry, when the York County plan is finalized,
2 will you distribute a copy of it to the York County
3 agricultural extension agent, Mr. Smith?

4 A (WITNESS CURRY) Yes, I will.

5 Q Are you familiar with the study that has been done
6 by the League of Women Voters of emergency planning in York
7 County?

8 A (WITNESS CURRY) I have been made acquainted with
9 the plan initially, and the finalized report via newspaper
10 coverage of their efforts. I have attended a public meeting
11 that the League held in reviewing the plan, and subsequent
12 to its publication as a finalized report, I was provided a
13 copy of the summary.

14 Q Did you comment at this public meeting on the study
15 done by the League?

16 A (WITNESS CURRY) I made particular comments to a
17 number of items that I felt were not quite accurate or
18 misinterpreted as far as emergency planning and emergency
19 services responses would actually be affected, yes.

20 Q In your opinion did the summary that you saw of the
21 League of Women Voters study accurately portray the status
22 of emergency planning in York County?

23 A (WITNESS CURRY) The general conclusions reached by
24 that summary were based on previously published protective
25 action plans and made some assumptions that I personally did

1 not agree with, but generally I would say -- again, this is
2 a personal viewpoint as opposed to a county response -- that
3 I do not really think it did accurately portray the overall
4 level of preparedness of the county.

5 Specifically, I fervently believe that volunteers,
6 volunteer firemen especially, and people that we use on a
7 daily basis will respond in response to a large-scale
8 disaster. Again, that is a non-tangible entity that I cannot
9 prove until something actually happens. But it was a major
10 assumption of that study and it was very questionable
11 whether volunteers would in fact do the jobs we had
12 identified for them.

13 Q Have you urged the local emergency coordinators to
14 obtain or to line up licensed ham radio operators to assist
15 in communications?

16 A (WITNESS CURRY) Again, this was done in consonance
17 with my reorganization of amateur radio utilization within
18 the county. It was done for all county and municipalities.
19 We identified a composite listing of membership of the four
20 amateur radio clubs within the county which totalled well
21 over 400, broken down into individualized listing by the
22 residences, and made these listings available to local
23 coordinators.

24 We strongly urged the local municipal coordinators
25 to take advantage of this resource so that we could have

1 uninterrupted communication flow from emergency management
2 coordinator to emergency management coordinator without
3 tying up the primary fire, police and EMS emergency
4 frequencies, yes.

5 Q Do you have an understanding of the nature of the
6 role that York County will play in the upcoming June 2, 1981
7 exercise?

8 A (WITNESS CURRY) I have been in numerous
9 discussions with the affected people. We have as a county
10 not identified to PEMA our exact role in the upcoming
11 exercise, and until that is formally addressed by the county
12 commissioners to the state agency, I do not really want to
13 go into specifics at this point.

14 Q That is something that you plan to do between now
15 and June 2, however, is that correct?

16 A (WITNESS CURRY) Yes, sir.

17 Q Mr. Wertz, when your plan is in final form will you
18 provide a copy of it to the Dauphin County agricultural
19 extension agent, Mr. Stewart?

20 A (WITNESS WERTZ) Yes, sir.

21 Q What is the current extent of the Dauphin County
22 emergency public information program? Have you yet
23 distributed your brochures?

24 A (WITNESS WERTZ) No, sir, we have not.

25 Q Are you aware of an offer that has been recently

1 made by Licensee to General Smith at PEMA to assist in the
2 distribution of your brochures?

3 A (WITNESS WERTZ) Yes, I am. However, we do run
4 into a slight problem that brochures are not consonant with
5 our plan.

6 Q Are you making arrangements to undertake to have
7 them revised or to develop a substitute brochure of some
8 form?

9 A (WITNESS WERTZ) Yes. We are working right now
10 with the municipalities to make sure that everything will be
11 concrete, at which point we will pursue public information
12 materials that must be distributed.

13 Q At this time do you have any estimate of when that
14 will be accomplished?

15 A (WITNESS WERTZ) I would say it would be a minimum
16 of two months.

17 Q Have you yet defined the role that Dauphin County
18 will play in the June 2 exercise?

19 A (WITNESS WERTZ) I have received notification of
20 the exercise through our county commissioners. I have not
21 had the opportunity to discuss it with them at this point.
22 That was one of the meetings that I changed this morning so
23 I could be here. We were supposed to discuss that this
24 morning.

25 (Laughter.)

1 We are going to be rescheduling that at this time.
2 Through assumption, I would say that we are going to
3 participate to our fullest.

4 Q Mr. Belser, I have one question for you based on
5 your testimony earlier this morning. I am correct that you
6 have identified that for a planning standard that the state
7 intends to use the upper bound in the Parsons, Brinckerhoff
8 study as guidance; is that correct?

9 A (WITNESS BELSER) That is the proposed approach,
10 yes.

11 Q If mobilization was well under way in a given
12 situation, might not the use of an upper bound in the name
13 of conservatism preclude the option of evacuation when in
14 fact such an option would be feasible given the state of
15 mobilization?

16 A (WITNESS BELSER) You are assuming in your question
17 that if we used the upper bound as a planning standard, that
18 we are irrevocably bound to it. That is a planning standard
19 and one which in the decision-making process we would use as
20 a departure point. If it is well advanced along the way,
21 then logically, and which we are very capable of doing, we
22 would make decisions which fit the situation to modify that
23 downward in terms of time frames.

24 Q It is precisely that flexibility I wanted to get
25 to. The fact that it is a planning standard does not mean

1 that you would adhere to it rigorously.

2 A (WITNESS BELSER) Absolutely not.

3 CHAIRMAN SMITH: Ms. Straube.

4 BY MS. STRAUBE:

5 Q Yesterday Mr. Curry testified that he had a hotline
6 which was available but apparently not plugged into PEMA.
7 Does Dauphin County similarly have something like that for
8 communications with PEMA?

9 A (WITNESS WERTZ) Yes, we do. It is also not
10 connected at this time. It is just a matter of plugging it
11 into the phone jack. It is available.

12 Q What method of communication do you have with THI?

13 A (WITNESS WERTZ) Other than telephone, we do cross
14 monitor. We have a tone-alerted radio that they can
15 activate through their security department and we can listen
16 to their radio transmissions. They also have the same
17 capabilities of monitoring our radio transmissions, which is
18 commonly known as cross monitoring.

19 If both of those systems would fail at this time,
20 we could rely on the ambulance that is stationed on the site
21 that has AR1R fire and ambulance frequency and therefore
22 would be a third line of communications between the plant
23 site and our communications center.

24 It is also planned in the very near future that
25 they will have a piece of fire apparatus available that will

1 also be on our network which would give us additional
2 support and backup.

3 Q Okay. This cross-monitoring system that you
4 described first, when is that used?

5 A (WITNESS WERTZ) Okay. If they would have a
6 problem in contacting us in the fact of a general emergency,
7 they could in turn open that monitor and get our attention
8 to listen to their message. That system is tested weekly.

9 Q Okay. I have a question on distribution of
10 information to transients, which was covered for York County
11 but I believe was not covered for Dauphin County. Would you
12 please describe whether you have done anything to distribute
13 public information to transients?

14 A (WITNESS WERTZ) No, ma'am, we have not.

15 Q And what are your plans in that regard?

16 A (WITNESS WERTZ) We are going to ask the
17 municipalities to identify those areas within their own
18 municipality and handle it as one of their responsibilities
19 to them, the hotel, the motel that is located within their
20 municipality.

21 Q And has that request already been made of the
22 municipalities?

23 A (WITNESS WERTZ) No, it has not.

24 Q Mr. Curry, you said this morning that the
25 municipalities had already given you various unmet needs. I

1 was just wondering -- a various listing of unmet needs.*I
2 was wondering what categories those unmet needs fell into.

3 (Pause.)

4 A (WITNESS CURRY) They fall into a number of
5 categories. Let me point an example. For example, the York
6 Haven plan identifies four basic categories: transportation,
7 personnel, warning and miscellaneous equipment. Under
8 transportation: buses, ambulances, trucks. Under personnel:
9 security, traffic control and warning. Under warning:
10 vehicles and public address systems. And under miscellaneous
11 they identify things like extra siren and a civil defense
12 two-way radio system.

13 Q And that is pretty representative, is that correct?

14 A (WITNESS CURRY) Most of the municipal plans have
15 used the plan outline that was provided by the Kline, Knopf
16 consultants that assisted the local municipalities, and that
17 model plan did have a specific appendix for identification
18 of resource shortfalls or unmet needs, whatever generic term
19 you want to use.

20 Q Okay. Also, Mr. Curry, this morning, in fact quite
21 recently, you indicated that you did not know yet what York
22 County's role would be in the exercise on June 2. I guess I
23 am kind of confused on what you mean by that. Do you mean
24 that York County has not decided yet whether it will
25 participate in the exercise?

1 A (WITNESS CURRY) I said that the role that York
2 County would be playing or would not be playing has not been
3 formally identified to the Pennsylvania Emergency Management
4 Agency. The decision as to the extent of our role play or
5 if we will participate in the exercise at all is made by the
6 Board of County Commissioners of York County, and until
7 formal notification or until formal conversation is held
8 between the state and the county levels that have the
9 decision-making responsibility I am not going to say
10 anything at this point. I have an idea of what is going to
11 be said but obviously I do not want to speak for the county
12 commissioners. They speak for themselves.

13 Q Right. I think we all appreciate that.

14 Today was the first time, I understand, that you
15 discovered that potassium iodide would not be available in
16 tablet form. Would a change in form for potassium iodide --
17 in other words, a liquid form -- would that have any effect
18 on your predistribution plans? This is a question addressed
19 to both Mr. Curry and Mr. Wertz.

20 A (WITNESS CURRY) I would need some more specific
21 facts as far as the employment of the saturated solution,
22 but off the top of my head, there will indeed be some
23 modification requirements need to be made as far as the
24 numbers of potassium iodide units to be made available, yes.

25 A (WITNESS BELSER) I would like to add to that that

1 it will definitely have logistical impacts because the
2 liquid iodide comes in bottles and it has 25 doses per
3 bottle rather than being as the tablets were where you can
4 hand somebody 14 tablets in one container. Yes, there are
5 going to be some problems which will have logistical impacts
6 which will have to be worked out.

7 Q Do you have anything you wanted to add, Mr. Wertz?

8 A (WITNESS WERTZ) I believe those two gentlemen
9 covered it fairly thoroughly.

10 Q Okay, Mr. Wertz. Do you know how many schools
11 there are within the ten-mile EPZ of Dauphin County?

12 A (WITNESS WERTZ) Actual number of buildings or
13 school districts?

14 Q Let's start with schools.

15 A (WITNESS WERTZ) No.

16 Q Okay, school districts, then.

17 (Witness reviewing document.)

18 A (WITNESS WERTZ) We have listed ten school
19 districts, including two vocational-technical schools,
20 within the ten-mile EPZ. We also have a contact listed for
21 nonpublic schools, basically schools for children of
22 Catholic and Jewish faith. We have counted the capital area
23 intermediate unit as a school district.

24 Q And do you know how many of those presently have
25 plans?

1 A (WITNESS WERTZ) I have two on file at this time.
2 I do know the capital area intermediate unit is doing
3 extensive planning at this time. I know of a few other ones
4 that are under development, but until later this month I
5 will not know the extent of their planning at this time.

6 MS. GAIL BRADFORD: Could I ask the witness to
7 identify what the capital area intermediate unit is?

8 WITNESS WERTZ: The capital area intermediate unit
9 has a multitude of functions. One is they do act as a
10 coordinating agency between school districts. Their main
11 office is in Camp Hill, Cumberland County. They also
12 provide educational requirements for special children, where
13 they have a mental or severe physical handicap. They
14 provide support to school districts such as media type of
15 aides and also things like the CPR mannequins and
16 conjunctive equipment to education.

17 BY MS. STRAUBE: (Resuming)

18 Q Mr. Curry, could you please tell us how many
19 schools there are within the ten-mile EPZ of York County?

20 A (WITNESS CURRY) A specific number is identified in
21 the county radiological emergency response plan. I have
22 noticed just in the last day that we may have omitted an
23 elementary school in the fringe area in the draft version as
24 it was distributed today.

25 We have three school districts, the West Shore

1 School District also having schools and personnel with
2 Cumberland County, the Northeastern School District, which
3 is the largest risk area school district because in effect
4 virtually all of their schools are in the plume exposure
5 pathway, and the Central School District, which has, I
6 think, three of their buildings on the fringe area of the
7 plume exposure pathway.

8 Q And I believe you testified before that two of
9 those three school districts have plans, is that correct?

10 A (WITNESS CURRY) They do not have specific
11 radiological emergency response plans, no. To the best of
12 my knowledge, none of the schools have a specific written
13 radiological emergency response plan.

14 They do have disaster operations, standard
15 operating procedures, but again differentiating between
16 written plans and plans that are made on an oral basis or a
17 thought basis. I am sure that all the affected school
18 district superintendents have been thinking and planning in
19 ways they would respond to a radiological emergency.

20 I have had written contact or I have made written
21 correspondence with all of the affected school district
22 superintendents, and as I mentioned in previous testimony,
23 identified last year what we thought to be a pretty decent
24 guideline for development of a school district plan.

25 But with the Department of Education providing

1 copies of the Lower Dauphin school plan and the basic model
2 for disaster operations plan, we have not had specific
3 coordination with all the schools.

4 Q I just have one last question for Mr. Belser and it
5 is based to a certain extent on questions that were deferred
6 previously on the basic areas of difference between the
7 Parsons, Brinckerhoff study and the county and state
8 planning, and I believe that Mr. Belser has somewhat more of
9 an idea now just in generalities what the differences are.

10 CHAIRMAN SMITH: Yes, but if he is going to discuss
11 it at any length, it is going to be at the expense of other
12 business that we may have to attend to, and it may be better
13 to bring him back.

14 MS. STRAUBE: Can I ask him if he can just -- I
15 think he has a list of just general areas if that would be
16 enough for the Board. If you want to bring him back, we can
17 certainly bring him back.

18 CHAIRMAN SMITH: Let's see how long it takes.

19 I will interrupt, Mr. Belser, if I think it is
20 going to interfere with some business that we have to take
21 care of.

22 BY MS. STRAUBE: (Resuming)

23 Q Mr. Belser, could you please identify briefly
24 categories of differences between the Parsons, Brinckerhoff
25 study and the state and county plans?

1 A (WITNESS BELSER) Other than what I have already
2 said, I think I can categorize it here into a couple of
3 short areas. First of all, in the study it directs the
4 movement of evacuees out of the EPZ without fully taking
5 into account PEMA and county road directions.

6 The next item is that it lists some reception
7 centers for municipalities which in some instances are at
8 variance with the county plans.

9 The study details the evacuation route
10 instructions, which do not necessarily lead to reception
11 centers that in the study have been designated, and the
12 study has listed locations for parents to pick up school
13 students, which conflict in some cases with county plans as
14 well as with Parsons, Brinckerhoff designated reception
15 center for corresponding municipality.

16 They are the four principal areas, other than the
17 differences in the EPZ which I mentioned earlier, which is a
18 major effort and I think that is a major effort on our part
19 because we took a little too much license at the outset.
20 And of course the study is much more specific, and we will
21 definitely change our EPZ and attend to those planning
22 things which are associated with that.

23 As far as traffic control points and choke points
24 are concerned, we have to look at that very carefully and it
25 is very difficult to sort out because they use -- it is very

1 hard to match up where we are in terms of what they have
2 come forth with, even with the state police because we are
3 having difficulty determining are the major evacuation
4 routes that they are portraying the same as ours.

5 Then we get down into looking at traffic control
6 points and can they be manned, and the state police are
7 going through a hard time trying to figure out whether they
8 could conceivably man them or not based upon their plans
9 which are pretty much in concrete, and as a matter of fact
10 the State Police -- as indicated here in prior testimony, I
11 worked with them and they have gone out to the five counties
12 to very definitely verify their capability to support the
13 five counties.

14 What has been an effort which was just concentrated
15 recently and the choke points that are identified, it is a
16 question there of finding out whether they are the same
17 choke points which are identified in the municipalities, in
18 the county. This becomes a real difficult thing to sort
19 out.

20 We are doing it and we will certainly -- those
21 which they identify which are different from those which
22 have been identified at the county and municipal level, if
23 it makes sense to the emergency planners who are on the
24 ground that they should change, then most certainly we will
25 change it.

1 But I think in essence that covers it and gives you
2 a framework as to where we stand on this thing.

3 MS. STRAUBE: Thank you very much, Mr. Belser. I
4 have no further questions.

5 CHAIRMAN SMITH: All right.

6 Ms. Bradford.

7 MS. GAIL BRADFORD: I have six but I will only ask
8 two.

9 CHAIRMAN SMITH: You ask all that you need to ask.

10 MS. GAIL BRADFORD: Okay.

11 BY MS. GAIL BRADFORD:

12 Q Mr. Curry, do you --

13 CHAIRMAN SMITH: You are under sort of pressure
14 yourself because you want an opportunity to raise some
15 issues with the Board, I believe, so suit yourself.

16 BY MS. GAIL BRADFORD: (Resuming)

17 Q Mr. Curry, will schools be exercised or school
18 districts or at any level will schools be exercised on
19 June 2?

20 A (WITNESS CURRY) To the best of my knowledge, no.
21 Most of the schools will still be in session.

22 Q Will you contact or exercise communications with
23 them?

24 A (WITNESS CURRY) Again, the extent and involvement
25 of play will be identified by the county commissioners to

1 the state agencies.

2 Q Mr. Wertz, do you know whether the schools in
3 Dauphin will be exercised to any extent on June 2?

4 A (WITNESS WERTZ) We will notify the schools.
5 However, they will not be moving or participating. They
6 will receive all notifications.

7 Q Mr. Curry, is the Cumberland County West Shore
8 School District the same as the York County West Shore
9 School District? That is the same school district?

10 A (WITNESS CURRY) Yes. It is also known as the Red
11 Lion School District. It has a number of names.

12 Q Mr. Curry, I assume your comments on the League
13 study is based on the summary which was dated November 1980
14 and in your meetings with them during the winter and not on
15 the League's update, which is dated April 17, 1981.

16 A (WITNESS CURRY) It was based on the comment, on
17 the summary that I received subsequent to the publication
18 recently of the summation. I am not sure of the specific
19 date on it. I read it through a couple times but really did
20 not, you know, follow up any more because it did not have
21 substantial changes from what I had seen before. And again,
22 you know, this is not the county speaking. This is my
23 personal interpretations.

24 Q Do you know if you have ever seen a League of Women
25 Voters summary dated April 17, 1980?

1 A (WITNESS CURRY) This would --

2 Q 1981.

3 A (WITNESS CURRY) The summary I recently received
4 was the only summary I have ever received, the only kind of
5 written feedback that I received at all concerning the
6 report, and I received it because I specifically asked for
7 it. I am not sure of the date. I do not have that with me.

8 MS. GAIL BRADFORD: Sir, I would be glad to provide
9 a copy of this testimony to Mr. Curry if you would be
10 interested in his comments on it later in the hearing.

11 CHAIRMAN SMITH: Well --

12 MS. GAIL BRADFORD: He is your witness.

13 CHAIRMAN SMITH: I beg your pardon?

14 MS. GAIL BRADFORD: He is your witness.

15 CHAIRMAN SMITH: We are going to have some
16 testimony which I have not read yet from the League of Women
17 Voters which is going to be -- I have looked it over, I know
18 what it is about and I read the first submittal -- which is
19 going to be important to the Board as far as York County is
20 concerned, and we want to extend to you the invitation and
21 the opportunity if you wish to come back to the hearing
22 after you have had an opportunity to consider their
23 testimony and observe and, if you wish, make comments to the
24 Board after you have heard the testimony, or be helpful in
25 any way you see fit if you would like to do that.

1 It may be instructive to you and I am sure it would
2 be instructive to the Board.

3 WITNESS CURRY: Is that going to be accomplished
4 today?

5 CHAIRMAN SMITH: No.

6 WITNESS CURRY: No.

7 CHAIRMAN SMITH: It is going to be accomplished in
8 a couple of weeks.

9 DR. LITTLE: We are giving you the information.
10 That will be accomplished today.

11 MS. GAIL BRADFORD: I will be able to give them a
12 copy back in York later today.

13 WITNESS CURRY: I may have that date. I am not sure.
14 I do not know. I did not look at the date. Depending upon
15 my schedule, of course, if I was available I would be more
16 than happy to come back and make any clarifications that I
17 could or, you know, reiterate if they indicate that there is
18 a problem.

19 Obviously we know we have some problems with the
20 school districts and they have been identified in the
21 testimony today, but I have no problems with coming back and
22 offering any assistance I can as long, again, as it does not
23 conflict with my schedule.

24 CHAIRMAN SMITH: Yes, sir. We understand that you
25 cannot do your job while you are here testifying. We are

1 very sensitive to that.

2 BY MS. GAIL BRADFORD: (Resuming)

3 Q I have a question written down here and I did not
4 write down which annex it is from. I think what I am
5 referring to is an emergency medical technician.

6 Are there any emergency medical technicians already
7 trained?

8 A (WITNESS CURRY) In York County? Many. I do not
9 have the specific number.

10 DR. LITTLE: Do you mean to deal with radiological
11 --

12 BY MS. GAIL BRADFORD: (Resuming)

13 Q To deal with radiological emergencies.

14 A (WITNESS CURRY) I do not know if there is such a
15 thing as a specialized radiological emergency trained EMT.
16 We have the EMT designation. It is an emergency medical
17 technician. It meets certain state requirements as far as
18 experience in training.

19 Within the 55 members of our dispatchers in the 911
20 emergency center, I know of many that are certified EMTs. I
21 cannot specifically say if they are trained in radiological
22 emergency response.

23 Q Is York County the host county for Peach Bottom
24 nuclear facility and are you also simultaneously developing
25 parallel plans for Peach Bottom?

1 A (WITNESS CURRY) We are the parent county and the
2 host county.

3 Q Parent county and host county.

4 A (WITNESS CURRY) The differentiation really,
5 quickly, is obviously the facility is within the confines of
6 York County. That makes us a parent county. We are also the
7 host county because evacuees out of the plume exposure
8 pathway at Peach Bottom will be housed and hosted within
9 York County.

10 We have a draft radiological emergency response
11 plan for Peach Bottom currently written. It needs to be
12 gone over similar to this latest version of the radiological
13 emergency response plan for TMI to specifically address 0654
14 criteria.

15 CHAIRMAN SMITH: That was six.

16 (Laughter.)

17 MS. GAIL BRADFORD: Okay.

18 CHAIRMAN SMITH: No, I -- please ask all the
19 questions that you feel that you have to.

20 MS. GAIL BRADFORD: No, that is all right.

21 CHAIRMAN SMITH: Are there any further questions of
22 this panel?

23 (No response.)

24 CHAIRMAN SMITH: I have one.

25 BOARD EXAMINATION

1 BY CHAIRMAN SMITH:

2 Q I notice, Mr. Curry, in the York County plan, and I
3 assume Mr. Wertz' appointment is by the governor, apparently
4 on recommendation of someone else, the county commissioners,
5 perhaps, pursuant to specific provision of Pennsylvania
6 law. What is the significance of that? What authority does
7 that give you that differs from simply having that position
8 as an appointee of the county commissioners?

9 A (WITNESS CURRY) To the best of my knowledge, it
10 does not give me any special mandating authority. It is just
11 a reaffirmation that the York County falls within the
12 statute of emergency management services within the state,
13 and this is not something new. This has been going on since
14 1951 that the Governor has appointed the local civil defense
15 director.

16 CHAIRMAN SMITH: I see. Okay.

17 Anything further?

18 (No response.)

19 CHAIRMAN SMITH: Gentlemen, as has been observed
20 several times during your testimony, you are here as Board
21 witnesses and you were the only witnesses that we have
22 brought to the hearing on our own. It was recommended by
23 Intervenor and the Commonwealth that we do so, but we did
24 particularly want to look at or talk with or hear from the
25 county coordinators because of the special importance that

1 DR. LITTLE: Mr. Zahler, I wanted to tell you that
2 the concern we had about the Kline, Knopf testimony, the
3 question came up from some other party and was answered in
4 the testimony this morning.

5 CHAIRMAN SMITH: Now we have --
6 (Board conferring.)

7 CHAIRMAN: Yes. We have pending the Kline, Knopf
8 testimony which was to have been received in stipulation
9 today.

10 (Board conferring.)

11 Mr. Gray.

12 MR. GRAY: Staff has agreed to stipulate to receipt
13 of that without the witnesses.

14 CHAIRMAN SMITH: All right.
15 What happened to Ms. Straube?

16 MR. ADLER: My understanding is the Commonwealth
17 agreed to that as well. I can run out and check if you like.

18 CHAIRMAN SMITH: All right.

19 MR. ZAHLER: In the meantime can I formally
20 identify and move it in?

21 CHAIRMAN SMITH: All right.

22 MR. ZAHLER: I would like to identify a document
23 bearing the date of 4/27/81 entitled "Licensee's Testimony
24 of Eugene F. Knopf, William Gallagher and Oran Henderson
25 Relating to Emergency Planning, consisting of a cover sheet,

1 an outline page, a table of contents, 14 pages, and three
2 statements of professional qualifications.

3 There is one correction on page 13 at the bottom.
4 The second line, the word "with" has been changed to
5 "within," and the reporter is receiving corrected copies of
6 that.

7 Attached to the testimony are two appendices, one
8 entitled "Model Local Plan," bearing at the bottom the
9 statement, "Developed by Kline, Knopf and Wojak, copyright
10 1980, Kline, Knopf and Wojak." Another document entitled
11 "Emergency Response Plans and Preparedness Worksheet," again
12 bearing the copyright, 1980, by Kline, Knopf and Wojak,
13 consisting of seven pages.

14 I request that the testimony and the two appendices
15 be received into evidence pursuant to the stipulation of the
16 parties.

17 MS. GAIL BRADFORD: Sir, I would like to see the
18 model plan and worksheet, which I have not seen yet. I do
19 not think there will be any problem.

20 CHAIRMAN SMITH: Well, those were not distributed,
21 so --

22 MR. ZAHLER: I am doing that at the request of Ms.
23 Bradford. That was the condition for the stipulation, that
24 we add them.

25 CHAIRMAN SMITH: I understand that. However, they

1 have not been previously distributed, have they?

2 MR. ZAHLER: That is correct.

3 (Pause.)

4 CHAIRMAN SMITH: It is going to take ten minutes to
5 rule upon rebuttal evidence. I am sure we are going to have
6 a half-hour. If you are not prepared for the stipulation,
7 well then we will defer it till another time. But I know we
8 are going to have a half-hour of other business.

9 Now, you should not accept it until you are ready.

10 MS. GAIL BRADFORD: Yes, sir. Then I would like to
11 defer just until I have had an opportunity to look at it and
12 compare it. Thank you.

13 CHAIRMAN SMITH: All right, we will defer it.

14 You want the model plan actually attached to the
15 testimony. I suppose that is the best way for it.

16 Now we are going to rule orally on the motion of
17 the Intervenor to add rebuttal witnesses. It is a very
18 important issue and it would have been preferable to have
19 done it in writing because of the level of importance, but
20 it is also important that we do it timely, so if you will
21 bear with us, we will go through the reasons behind our
22 ruling and the ruling.

23 I am referring, of course, to the request to
24 produce the Goldsteen testimony and the three witnesses for
25 ANGRY, all on the issue of community fears, stress and trust

1 with respect to emergency planning. In general the subject
2 matter is relevant. The subject matter could have been
3 addressed in direct cases by the Intervenors or the
4 Commonwealth, or anyone, for that matter..

5 It is relevant to Dr. Dynes' testimony. I think it
6 might be appropriate to put that in right now, the portion
7 of his testimony to which it is relevant. On page 7 of Dr.
8 Dynes' testimony, which follows transcript 17,120, he
9 states: "In order to develop plans for what is likely to
10 happen, there is a need for accurate information.

11 "Planners sometimes operate on the basis of
12 misconceptions about the responses of people in
13 emergencies. For example, it is often incorrectly assumed
14 that immediate problems of emergencies include dealing with
15 uncontrollable behavior and panic. Research over a wide
16 variety of emergency situations indicates that this is not
17 true."

18 Well, that statement in the direct testimony
19 provided the basis for cross-examination, much of which was
20 objected to and the Board permitted over objections because
21 of the direct testimony. So we do believe that the subject
22 matter of the proposed testimony is relevant to Dr. Dynes'
23 testimony on cross-examination.

24 It is also relevant to the cross-examination of
25 various Staff, Commonwealth and Licensee witnesses on the

1 subject of offsite emergency planning, although as far as we
2 can tell or can recall without searching particularly for
3 it, the issue was not initially raised in direct testimony
4 by any of those witnesses.

5 So our ruling is that the subject matter of the
6 proposed testimony, at least as it has been described to us
7 and in parts of Goldsteen, is relevant.

8 As far as timeliness is concerned, we have already
9 discussed some of the considerations of timeliness the other
10 day. The Board on February 22, 1980, in certifying
11 psychological stress to the Commission, clearly indicated
12 that we regarded community attitudes and stress as relevant
13 to emergency planning.

14 Again following the issuance of CLI-80-39, which is
15 the Commissioners' December 5, 1980 order, the Board in
16 providing parties copies of that noted that the Commission
17 did not disturb the Board's express comment to the
18 Commission that we would take these issues -- we felt that
19 we had the jurisdiction to view these issues.

20 Timeliness as it is rebuttal to the Dynes testimony
21 should be dated from about March 16 when the Dynes testimony
22 was provided. We note that as early as March 12 in
23 cross-examination of Mr. Grimes and Chesnut, Ms. Bradford
24 asked some questions about panic, although not in the sharp
25 context of the issue before us, but at least the

1 relationship of panic to emergency planning was in Ms. *
2 Bradford's concept of the issue at least that early as far
3 as the record is concerned.

4 But in measuring timeliness, we do not measure it
5 most recently solely in the context of timeliness for
6 rebuttal because we believe that given the entire proposed
7 presentation and the entire picture before us, the situation
8 before us, the Intervenor's are attempting to provide this
9 testimony more in the nature of a direct case, and true that
10 rebuttal would also be appropriate, but in evaluating we
11 believe that the approach, the effort, the magnitude of the
12 effort is more in the nature of a direct case rather than
13 rebuttal.

14 We are not ruling that testimony as rebuttal is not
15 appropriate; by no means. But we are measuring timeliness.
16 In any event, as a matter of direct case in chief it is very
17 untimely by the Intervenor's. As a matter of rebuttal to Dr.
18 Dynes' testimony and the testimony on cross-examination of
19 the other witnesses, developed on cross-examination, I do
20 not know how to measure it but it is somewhat untimely. It
21 is significantly and substantially untimely.

22 The reason why we stress the timeliness is that
23 first we have to address it in the context of the Licensee's
24 objections, and Licensee is entitled to have us take that
25 into account. We are concerned about the situation facing

1 this board and other boards in emergency planning.

2 The emergency planning rule provides or in the
3 statement of considerations observes that it may very well
4 be that through no fault of licensees there may be denial or
5 delay of operation of nuclear plants because of the failure
6 of state and local governments to do what is correctly in
7 their province.

8 On the other hand, adjudicating officials have
9 never been relieved of the responsibility of providing due
10 process to all of the parties, including the utilities. We
11 have to comply with the law, and to the extent that we can,
12 we have to consider due process. But the law is clear that
13 emergency planning has to be addressed notwithstanding the
14 possibility of failure of due process by utilities.

15 The fact that the information proposed to be
16 produced is not timely makes it then a matter of discretion
17 for the Board, whether we want it and feel it is necessary
18 for a full record or it is not.

19 Now, as a need as rebuttal -- and we are going to
20 look at need to develop a full record -- as a need as
21 rebuttal to Dr. Dynes, we do not place much weight on such a
22 need, for a couple of reasons. One reason is that the
23 asserted window for this testimony was a single sentence by
24 Dr. Dynes which we permitted cross-examination on, and that
25 sentence in itself was an example sentence meant to support

1 a larger, much broader statement.

2 But there is even perhaps a more important reason
3 which the Board is going to address and take a very rather
4 unusual position, and that is we do not give much weight to
5 Dr. Dynes' testimony on this issue. We believe on this
6 particular issue Dr. Dynes' credibility is rather low. We
7 believe that he was somewhat insensitive and uninformed as
8 to the situation as it exists in this vicinity.

9 Now, we are not extending this lack of willingness
10 to put weight on his testimony to the general testimony
11 which he has presented, and that is the standards to be used
12 in emergency planning, some of which were almost truisms;
13 but one of our responsibilities is to listen to testimony
14 and assign weight to it, so as a need to rebut Dr. Dynes'
15 testimony, we see very little need, if any.

16 Of course, it is being offered as rebuttal to other
17 witnesses, and it is true that the other witnesses developed
18 on cross-examination that there is virtually a void -- as
19 far as my memory is concerned, there is a total void of
20 considering psychological stress and community fears,
21 willingness to comply with law expressly stated in the
22 emergency planning. These are assumptions. There are
23 assumptions that people will behave rationally, there are
24 assumptions that there will not be panic and there are
25 assumptions that people will do their duty.

1 So as a rebuttal to that type of evidence, we see
2 somewhat of a need. Well, need is an absolute, so we cannot
3 say need, but we see that testimony along that line might be
4 appropriate.

5 There are finer points there that we need not go
6 into because our overall responsibility is to look at the
7 completeness of the record and the needs of the record. But
8 in a purely litigative sense, an adversary sense, you might
9 have been foreclosed from even proposing rebuttal when it
10 could have been anticipated that this should have been case
11 in chief.

12 But the overriding consideration is a full record
13 on important health and safety matters. Of course we have
14 not seen the testimonies of the three witnesses, but we were
15 provided Dr. Goldsteen's testimony.

16 In matters of discretion it is appropriate for the
17 Board, in matters of discretion as to whether we permit an
18 evidentiary direction, it is appropriate for us to make a
19 preliminary evaluation of the evidence, not a final
20 determination of it for the purposes of adjudication, but a
21 preliminary evaluation, which we have done with respect to
22 Dr. Goldsteen's testimony.

23 (Pause.)

24 I apologize for taking so much time here but I think
25 the reasons for our decision on this are important.

1 They may be important on appeal and they may be important in
2 the Commission's review of our decision, so if you would
3 just give me a moment, I want to find Dr. Goldsteen's
4 testimony and go over my notes on it.

5 (Pause.)

6 Dr. Goldsteen's testimony is partially relevant and
7 partially irrelevant. The relevant portions could be said to
8 be the trust in authority, trust in federal and local
9 authority and also trust in the Licensee. The relevance to
10 that is, I think, clear in an emergency planning context.

11 The irrelevant parts, although remotely relevant by
12 way of background but not sufficiently to be called relevant
13 by us, are the parts relating to -- I do not want to
14 characterize it -- but the measurement of demoralization and
15 the perceived threat to physical health and perceived threat
16 to physical health of children we think is insufficiently
17 relevant to permissible issues of the proceeding to be
18 received.

19 Even the irrelevant aspect, and that is trust, is
20 very tenuous and unfocused as a matter of discretion to
21 identify it as evidence that is to be brought in to complete
22 the record. But we even have a larger problem with it, and
23 that is the part that is arguably relevant, that is, the
24 trust of the officials and the utility, was produced by
25 sampling questions which in themselves standing alone are

1 perhaps objectionable but not so objectionable to preclude
2 the possibility that such a study could not be received into
3 evidence if it was otherwise precise and focused and helpful.

4 But in the background of the other questions, the
5 questions related to demoralization and perceived health
6 effects and perceived health effects of children, it is
7 fatally tainted by biased questions, questions which might
8 be important and appropriate for the purpose of establishing
9 demoralization given as a premise demoralization, but as a
10 polling device to determine community attitudes, it is a bad
11 job.

12 I mean it is designed to create demoralization, it
13 seems to me, if none existed to begin with, and I will give
14 you some examples. The best score that you can have would
15 be a situation occurs very often, and that would be 4; never
16 would be 1; 2 would be sometimes, which would be less than
17 midpoint. So some of the examples I noticed are if
18 sometimes since TMI-1 you have been confused and have had
19 trouble thinking, that would be a score less than the
20 midpoint, and if sometimes you have felt like crying since
21 TMI-1, that would be a score less than the midpoint. If you
22 have had cold sweats sometimes since TMI-1, that would be a
23 score. If you are bothered by all different kinds of
24 ailments in different parts of your body sometimes since
25 TMI-1, that would be less than the midpoint on the scale.

1 On the perceived threat to physical health of
2 children, if you have children do you think your children's
3 chances of getting cancer have changed because of the TMI-1
4 incident: if it has increased, 3; if it has decreased, 1; if
5 it has remained the same, 1. That is, there is a
6 perception, there is a premise that getting cancer because
7 of the accident exists, and there is no opportunity in the
8 poll to address whether that premise is correct or not.

9 And the same way with genetic defects. It is either
10 increased, decreased or remained the same, beginning with
11 the premise that there are genetic defects. And the only
12 other direction it can go is they do not know if these
13 preexisting genetic defects or propensity toward cancer
14 exists.

15 It is a very unprofessional survey and it is not
16 worthy, it is not reliable, it cannot be reliable as
17 probative evidence.

18 As to the three or perhaps two or maybe only one,
19 but I think there are going to be two proposals, Dr. Erikson
20 and Dr. Lifton, of course we have not seen them. We think
21 that they should be produced bearing in mind our admonition
22 that we will not separate hopelessly intertwined permissible
23 and impermissible subject matters. I mean if that is the
24 case, we will not bother ruling because it is not our job to
25 do that.

1 They should be produced not for the purpose of
2 presenting them in testimony but for the triple purpose,
3 three purposes. One is for the Board to determine whether,
4 given the considerations that we have listed today, the
5 testimony is desirable for a full record. The second
6 purpose is to permit Intervenors to make a record on what
7 they would have produced in the event we deny it. And the
8 third is in the event that it is a close question, and it
9 could be, the Commission should have an opportunity to know
10 what the testimony would have been and perhaps give
11 direction to the Board when the matter goes before them, or
12 perhaps could be certified. I do not know. We have not
13 thought about that.

14 So for that reason we will -- of course, you do not
15 need our permission to produce it and offer it, but if you
16 do produce it and offer it, we will read it and apply the
17 tests that we have discussed this morning to the testimony.

18 All right. Now the question is when. Yes, when do
19 you want to do that?

20 MS. GAIL BRADFORD: I have been working on it full
21 speed ahead. I am hoping for Monday, and I will promise
22 delivery in Washington and Harrisburg on Wednesday by
23 Express Mail. I do not know whether the other Board members
24 will be in Washington but I assume they will be.

25 CHAIRMAN SMITH: As far as the Board is concerned,

1 we do not need it by Wednesday, but the Licensee I am sure
2 would like to have it as soon as possible.

3 We will offer our traditional offer to relook at
4 our rulings based upon misconception or mistake, but not
5 upon the judgments.

6 MS. GAIL BRADFORD: I just was wondering if you
7 were going to add some comments about Dr. Ziegler also.

8 CHAIRMAN SMITH: I beg your pardon?

9 MS. GAIL BRADFORD: Dr. Ziegler.

10 CHAIRMAN SMITH: Aren't you on the verge of a
11 stipulation on that?

12 MS. GAIL BRADFORD: Yes.

13 MR. ZAHLER: I think in fact we have this morning.
14 We have stipulated as to that testimony.

15 CHAIRMAN SMITH: But I want to clean up the Board's
16 ruling, comments on the Board's ruling.

17 MR. TROWBRIDGE: Mr. Chairman.

18 CHAIRMAN SMITH: Mr. Trowbridge.

19 MR. TROWBRIDGE: May I make simply one suggestion,
20 that the transcript of the Chairman's remarks this morning
21 on this subject be made available to Drs. Erikson and Lifton
22 as soon as possible so they have a first-hand understanding
23 of the scope of permissible testimony?

24 CHAIRMAN SMITH: Yes. Again, I wish we could have
25 done this in writing because it is an important issue, but

1 we just do not have time to do it. All right. I do not
2 know how to do that, but I agree. I agree but I am not
3 going to have an opportunity myself to do it.

4 MR. TROWBRIDGE: With the Board's direction or
5 permission, we will see to the delivery of the material.

6 CHAIRMAN SMITH: All right; but I agree that is an
7 appropriate thing. As a matter of fact, we probably will
8 serve the transcript of our ruling in the case as if it were
9 a written ruling ourselves, but I will not be able to do
10 that for some time.

11 MS. GAIL BRADFORD: Sir, I would like to have a
12 copy of it also, the transcript, as soon as possible.

13 CHAIRMAN SMITH: I am sure when you work with the
14 Licensee on getting these to your proposed witnesses that
15 they will provide you with a copy too, but we will serve in
16 general in this hearing the reasons for our ruling.

17 MR. ZAHLER: Mr. Chairman, I have one minor point.
18 I think at a crucial point in your ruling you misspoke.
19 After describing the partially relevant and partially
20 irrelevant parts, you went back to talk about the partially
21 relevant and you said that it was very tenuous and
22 unfounded, and I believe you used the word even the
23 "irrelevant" part there, and I think you meant the relevant
24 part.

25 CHAIRMAN SMITH: Yes, right. And Mr. Brenner
reminds me that I did not conclude the thought there that

1 the main point for the exclusion of the entire Goldsteen
2 testimony is that even the generally relevant area is not
3 even remotely focused on the context of response to
4 emergency planning instructions. It does not address it.
5 There are no questions about emergency planning in it. It
6 would only be useful in a general background way, and that
7 was one of our considerations.

8 We had to make those rulings and observations. We
9 do not question the good faith and the effort put into it by
10 Dr. Goldsteen and the people who worked on it, but we have
11 to now apply the tests for adjudication and not their
12 purposes, and this is an adjudicative proceeding so we have
13 to make the remarks because it is an adjudication and it is
14 being offered in an adjudication.

15 MS. GAIL BRADFORD: Sir, I am not really qualified
16 to assess how Mr. Goldsteen did his study, and I would like
17 an opportunity to talk with him about your comments and get
18 back to you about that.

19 CHAIRMAN SMITH: Yes. Of course we do not know --
20 we are not quarreling -- we are not making our judgment
21 based on how he did the study. We have not commented on the
22 selection process.

23 MS. GAIL BRADFORD: I mean on his questions. I do
24 not know --

25 CHAIRMAN SMITH: All right.

1 MS. STRAUBE: Chairman Smith, that was a point, now
2 that the ruling has been clarified on Dr. Goldsteen's
3 testimony. I wonder, now that Intervenors do know what the
4 Board's ruling is and what the Board's feeling is on what is
5 relevant and irrelevant, if there is a way they could
6 present Dr. Goldsteen's testimony to fall within the
7 relevant category. Would they have the opportunity to do
8 that at the same time they present Erikson and Lifton?

9 CHAIRMAN SMITH: The thrust of our ruling is that
10 even the relevant portions of it were so severely tainted by
11 the context of the entire survey that we do not believe that
12 we on our own as a matter of discretion can approve it. Of
13 course, any new effort by Dr. Goldsteen will also be judged
14 on the question of timeliness. We are not precluding. You
15 can always offer. We are not precluding.

16 But this was a question of, having found that it is
17 untimely to begin with, we then have to go to the Board's
18 evaluation of it, preliminary excursion into the evidentiary
19 proposed evidence to determine as a matter of discretion we
20 should nevertheless bring the testimony in. So we have to
21 evaluate it for that purpose.

22 MS. GAIL BRADFORD: I wonder if we could have an
23 opportunity to look for a substitute of some sort. I know it
24 would have to be very soon.

25 CHAIRMAN SMITH: I cannot say. If you do, we will

1 have to measure it on timeliness.

2 MS. GAIL BRADFORD: Can you give me any guidelines
3 on that?

4 CHAIRMAN SMITH: No. When you do it, the Licensee
5 and the other parties will have an opportunity to address it
6 fresh as a matter of timeliness.

7 I said it would take ten minutes to rule on this,
8 and it has taken almost a half-hour. We are under some
9 pressure to adjourn at noon or shortly after that, but we
10 will have to handle the essential business. I propose that
11 we meet again on May 19 to clean up the loose issues, the
12 open issues.

13 MS. GAIL BRADFORD: Do you wish me to arrange for
14 the League, Erikson and Lifton to be here?

15 CHAIRMAN SMITH: Let's discuss that. Let's put
16 that on the table for discussion. I do not know whether to
17 look to Mr. Trowbridge or Mr. Zahler.

18 MR. ZAHLER: The League should clearly be here on
19 the 19th.

20 CHAIRMAN SMITH: Yes, right. Let's first take up
21 the date of the 19th. Does that seem to be an appropriate
22 date?

23 MR. TROWBRIDGE: Mr. Chairman, part of my problem
24 is I am not sure what we are going to be coming back on. I
25 have very quickly perused the state request for witnesses on

1 the supplemental evaluations. I think if they are all
2 granted we are talking about a considerable amount of
3 testimony and time. We have not yet, of course, seen UCS's
4 requests. We are heading, according to the Board's
5 memorandum and order, towards design findings June 1.

6 The Board has previously discussed the possibility,
7 which we would go along with if there are discrete items
8 even in the area of design that are not ready, we would
9 proceed with the design findings with a hole in them to be
10 filled at a later date. It is very difficult for me to
11 judge, however, how much we have, and May 19 -- I know
12 nothing of the Board's schedule -- May 19 is later than I
13 had hoped. I had hoped we might go back on the 12th.

14 CHAIRMAN SMITH: It was scheduled not for the
15 Board's convenience but as a time that we thought would be
16 sufficient time for people to organize what has to be done
17 and we might have greater efficiency if that were
18 accomplished.

19 (Board conferring.)

20 CHAIRMAN SMITH: Yes. We have some of these things
21 that are waiting. Licensee's response to UCS filing on
22 block valve, the block valve affidavit and response. As you
23 mentioned, the UCS needs on the SER supplements. Did I
24 understand you to say that you understand they will have
25 substantial testimony?

1 MR. TROWBRIDGE: No. The UCS may not have
2 substantial testimony. They may request it. But my exact
3 recollection is that Ms. Weiss said she was halfway through
4 Supplement No. 3 and she had a number of questions already
5 she thought needed to be addressed by supplemental
6 testimony. That is the most recent news.

7 CHAIRMAN SMITH: Mr. Zahler has just filed today,
8 moments ago, and I have already lost it, his needs, and I do
9 not know what they are. You can summarize them.

10 MR. ZAHLER: I am not sure what you are referring
11 to.

12 CHAIRMAN SMITH: I meant Mr. Adler. Mr. Adler has
13 filed the Commonwealth's paper. What does your paper say?

14 MR. ADLER: It addresses a number of areas in SER
15 Supplement No. 3 and in the SER supplement on 0737 items.

16 CHAIRMAN SMITH: That you want a witness on.

17 MR. ADLER: Where we would require witnesses, yes,
18 sir.

19 CHAIRMAN SMITH: So your proposal is we had better
20 -- you are suggesting we had better start earlier because of
21 what appears to be a substantial amount of work to be done.

22 MR. TROWBRIDGE: Yes, Mr. Chairman. I would
23 particularly like to get some of it done the week of the
24 10th, beginning on the 11th. We will be filing, as you
25 know, management findings on the 15th. That is, of course,

1 per the Board's order. We would like the Board to get as
2 much hearing out of the way so that it can turn to the
3 management findings as soon as possible.

4 MR. ADLER: Mr. Chairman, if I may add, although
5 there are quite a number of discrete issues that we
6 identified, we have not planned a significant amount in
7 terms of time of cross-examination for each discrete issue,
8 so I do not really believe that our cross-examination will
9 be a long amount of time in terms of days. I do not know
10 what UCS has planned.

11 CHAIRMAN SMITH: Do you have a comment, Mr. Gray?

12 MR. GRAY: No.

13 CHAIRMAN SMITH: Most of the problems are not in
14 your area, are they?

15 MR. GRAY: No; but in the same vein, my
16 understanding was that the staff was prepared to present
17 witnesses to support those SER supplements at the time that
18 the supplements themselves were offered, so I guess I do not
19 anticipate any particular problem with preparation for the
20 areas identified as requiring cross-examination from the
21 staff's standpoint.

22 DR. LITTLE: Is environmental qualification going
23 to be broken out as a separate category with a separate
24 witness?

25 MR. GRAY: That I guess I cannot say, and I would

1 have to consult with others to find out the proposal on that.

2 MR. TROWBRIDGE: Dr. Little, our understanding on
3 that is that it is a separate matter, it is a separate
4 witness. He would not be available on May 11.

5 MS. STRAUBE: Yes. Dr. Little, as I remember the
6 environmental qualifications was going to be included in the
7 June filings.

8 MR. TROWBRIDGE: No, I think that is incorrect. I
9 think there was a target date, and to the best of my
10 recollection, it was two weeks from the date that Mr.
11 Tourtellotte spoke, which would make it mid-May or early
12 May. There are some June items.

13 (Board conferring.)

14 CHAIRMAN SMITH: Are we working from the assumption
15 that any request for witnesses will not be opposed?

16 MR. TROWBRIDGE: No, you may not -- that is not an
17 assumption, not even an assumption with respect to the
18 Commonwealth.

19 CHAIRMAN SMITH: Okay. Well, if that is the case,
20 when will the Board have an opportunity to address filings?
21 We do not want to come up here only to find that --

22 MR. TROWBRIDGE: Mr. Chairman, I think you can
23 safely operate on the assumption that not all of the
24 requests will be opposed, that there will be --

25 CHAIRMAN SMITH: All right. On the week of the

1 13th -- I mean the week of the 11th, Dr. Little has a
2 conflict which will keep her busy through the 15th; however,
3 she is prepared for us to proceed on the quorum rule on
4 design issues, and that is what we seem to have ahead of us.
5 So we are able to return here that week and we are willing
6 to do it if that seems to be required.

7 Were you going to say something, Mr. Adler?

8 MR. ADLER: I was just going to make a comment if
9 the Board was going to consider hearing the technical issues
10 the week of the 11th. This is more of a personal problem
11 than anything, but if I am to file our management findings
12 by the 15th and if I am prepared for litigation of and
13 participate in the litigation of the technical issues the
14 same week, that would present a conflict for me.

15 CHAIRMAN SMITH: That is the type of problem we
16 have never learned how to handle. I just do not know how to
17 do it. It may be you will have to depend heavily upon Mr.
18 Dornsife, perhaps, that week. Is that possible? Is he
19 available?

20 MR. ADLER: He is available and he will
21 participate, but I am not sure that solves my problem
22 completely. I will have to discuss it with him.

23 CHAIRMAN SMITH: You are not, however, requesting
24 that we defer a week, are you?

25 MR. ADLER: I have not heard a request as of yet to

1 begin technical issues as of the 11th. My understanding was
2 that following the May 1 findings, the Licensee and the
3 Staff would respond and the Board would rule. So I am not
4 sure when we will have a ruling as to which witnesses will
5 be produced, and that will begin our preparation for the
6 litigation of the supplemental technical issues. I do not
7 even know how to judge the time.

8 CHAIRMAN SMITH: I do not know how to judge the
9 time because we are not going to be available for rulings
10 next week. I think perhaps a solution is to come up here
11 and rule. I do not know how else to do it. I think we
12 should come up here at 1:00 p.m. on the 12th. That seems to
13 me to be a good time to begin and address the problems that
14 we have that have accumulated and make our ruling then.

15 It would seem to me that in the interim there
16 should be some agreement among the parties as to who is
17 going to testify and that can be worked out. I think it is
18 correct that somebody is going to have to testify, so the
19 parties can be working out who it is going to be and we can
20 come on up and hear it.

21 MS. GAIL BRADFORD: Sir, are we going to start with
22 the SER questions or with the League and Erikson and Lifton
23 on the 12th?

24 CHAIRMAN SMITH: Oh, that is right. Our plan had
25 been to go with the League of Women Voters at the first

1 session. Well, we cannot because Dr. Little is interested
2 in that issue, so we would not have the League of Women
3 Voters prior to the 14th but we could have them then.

4 MS. GAIL BRADFORD: I would like to have a time to
5 aim for. Is the 14th a good day?

6 CHAIRMAN SMITH: Does anybody else have any
7 inconsistent thoughts on that? That seems to be a good
8 time. Really that is the first available time that the
9 Board can hear from them. Now, if there was an emergency or
10 a very, very strong reason, we could have sessions next
11 week, but it is going to be very complicated to do it.

12 MS. GAIL BRADFORD: Okay.

13 CHAIRMAN SMITH: But I think we can make that the
14 14th as a target date.

15 MS. GAIL BRADFORD: Should I also have Dr. Erikson
16 and Dr. Lifton available on the 14th in case we get to them?

17 CHAIRMAN SMITH: That is up to you. Knowing what
18 our ruling is, is there any possibility that the Licensee
19 will acquiesce to the testimony of those witnesses, knowing
20 the subject matter?

21 MR. ZAHLER: Mr. Chairman, I really am not in a
22 position to talk until I have seen the testimony. I just
23 really cannot say.

24 CHAIRMAN SMITH: Mr. Trowbridge.

25 MR. TROWBRIDGE: Well, I can conceive of testimony

1 to which we would not object. I think it extremely unlikely
2 that the testimony will not be objectionable in some way.

3 CHAIRMAN SMITH: When do you think that their
4 testimony will be in our hands?

5 MS. GAIL BRADFORD: Wednesday, next week.

6 CHAIRMAN SMITH: So it would be available to us
7 Monday.

8 MS. GAIL BRADFORD: Yes. From York I can only send
9 things Express Mail to Washington. I cannot send them to
10 North Carolina or Tennessee.

11 (Board conferring.)

12 CHAIRMAN SMITH: It seems to me that the most
13 sensible approach is to expect those gentlemen, if they are
14 going to appear, the following week.

15 MS. GAIL BRADFORD: During the week of the 12th,
16 13th, 14th, 15th of May, you would like to expect them to
17 appear if they appear.

18 CHAIRMAN SMITH: No. Beginning the --

19 MS. GAIL BRADFORD: The week after that?

20 CHAIRMAN SMITH: Beginning the 12th, the 12th and
21 13th we are assuming that there are going to be design
22 issues. On the 14th we assume that there will be League of
23 Women Voters and perhaps more design issues. If it appears
24 in communicating among the parties that their testimony can
25 fit in at that time and there are no objections to it,

1 then you can schedule it. But as far as the Board is
2 concerned, since we will not even have it for consideration
3 until the 11th, we can hardly --

4 MS. GAIL BRADFORD: Until the 11th? The 6th.

5 CHAIRMAN SMITH: It will not functionally be
6 available to us on the 6th. Although it may be physically
7 in our offices, we will not be in our offices. So the first
8 time we will have a chance to really consider it will be the
9 8th, probably the 8th.

10 MR. TROWBRIDGE: Mr. Chairman, there may be a
11 small inconsistency here between my earlier suggestion of
12 providing transcripts of today's remarks by the Chairman to
13 Drs. Erikson and Lifton and their furnishing testimony by
14 Wednesday. It may not be profitable.

15 CHAIRMAN SMITH: Yes. Is that realistic?

16 MS. GAIL BRADFORD: Well, the other was based on
17 their understanding of my understanding of what the
18 guidelines for psychological stress are and the statement in
19 the February 22, 1980 certification to the Commission. I
20 think they should see what you have said today, and I do not
21 not know how that will affect the schedule.

22 MR. TROWBRIDGE: Mr. Chairman, there is no way
23 that --

24 MS. GAIL BRADFORD: I will try as hard as I can to
25 get it as soon as possible.

1 MR. TROWBRIDGE: There is no way for us to get the
2 transcript to Drs. Erikson and Lifton before Tuesday
3 morning. We do not have rush service. We promised that we
4 would not have it, and we will have to Federal Express or
5 otherwise deliver something up Monday. But I would strongly
6 suggest that Dr. Erikson and Dr. Lifton at least hold on to
7 their testimony until they have seen this material.

8 For example, I do not know if this is still the
9 case, but Ms. Bradford indicated in our last discussion of
10 this matter that Dr. Erikson might rely on the survey of Dr.
11 Goldsteen.

12 CHAIRMAN SMITH: Goldsteen.

13 MR. TROWBRIDGE: And --

14 CHAIRMAN SMITH: It is appar@nt there are too many
15 variables and things that we are not going to be able to
16 control. We will not be available to control them. The only
17 thing I can do is recommend that you work with the parties
18 with the advice that the Board gave you. Do not hurry, do
19 not hurry, have the testimony well thought-out because we
20 are going to use -- well, we have told you what our
21 standards would be; and you take it seriously. I mean I
22 know you do, but take it seriously. If it is all
23 intertwined with impermissible areas, it is out.

24 So what I recommend is that the target date for
25 their appearance be put off until the following week and

1 that you proceed accordingly.

2 Is there anything further?

3 I do have a comment I want to make and make sure
4 that we get it in before we adjourn, and that is this is the
5 last appearance of David Parker, our reporter. He will not
6 be on this case anymore. He has survived it and he is not
7 going to take his chances and push it any farther.

8 I commented the other day when we started the
9 hearing without him that the mark of an excellent reporter
10 is the fact that you do not notice his presence, you just
11 assume that everything will be all right and that the record
12 will be accurately reported; and that indeed has been the
13 case, even to the point where Mr. Parker has taken over the
14 burden of clarifying ambiguities with the witnesses and
15 finding out what the various letters mean, and preventing
16 them from overlapping.

17 It is a performance that I have never seen
18 excelled. It is outstanding in his profession and we are
19 very grateful to him.

20 Anything further?

21 MR. TROWBRIDGE: Yes, Mr. Chairman.

22 Let me briefly announce that the Staff and
23 Licensee have indeed agreed upon joint introductory
24 findings. We will distribute these and file them with the
25 Board no later than Wednesday, at which time we will also

1 distribute computerized lists of prepared testimony and
2 exhibits through today.

3 CHAIRMAN SMITH: All right.

4 Anything further?

5 MS. GAIL BRADFORD: Yes, sir; just that
6 representatives of the League's panel have been here today
7 and we will work with the Licensee, if it is Mr. Zahler's
8 pleasure, on his objection.

9 MR. ZAHLER: Mr. Chairman, I have one brief
10 comment because Mrs. Aamodt gave us something. She asked us
11 to hand out the exhibit, which was the Humane letter, to the
12 people who were here. She has put a cover sheet on the
13 exhibit which was not initially marked. The cover sheet
14 fails to properly identify all the pages in the document;
15 nonetheless, I am going to hand it out as Mrs. Aamodt gave
16 it to us.

17 CHAIRMAN SMITH: All right, thank you.

18 Although I stated we would be unavailable next
19 week, that is not entirely true. I will get back to my
20 office every day and see if there are any problems that the
21 Board has to attend to.

22 If there is nothing further then, we will adjourn
23 until 1:00 p.m. --

24 MS. LOUISE BRADFORD: Mr. Smith, there is one more
25 thing. I am really sorry I am late. I have been working

1 pretty hard getting this together. When the Stello report
2 was brought out, I was told that if there were any other
3 things that I thought would contribute to adding the Udall
4 report to the record -- we worked really hard last night
5 doing some comparisons, and it becomes apparent that the
6 Stello report, although they used the same body of material,
7 they used different portions in these two reports and that
8 the Stello report used only the one day, the 28th, whereas
9 the Udall report used the 28th and the 29th. I am --

10 CHAIRMAN SMITH: What is your reference to 28 and
11 29?

12 MS. LOUISE BRADFORD: Of March -- excuse me.
13 March 1979.

14 CHAIRMAN SMITH: Oh, I see. You agree that the
15 same data base was available.

16 MS. LOUISE BRADFORD: Exactly.

17 CHAIRMAN SMITH: But the data depended upon in the
18 report was different.

19 MS. LOUISE BRADFORD: Yes.

20 CHAIRMAN SMITH: And Stello was one day.

21 MS. LOUISE BRADFORD: Stello used the 28th of
22 March, whereas the Udall report relies both on the 28th and
23 the 29th of March.

24 CHAIRMAN SMITH: All right.

25 MS. LOUISE BRADFORD: What I am saying is that

1 although they used the same body of material, Udall went
2 more extensively into that material. It relies more heavily
3 on other portions of that material.

4 CHAIRMAN SMITH: All right.

5 Did you get a copy of our letter to Udall?

6 MS. LOUISE BRADFORD: Yes, I did.

7 CHAIRMAN SMITH: Okay. Anything further?

8 MS. LOUISE BRADFORD: But Mr. Smith, what I am
9 asking at this point is that official notice be taken of the
10 Udall report.

11 MR. TROWBRIDGE: Objection. Objection.

12 CHAIRMAN SMITH: That will not be possible. That
13 is a very complicated legal problem. We cannot take
14 official notice of the report. That is, official notice
15 would give it the level of evidence which could be cited in
16 findings and upon which a finding could be made, and it does
17 not meet the test of evidence in this proceeding. The Udall
18 Committee staff has not been presented for examination, and
19 that in itself is a sufficient reason for denying it in the
20 face of the objection.

21 (Board conferring.)

22 CHAIRMAN SMITH: We will have a further discussion
23 of our -- perhaps. We will take into account what you have
24 told us and any other submittals that any other party wishes
25 to make and have a further discussion of how we view the

1 Board's role in this proceeding vis-a-vis these various
2 investigations and reports.

3 In the meantime our interest is in factual matters
4 that have not been previously addressed.

5 (Board conferring.)

6 CHAIRMAN SMITH: We will give you an opportunity
7 to make your motion in writing if you wish.

8 MS. LOUISE BRADFORD: Thank you, Mr. Smith.

9 CHAIRMAN SMITH: And of course timeliness is a
10 consideration. Timeliness is already a consideration and it
11 will increasingly become a consideration.

12 MS. LOUISE BRADFORD: I understand that. When the
13 issue was raised again yesterday by Mrs. Amodt and --

14 CHAIRMAN SMITH: We believe timeliness should be
15 measured at least from, at the latest, from the time that we
16 brought witnesses in, again from the time that we addressed
17 your point, and that is that we were not going to conduct
18 our own investigation but that we would receive the record
19 presented to us. That is where I believe is the appropriate
20 time for timeliness.

21 Nevertheless, we did make it clear that this
22 record is always open and is even subject to be reopened
23 when important matters affecting the health and safety of
24 the public are brought to our attention, considering all of
25 the tests that we must apply as far as that consideration is

1 concerned.

2 All right. Anything further?

3 (No response.)

4 CHAIRMAN SMITH: We will adjourn, then, until
5 1:00 p.m. May 12.

6 (Whereupon, at 12:20 p.m. the hearing was
7 adjourned, to reconvene at 1:00 p.m., May 12, 1981.)

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