

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

before the ATOMIC SAFETY AND LICENSING BOARD '81 DEC -7 P4:50
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In the Matter of	:	
Consolidated Edison Company of New York (Indian Point Unit 2)	:a	Docket Number 50-247SP
	:	
Power Authority of the State of New York (Indian Point Unit 3)	:	Docket Number 50-286SP

CONTENTIONS OF THE
WESTCHESTER PEOPLE'S ACTION COALITION

The Westchester People's Action Coalition, Inc. (WESPAC), on behalf of citizens living in the shadow of the Indian Point nuclear facilities, and in order to afford the Atomic Safety and Licensing Board the opportunity to see the faces and hear the voices of the Westchester people behind the statistics, respectfully submits the following contentions:

Contention 1

The New York State Radiological Emergency Plan including the Westchester County Plan (the Plan), addresses a problem of unprecedented scope. Its proposals for notification, communication and evacuation relies on people, equipment and procedures. The people (including many who would have to be volunteers) have not been trained or even

properly informed. The equipment is inadequate. The procedures are ineffective.

Bases

a) Many public officials with key responsibilities remain unaware of the details of the Plan. Most officials below County Department heads may be so characterized.

b) Most citizens do not know that a plan exists. Others do not know how to learn its contents or are blocked from securing copies. Only a handful have ever seen a copy.

c) The American Red Cross, which is assumed to play a key role in coordinating and staffing congregate care centers may not have the resources to assume all of these responsibilities. For example, the organization is unprepared to provide mass care facilities which house both contaminated and uncontaminated people.

d) Bus service is not adequate for handling mass school evacuations as well as carrying all persons without personal automobiles. Nor is such service effectively committed to these assignments by its private operators.

e) Ambulances are insufficient in number, inadequate in equipment, and not readily available from the private sector. Drivers do not have adequate special radiological training.

f) The density of traffic in relevant areas will necessarily result in collisions for which there is insufficient towing and repair services.

g) Neither policemen, firemen, nor "traffic control officers" can be expected to subject themselves to continued radiation exposure as they assist all others to evacuate.

h) Individuals who have not committed themselves to public service are likewise "drafted" to subject themselves to unreasonable exposure. For example, gas station operators are involuntarily designated to remain outdoors at work dispensing fuel during evacuation. Similarly, teachers are designated to remain with their students rather than join their families for evacuation.

i) Many of the reception centers are high schools, and they are usually not situated or laid out to facilitate passage of thousands of automobiles in a short time. No approval or appropriation of funds or even designation of personnel or resources have been secured from local officials.

j) There is insufficient provision for radiological and other monitoring equipment and activities.

Contention 2

The trigger for the Plan -- effective and reliable communication among the facility operators, public officials and the public -- is fatally flawed.

Bases

a) The Plan relies to a substantial extent on the nuclear facility operators, Con Edison, and the Power Authority of the State of New York for timely communication, accurate information, and objective evaluation of potentially and actually hazardous conditions as well as for "assurance of means for implementation of the notification system." The history of these operators -- against the backdrop of the nuclear utility industry's entire record -- demonstrates that this confidence is misplaced. This is so notwithstanding the possible improvement of some channels of communication following Con Edison's derelictions in connection with the infamous "flooding incident."

b) As recently as August 21, 1981, the Commission Staff emphasized the significant deficiencies in on-

site emergency preparedness. These included ill-defined organization assignment and training of personnel, emergency equipment improperly equipped, and generally ineffective administration of the development and implementation of a plan.

c) Built into the Plan is the warning that the "incident" being planned for "is not expected to pose a serious health hazard." This is purposefully inaccurate since the requirements for formulating a plan presuppose that there is such a hazard.

d) The drain on telephone service (including notification of emergency workers at home) will be intolerable. The telephone company cannot be expected to install additional lines rapidly on an emergency basis.

e) The Plan ignores the needs of hearing-impaired and non-English speaking people to learn of the emergency. Westchester has substantial numbers of each.

f) The sole reliance for warnings on a system of sirens is ineffective for a number of reasons. The number of sirens is inadequate. There is no back-up system. They furnish warning only to persons out-of-doors.

Contention 3

The Plan does not provide for effective drills.

Bases

a) Practices and drills are provided for only a few county agencies. Within these agencies only the top levels of officials are involved and only on theoretical bases. A drill for all agencies and, even more importantly, for the general public is indispensable for testing and refining the Plan and preparing Westchester citizens for its possible execution.

b) Effective drills are precluded by the present state of public ignorance of the Plan.

c) Effective drills are precluded by their cost. There is no effort to secure required funding. Moreover, out-of-pocket costs would be dwarfed by the costs of disruption to the extensive business conducted in Westchester.

d) Effective drills are precluded because they can only simulate one situation at a time and the variant atmospheric and other circumstances surrounding an accident are many.

Contention 4

The Plan is based on fallacious assumptions of human behavior.

Bases

a) The Plan states that "access to limited access roadways outside the EPZ will be prohibited in the direction of evacuation flow. . . ." This is guaranteed to provoke panic and disorganization as tens of thousands of people outside the EPZ, especially in densely populated central and southern Westchester, try to self-evacuate. The resulting pandemonium will make this direction unenforceable as a practical matter.

b) Directions to day care centers fail to take account of parents who work outside of the EPZ and are not allowed back in. Nor does it take account of other homes predictably empty. The Plan recognizes that "young ages and consequent parental concern" require special treatment, but does not come up with a practical suggestion.

c) Parents cannot be expected to refrain from driving to schools to pick up their children.

d) In several areas, people are told to drive opposite to their normal direction of outward travel in order to reduce congestion on Route 9A. This is unrealistic because people will resist unfamiliar and apparently erroneous routing.

e) In certain areas, people living immediately adjacent to the Taconic State Parkway are told to drive east on local streets. This is unrealistic.

Contention 5

The Plan relies on unworkable traffic routings for the high population density of Westchester.

Bases

a) The overall road network is antiquated and inadequate. East-West roads are uniformly narrow and winding.

b) Tens of thousands of people are expected to evacuate down Route 9A south through Briarcliff -- a road which is bumper-to-bumper every morning rush hour.

c) Perhaps as many as 15,000 people are expected to get on the Taconic Parkway north via Route 202, another daily bottleneck.

d) Many thousands of people are expected to take the Taconic Parkway south, with half of them getting on at the same entrance, Baldwin Road in Yorktown.

e) There is no guarantee of indispensable updating as to population, road capacity, etc.

Contention 6

The Plan treats people as statistics and as fungible with each other. They may well be, once the accident occurs. But a response plan must focus on people, if not as individuals, at least in meaningful groups. It must take into account known attributes of groups which bear heavily on the feasibility of evacuation strategies. There are many in Westchester whose circumstances would leave them behind as the majority flee.

Bases

a) The patients at the Franklin Delano Roosevelt Hospital in Montrose, located approximately one mile from the plant would be precluded by the physical and psychological disorders from effective evacuation of the area.

b) The senior citizens throughout the community would need assistance which would be unavailable.

c) The handicapped children at the Asthmatic Children's Foundation home in Ossining, and at the Blythedale Children's Hospital in Valhalla (including day patients), would lack the necessary resources for an emergency particularly to the extent the staff is depleted.

d) The residents at the New York School for the Deaf in White Plains would not only suffer from lack of access to the audible warnings but would also suffer from depletion of staff.

e) The inmates of Ossining Correctional Facility would apparently remain behind walls supposedly shielding them from radiological exposure but which would not do so, in fact.

f) Westchester Association for Retarded Citizens has community residences throughout the area, the residents of which would be disoriented by the emergency conditions and panic.

g) There are a number of nursing homes in the area such as the Skyview Nursing Home in Croton-on-Hudson which would lack the resources to cope with the problems faced by its residents.

h) If an accident occurs during summer, large numbers of people, particularly young persons, can be expected to be at many parks and outdoor areas,

such as George's Island (approximately a mile from the Point), Croton Point Park, Blue Mountain Reservation, as well as in the large state parks across the river, Bear Mountain and Harriman State Parks. Communication and evacuation for such persons will be impossible and has not even been considered in the Plan.

Respectfully submitted,

WESTCHESTER PEOPLE'S ACTION
COALITION

By: Alan Fatman

White Plains, N.Y.
December 1, 1981

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges: '81 DEC -7 P4:50
Louis J. Carter, Chairman
Frederick J. Shon
Dr. Oscar H. Paris

SECRETARY
OF SERVICE
BRANCH


In the matter of)
CONSOLIDATED EDISON CO.)
(Indian Point #2))
N.Y. STATE POWER AUTHORITY)
(Indian Point #3))

Docket Number 50-247SP
50-546SP
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CERTIFICATE OF SERVICE

I certify that I have served copies of the annexed "Contentions of the Westchester People's Action Coalition" and "WESPAC's Pre-Hearing Memorandum and Response to Staff and Utility Answers to Petitions for Leave to Intervene" on all parties, by hand, at the Pre-Hearing Conference in Croton-on-Hudson, New York, December 2, 1981.

December 2, 1981
White Plains, NY


Charles A. Scheiner, Co-chairperson

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