

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
1982

'82 MAY -5 10:50

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )

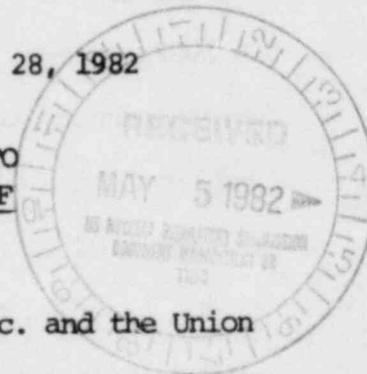
CONSOLIDATED EDISON COMPANY OF NEW YORK )  
(Indian Point Unit 2) )

POWER AUTHORITY OF THE STATE OF NEW YORK )  
(Indian Point Unit 3) )

Docket Nos. 50-247 SP  
50-286 SP

April 28, 1982

UCS/NYPIC'S FIRST SET OF INTERROGATORIES TO  
AND REQUEST FOR DOCUMENTS FROM THE NRC STAFF



The New York Public Interest Research Group, Inc. and the Union of Concerned Scientists serves on the NRC Staff the interrogatories and request for production of documents that appear below. A sworn response to them must be provided to the New York Public Interest Research Group, Inc. and the Union of Concerned Scientists at 5 Beekman Street, New York, New York 10038 in accordance with the terms of 10 C.F.R. 2.740(b) and 2.741(d) and in accordance with the Order of the Atomic Safety and Licensing Board of April 23, 1982. If the answer to any question is not known when the response is filed, the answer must be provided as soon as the missing information becomes available.

As used in the interrogatories and request for production of documents, the following definitions apply:

1. "Con Edison" and "PASNY" mean Consolidated Edison Company of New York and Power Authority of the State of New York, respectively, their officers, agents, employees, and consultants.
2. "Facts" include the calculational or other assumptions, if any, underlying various assertions of fact.

8205060320 820428  
PDR ADOCK 05000247  
PDR

DSO3  
5  
111

3. "Include" and "including", as used in these interrogatories, mean "including, but not limited to".

4. "Document" means any handwritten, typed, printed, recorded or graphic matter however produced or reproduced, including material stored for use in automatic data processing systems, whether or not in the possession, custody or control of the Staff and whether or not claimed to be privileged against discovery on any ground, including: reports; records; lists; memoranda; correspondence; telegrams; schedules; photographs; sound recordings; films; hand, machine and computer calculations; computer codes; data; and written statements of witnesses or other person having knowledge of the facts.

5. "Studies or observations" include physical, empirical, calculational, assumptional, and other types of work whether recorded in writing or not.

6. "NYSRERP" or "emergency plans" or "plans" means the New York State Radiological Emergency Response Plans for Indian Point, including all appendices, attachments, revisions, and other documents or plans referenced in the state or county plans.

Please provide answers to the following questions:

1. Identify all individual(s), that you intend to present as witnesses in this proceeding on the subject matter of any of the order's questions. The identification should include the following:

- a. What is the person's full name?
- b. What is the person's address?
- c. What is the person's present or last known position and business affiliation?
- d. What is the person's field of expertise?
- e. If the person is not a Staff employee, on what date did the Staff first contact or consult the person?
- f. What are the dates of all subsequent contacts or consultations with the person?
- g. Were any reports made to Staff by the person?
- h. If the answer to question 1g is anything other than a simple negative, indicate for each such report:
  - (1) the date of the report;
  - (2) whether the report was written or oral; and
  - (3) whether the report was submitted by the person while acting in an advisory capacity, as a prospective witness, or both.
- i. What is the subject matter of the witness' testimony?
- j. What are the facts and/or opinions to which the witness will testify and the grounds for each fact or opinion?

2. Provide a reasonable description of all documents that will be relied upon in the testimony presented by each witness.

3. Identify by author, title, date of publication and publisher, all books, documents, and papers you intend at this time to employ or rely upon in conducting your cross-examination of prospective NYPIRG/UCS witnesses testifying in connection with NYPIRG/UCS contentions.

4. Has the NRC Staff conducted an independent review and evaluation of the NYSRERP for Indian Point?

5. Please provide copies of any and all documents, reports, working papers and notes pertaining to or arising out of Staff reviews and evaluations of the NYSRERP for Indian Point.

6. What is the position of the Staff on the compliance of the Indian Point emergency plans with each of the sixteen mandatory standards set forth in 10 C.F.R. 50.47(b), and with the standards set forth in Appendix E to C.F.R. 50, and with the criteria set forth in NUREG-0654? State all opinions and documents upon which the position is based, and identify the person or persons who formulated the opinions and/or developed the documents.

7. Provide copies of any and all documents referred to in the answer to Interrogatory 7.

8. What assumptions does the NRC Staff make regarding human responses during radiological disasters which may occur at Indian Point? Please indicate how the Staff assumes such human responses would be the same as and different from human responses expected during radiological disasters which may occur at other nuclear power plants, and how the Staff assumes such human responses would be the same as and different from human responses expected during non-radiological disasters, natural or man-made. State all opinions and documents upon which the response to this question is based and identify the person or persons who formulated the opinions and/or developed the documents.

9. Provide copies of any and all documents referred to in the answer to Interrogatory 8.

10. Describe in detail any and all attempts made by NRC Staff to identify and to determine the validity of human response assumptions incorporated into the NYSRERP for Indian Point. State all opinions and documents upon which the response to this question is based, and identify the person or persons who formulated the opinions and/or developed the documents.

11. Provide copies of any and all documents referred to in the answer to Interrogatory 10.

12. What is the position of the NRC Staff on the present estimates of evacuation times, based on NUREG-0654 and studies by CONSAD Research Corporation and by Parsons, Brinckerhoff, Quade & Douglas, Inc? State all opinions and documents on which the position is based and identify the person or persons who formulated the opinions and/or developed the documents.

13. Provide copies of any and all documents referred to in the answer to Interrogatory 12.

14. What is the position of the NRC Staff on the assumptions contained in the present estimates of evacuation times for Indian Point, including assumptions about human response during a radiological emergency at Indian Point? State all opinions and documents upon which the position is based and identify the person or persons who formulated the opinions and/or developed the documents.

15. Provide copies of any and all documents referred to in the answer to Interrogatory 14.

16. What is the position of the NRC Staff on the methodologies utilized by CONSAD Research Corporation and by Parsons, Brinckerhoff, Quade & Douglas, Inc. and in NUREG-0654 in preparing the present estimates of evacuation times for

Indian Point? State all opinions and documents on which the position is based and identify the person or persons who formulated the opinions and/or developed the documents.

17. Provide copies of any and all documents referred to in the answer to Interrogatory 16.

18. What evaluations or review of the present time estimates for Indian Point have been done by the NRC Staff, and what person or persons participated in the review or evaluations? Were the raw data for the present time estimates obtained, evaluated and/or double-checked by the NRC Staff or for the NRC Staff? By what person or persons?

19. What evaluations or review of the present emergency plans for the State of New York have been done by the NRC Staff, and what person or persons participated in the review or evaluations? Were the raw data or computer models for the plans obtained, evaluated and/or double-checked by the NRC Staff or for the NRC Staff? By what person or persons?

20. What is the position of the NRC Staff on the reliability of Con Edison and/or PASNY to notify the proper authorities of an emergency promptly and accurately? State all opinions and documents on which the position is based and identify the person or persons who formulated the opinions and/or developed the documents. What information does the NRC Staff have or has the NRC Staff had about the performance of Con Edison and/or PASNY with regard to notifying authorities of an emergency at Indian Point?

21. Provide copies of any and all documents referred to in the answer to Interrogatory 20.

22. What is the position of the NRC Staff on the range of accident scenarios and meteorological conditions taken into account in the emergency plans and proposed protective actions for Indian Point? Specify the accident scenarios and meteorological conditions that are taken into account in the emergency plans and proposed protective actions for Indian Point. State all opinions and documents on which the position of the NRC Staff is based and identify the person or persons who formulated the opinions and/or developed the documents.

23. Provide copies of any and all documents referred to in the answer to Interrogatory 22.

24. What is the position of the NRC Staff on the ways in which the and other special populations problems of evacuating children/from threatened areas have been addressed in the present emergency plans for Indian Point? State all opinions and documents on which the position of the NRC Staff is based and identify the person or persons who formulated the opinions and/or developed the documents.

25. Provide copies of any and all documents referred to in the answer to Interrogatory 24.

26. What is the position of the Staff on the adequacy of the road system in the vicinity of Indian Point for accomplishing a timely evacuation? What is Staff's definition of "timely" and what specific objective criteria does Staff apply in determining whether evacuation time estimates for Indian Point are "timely"? State all opinions and documents on which the response to this interrogatory is based and identify the person or persons who formulated the opinions and/or developed the documents.

27. Provide copies of any and all documents referred to in the answer to Interrogatory 26.

28. What is the position of the NRC Staff on the appropriateness of the present plume exposure pathway EPZ for Indian Point? State all opinions and documents on which the position of the NRC Staff is based and identify the person or persons who formulated the opinions and/or developed the documents.

29. Provide copies of any and all documents referred to in the answer to Interrogatory 28.

30. What is the position of the NRC Staff on the provision of potassium iodide to the residents of the EPZ of the Indian Point plants, and to populations beyond 10 miles, including New York City residents? State all opinions and documents on which the position of the NRC Staff is based and identify the person or persons who formulated the opinions and/ or developed the documents.

31. Provide copies and any and all documents referred to in the answer to Interrogatory 30.

32. What is the position of the NRC Staff on the sheltering capability in the EPZ of the Indian Point plants? State all opinions and documents on which the position of the NRC Staff is based and identify the person or persons who formulated the opinion and/or developed the documents.

33. Provide copies of any and all documents referred to in the answer

to Interrogatory 32.

34. What is the position of the NRC Staff on the effect of adverse weather conditions on the roadway network described in the emergency plans for Indian Point? What weather conditions result in what changes in the evacuation capabilities of the roadway network around Indian Point in the opinion of the NRC Staff? State all opinions and documents on which the position of the NRC Staff is based and identify the person or persons who formulated and/or designed the documents.

35. Provide copies of any and all documents referred to in the answer to Interrogatory 34.

36. What is the position of the NRC Staff on the establishment of limitations on the licenses of Con Edison and PASNY relevant to evacuation capabilities of the road network around Indian Point?

State all opinions and documents on which the position of the NRC Staff is based and identify the person or persons who formulated and/or developed the documents.

37. Please provide copies of any and all documents referred to in the answer to Interrogatory 36.

38. What is the position of the NRC Staff on the feasibility of and need for upgrading the roadway network at Indian Point to permit successful evacuation of all residents in the EPZ before the plume arrival time? State all opinions and documents on which the position of the NRC Staff is based and identify the

person or persons who formulated the opinions and/or developed documents.

39. Provide copies of any and all documents referred to in the answer to Interrogatory 38.

40. What is the position of the NRC Staff on the feasibility of and need for upgrading of the emergency plans for the Indian Point plants to take into account the special needs of special groups and particularly those who are dependent on others for their mobility? What specific measures could and/or should be taken in this respect? State all opinions and documents on which the position of the NRC Staff is based and identify the person or persons who formulated the opinion and/or developed the document.

41. Provide copies of any and all documents referred to in the answer to Interrogatory 40.

42. What is the position of the NRC Staff on the feasibility of and need for specific steps to be taken by NRC, State and local officials to promote a public awareness that nuclear power plant accidents with substantial offsite risks are possible at Indian Point? What specific steps have been or are being contemplated or considered by the NRC Staff? State all opinions and documents on which the position of the NRC Staff is based and identify the person or persons who formulated the opinion and/or developed the document.

43. Provide copies of any and all documents referred to in the answer to Interrogatory 42.

44. What is the position of the NRC Staff on the feasibility of and

need for the establishment of a maximum acceptable level of radiation exposure as an objective basis for measuring the adequacy of emergency planning at Indian Point? What levels of radiation exposure have been or are being considered by Staff as acceptable for especially vulnerable population groups as well as for average populations in the event of an accidental release of radiation from Indian Point? State all opinions and documents on which the position of the Staff is based and identify the person or persons who formulated the opinion and/or developed the document.

45. Provide copies of any and all documents referred to in the answer to Interrogatory 44.

46. What is the position of the NRC Staff on the feasibility of and need for the emergency planning brochure to give more attention to problems associated with persons who are deaf, blind, too young to understand the instructions, or who do not speak English? What specific additional improvements are necessary in the emergency planning brochure in the opinion of the NRC Staff in this regard? State all opinions and documents on which the position of the NRC Staff is based and identify the person or persons who formulated the opinion and/or developed the document.

47. Provide copies of any and all documents referred to in the answer to Interrogatory 46.

and all

48. Describe the substance of any communications, oral or written, between Boyce Grier and Brian Grimes or any other person associated with the NRC Staff pertinent to the Staff's deliberations, evaluations and decisions with regard to the deficiencies identified in the Indian Point emergency plans in April 1981 and the commencement and termination of the 120-day enforcement clock.

Identify the person or persons who participated in each communication and provide a copy of each written communication.

49. What deficiencies identified in the April, 1981 RAC review of the state and local emergency plans for Indian Point have been corrected? Of the remaining deficiencies, which, in the opinion of Staff, are significant and which are not? Which, in the opinion of Staff, must be corrected as a condition of operation for Indian Point 2 and 3? By what specific date? State all opinions and documents upon which the responses to this interrogatory are based, and identify the person or persons who formulated the opinions and/or developed the documents.

50. Provide copies of any and all documents referred to in the answer to Interrogatory 49.

51. What deficiencies identified in the December, 1981 RAC review of the state and local emergency plans for Indian Point have been corrected? Of the remaining deficiencies, which, in the opinion of Staff, are significant and which are not? Which, in the opinion of Staff must be corrected as a condition of operation for Indian Point 2 and 3? By what specific date? State all opinions and documents upon which the responses to this interrogatory are based and identify the person or persons who formulated the opinions and/or developed the documents.

52. Provide copies of any and all documents referred to in the answer to Interrogatory 51.

53. Is it the position of the NRC Staff that the off-site emergency plans for Indian Point were implemented by April 1, 1981 in accordance with the August, 1980 Emergency Planning Rule? Is it the position of the Staff that the off-site emergency plans for Indian Point have been implemented to date? Explain and provide Staff's definition of the term "implemented" as

used in the August, 1980 Emergency Planning Rule which required that plans be "implemented" by April 1, 1981. State all opinions and documents upon which the responses to this interrogatory are based, and identify the person or persons who formulated the opinions and/or developed the documents.

54. Provide copies of any and all documents referred to in the answer to Interrogatory 53.

55. Is it the Staff's position that the off-site emergency plans for Indian Point are required to be in full compliance with the emergency planning measures set forth in 10 CFR 50, Appendix E, 10 CFR 50.47 and NUREG-0654, Rev. 1, as a condition of operation?

a. If yes, does the Staff believe that the licensees should not be permitted to operate their plants when any component of the emergency plans are not in full compliance?

b. If no, which planning measures set forth in 10 CFR 50, Appendix E, and 10 CFR 50.47, and including each of the criteria set forth in NUREG-0654, Rev. 1, need not be met as a condition of operation, in the opinion of the Staff?

56. Are there any additional emergency planning requirements the Staff believes should be imposed upon the Indian Point licensees as a condition of operation? Please list and describe fully.

57. Is it the position of the Staff that ad hoc emergency procedures would be adequate to protect the health and safety of populations beyond 10 miles of Indian Point? Explain fully and document.

58. Is it the position of the Staff that ad hoc emergency procedures would be adequate to protect the health and safety of the population of New York City should a worst-case accident occur at Indian Point with winds blowing toward NYC? Explain fully and document.

59. Is it the position of the Staff that the Indian Point site poses unique problems for emergency planning because of the dense population residing within the 10-mile EPZ and because of the increasingly dense population beyond the 10-mile EPZ, especially in New York City? Explain fully. State all opinions and documents upon which the response to this interrogatory is based and identify the person or persons who formulated the opinions and/or developed the documents.

60. Provide copies of any and all documents referred to in the answer to Interrogatory 59.

61. What is the position of the NRC Staff on the performance of the employees and agents of Con Edison and PASNY during the emergency planning exercise of March 3, 1982?

62. What is the basis of NRC - FEMA judgment of whether the exercise of March 3, 1982 is adequate to demonstrate the capability of emergency plans around Indian Point to reasonably assure that the public health and safety will be protected in the event of a radiological accident?

63. Provide all drafts, letters, documents, etc. reflecting NRC - FEMA's role in the preparation of the scenario used for the joint exercise of March 3, 1982. Identify the personnel involved and provide their qualifications and training.

64. Provide detailed information on the NRC - FEMA role in post-exercise testing of the alert notification system around Indian Point. What is the NRC - FEMA interpretation of the March 1, 1982

deadline for implementation of this system, as regards the type of testing NRC - FEMA considers adequate to ensure its anticipated functioning?

65. Provide all notes, reports, documents, etc. presented in all meetings participated in by NRC - FEMA in preparation for and subsequent to the Indian Point exercise of March 3, 1982.

66. What is NRC - FEMA's position on improvements needed for future exercises at the Indian Point site?

67. Identify all NRC - FEMA personnel who participated in or observed the Indian Point exercise of March 3, 1982. Include their qualifications and training.

68. Provide all notes, reports, memos, etc. submitted by all NRC - FEMA observer/participants as the basis for assessments of the exercise of March 3, 1982.

69. What studies have NRC - FEMA done to ensure that the public is adequately informed about what they are to do in the event of a radiological accident at Indian Point? If they have not been conducted, when are they to be conducted? Provide copies of the studies or surveys to be used and any results found to date.

70. What is the NRC - FEMA position on relations with the media that were demonstrated during the Indian Point exercise? If considered inadequate, has NRC - FEMA contemplated education of the media?

71. What is the staff's position on the intervenors' representatives who observed the Indian Point exercise of March 3, 1982 according to the terms of the Atomic Safety and Licensing Board? Include in your response details regarding specific effects on the drill, if any, you attribute to the intervenor observers.

72. What measures does the NRC Staff believe need to be taken to test and verify the licensees' claim that the public information pamphlet has adequate readability and intelligibility for all persons in the plume EPZ?

73. What measures does the NRC Staff believe need to be taken to test and verify the licensees' claim that present methods of distribution of the public information pamphlet actually put the pamphlet into the hands of all persons who would need it in case of an accident?

74. What particular types of persons does the Staff believe need not be notified in case of an emergency at Indian Point (e.g., transients, persons with sensory handicaps, persons listening through earphones to tapes or radios, people out of range of sirens)?

75. If Staff accepts a standard of less than 100% of the population that must be notified in the event of an emergency at Indian Point, what is that standard?

76. What measures does the Staff believe need to be added to the present emergency plans for Indian Point to achieve 100% notification of all persons within the plume EPZ?

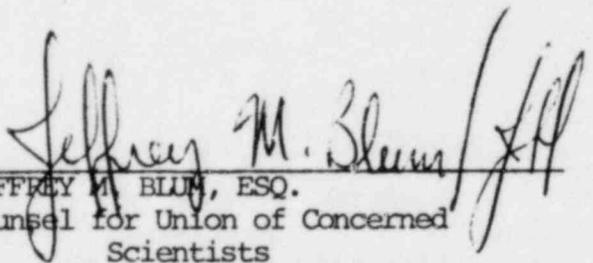
77. What measures will be taken to test and verify the claims of the licensees and their consultants who produced the emergency plans for Indian Point that 100% of the population will be notified within 15 minutes by the presently provided means? Explain fully.

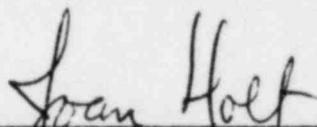
78. What is the NRC Staff's position on the status of Con Edison's and PASNY's compliance with all of the relevant NRC regulations and requirements regarding their on-site emergency plans and procedures for Indian Point Units 2 and 3 respectively. Please be specific and detailed regarding which requirements have been fulfilled and which have not to date. With respect to any deficiencies in on-site planning or preparedness please indicate a specific and detailed time-table by which each of these deficiencies will be required to be corrected.

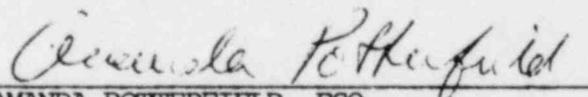
79. Provide copies of any and all documents relevant to your response to Interrogatory 78.

80. With respect to the responses provided by the NRC Staff to any of the interrogatories contained in this document, who are the persons on whose opinions and/or knowledge of facts the NRC Staff expects to rely during the Indian Point evidentiary hearings?

Dated: April 29, 1982  
New York, New York

  
JEFFREY M. BLUM, ESQ.  
Counsel for Union of Concerned  
Scientists  
New York University Law School  
323 Vanderbilt Hall  
40 Washington Square South  
New York, New York 10012  
212-598-3452

  
JOAN HOLT, PROJECT DIRECTOR  
New York Public Interest Research  
Group, Inc.  
5 Beekman Street  
New York, New York 10038  
212-349-6460

  
AMANDA POTTERFIELD, ESQ.  
Counsel for New York Public Interest  
Research Group, Inc.  
Box 384  
Village Station  
New York, New York 10014  
212-227-0265