

NUCLEAR REGULATORY COMMISSION

ORIGINAL

ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:

LOUISIANA POWER AND LIGHT COMPANY :

DOCKET NO. 50-382-OL

(Waterford Steam Electric Station, :
Unit 3) :

DATE: May 4, 1982

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

4 In the Matter of:)
5)
6 LOUISIANA POWER AND LIGHT COMPANY) Docket No. 50-382
7 (Waterford Steam Electric Station,)
8 Unit 3))

9 Room 223, East Courtroom
10 Court of Appeals Building
11 600 Camp Street
12 New Orleans, Louisiana

13 Tuesday,
14 May 4, 1982

15 The above-entitled matter came on for further
16 hearing, pursuant to adjournment, at 9:00 a.m.

17 BEFORE:

18 SHELDON J. WOLFE, Chairman
19 Administrative Judge
20 Atomic Safety and Licensing Board
21 U. S. Nuclear Regulatory Commission
22 Washington, D. C. 20555

23 DR. HARRY FOREMAN
24 Administrative Judge
25 Box 395, MAYO
University of Minnesota
Minneapolis, Minnesota 55455

DR. WALTER H. JORDAN
Administrative Judge
881 West Outer Drive
Oak Ridge, Tennessee 37830

1 APPEARANCES:

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3 Light Company:

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6 -and-
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13 U. S. Nuclear Regulatory Commission
14 Washington, D. C. 20555

15 -and-

16 BRIAN P. CASSIDY, Attorney
17 Federal Emergency Management Agency
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20 On behalf of the Joint Intervenors:

21 LUKE FONTANA, Attorney
22 834 Esplanade Avenue
23 New Orleans, Louisiana
24
25

I N D E X

		VOIR	BOARD				
		DIRECT	DIRE	CROSS	REDIRECT	RECROSS	EXAM.

WITNESSES

ROB MYERS,
 JOHN LUCAS,
 BERT MADERE,
 RONALD PERRY,
 KEVIN TWINE,
 ALEXIS TSAGGARIS
 and
 ROBERT AZZARELLO
 (A Panel - Resumed)

By Mr. Fontana 2362
 (continued)

By Mr. Churchill 2473

By Mr. Fontana
 (continued) 2484

P R O C E E D I N G S

JUDGE WOLFE: All right.

The hearing is resumed.

Mr. Fontana, you were to advise today how much time approximately you would need for cross-examination of this panel.

MR. FONTANA: Today and tomorrow.

Mr. Tsaggaris can leave at the end of today. We would like to reserve our rights to recall, in case we don't really finish and Thursday and Friday put on the FEMA people and hope to have the FEMA people finish Friday.

JUDGE JORDAN: I didn't understand what's going to happen on Thursday and Friday.

MR. FONTANA: FEMA.

JUDGE JORDAN: Oh. FEMA.

MR. FONTANA: They are on a tight schedule, too, and I hope to have them finished by Friday, but just in case, I'd rather not commit myself that I will finish the whole panel tomorrow. I'll try. But Mr. Tsaggaris can be certainly excused at the end of today because I understand his schedule.

Now, Mr. Myers is not going to be available the first day of next week or Tuesday and that might work out well because then we have the rebuttal on synergism and maybe I could have Mr. Myers back Wednesday, just in

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1 case I don't finish with him.

2 JUDGE WOLFE: All right.

3 MR. CHURCHILL: Also, Mr. Fontana, Mr. Madere
4 will not be available next week.

5 MR. FONTANA: All next week?

6 MR. CHURCHILL: Yes.

7 JUDGE WOLFE: I would suggest to Mr. Fontana
8 that if at all possible, to concentrate on Mr. Tsaggaris
9 and Mr. Madere, so possibly you will complete your cross-
10 examination today. That was your request, Mr. Churchill?

11 MR. CHURCHILL: Yes, sir.

12 JUDGE WOLFE: All right.

13 MR. TURK: Judge Wolfe, I would also note
14 again for the record, that Mr. Urbanik, who is the Staff's
15 consultant concerning the Evacuation Time Estimate Study,
16 is available only Wednesday and Thursday of this week.

17 JUDGE WOLFE: The Board makes every effort to
18 accommodate witnesses and will take them out of time.

19 It has already been broached to the Board
20 that tomorrow, as I understand it, we are to proceed to
21 hear the Staff's witnesses and FEMA witnesses; is that
22 correct?

23 MR. TURK: That was the previous understanding.
24 I understand Mr. Fontana to be requesting to be able to
25 proceed with Staff and FEMA witnesses on Thursday, rather

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1 than Wednesday and it's for that reason that I note Mr.
2 Urbanik's limited availability.

3 JUDGE WOLFE: Did you have any arrangements
4 prior to this time as to --

5 MR. TURK: Yes.

6 JUDGE WOLFE: -- and had there been any
7 agreement with Mr. Jones that, for example, Mr. Urbanik
8 would be taken out of time?

9 MR. TURK: Yes, there was an agreement that
10 Mr. Urbanik would be made available Wednesday and Thursday
11 and the Joint Intervenors agreed to that availability and
12 said that they had no problem with that.

13 And, incidentally, FEMA's availability also
14 was made clear some time ago and the Joint Intervenors said
15 they had no problem with that.

16 I recognize that this is a large panel and
17 it takes time to do full cross-examination of so many
18 people, but to the extent that there are particular witness
19 scheduling problems on behalf of the Staff and FEMA, those
20 problems were made clear in advance and the Joint Intervenors
21 committed to work around those constraints.

22 JUDGE WOLFE: All right.

23 Mr. Churchill?

24 MR. CHURCHILL: Yes. The Applicant did as
25 well; we understood that the Staff had witness

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1 scheduling problems and that's why we talked about
2 switching in about mid week from this panel to the Staff
3 witnesses and I appreciate Mr. Turk's agreement now that
4 this panel can remain on through Wednesday, this panel,
5 the Applicant's panel.

6 That may increase the chances of completing
7 cross-examination on the entire panel, although Mr. Fontana
8 has rightfully stated he can't promise that he would do
9 that and, if necessary, we would bring witnesses back the
10 following week.

11 MR. TURK: I have to make a correction. I
12 make no such agreement. I have not yet agreed to Staff
13 and FEMA witnesses going on Thursday rather than Wednesday.
14 Mr. Churchill is in error.

15 I've noted the problems of my witnesses and
16 any agreement that I might make must be conditioned upon
17 scheduling around my witnesses' problems. I have as yet
18 not committed to anything, beyond my witnesses appearing on
19 Wednesday.

20 MR. CHURCHILL: Well, where are we on
21 that Mr. Turk? I'm sorry. I thought --

22 MR. TURK: May I suggest that the parties
23 confer for a few minutes to see if we can work something
24 out off the record?

25 JUDGE WOLFE: We will have a five-minute

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1 recess in place. You can work that out.

2 (Short recess.)

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1 JUDGE WOLFE: All right. Who will speak
2 for the parties?

3 MR. FONTANA: I will, Your Honor.

4 I will attempt to finish the panel up today,
5 with the reservation of calling them back on Wednesday.

6 JUDGE WOLFE: Tomorrow, yes?

7 MR. FONTANA: No, next Wednesday.

8 JUDGE WOLFE: A week from this Wednesday. I
9 see. All right.

10 MR. FONTANA: I would like to reserve the
11 panel for you tomorrow morning so you can ask your
12 questions of this panel until noon tomorrow; call Mr.
13 Urbanik tomorrow afternoon; call the two -- I'd call the
14 FEMA witnesses Thursday and Friday, end up with them
15 Friday. I think that would hold our schedule.

16 JUDGE WOLFE: All right.

17 JUDGE JORDAN: Did you indicate -- I
18 wasn't sure I understood that there would be perhaps
19 time for Board questions tomorrow morning.

20 MR. FONTANA: I am going to try to finish up
21 today with the reservation of calling the panel back
22 Wednesday, hold this panel for you to question them tomor-
23 row until the 12:30 break; call Mr. Urbanik tomorrow
24 afternoon; the FEMA people Thursday and Friday.

25 Now, I think if I extend myself into next

2-2 1 week too much, I get a little confused, but I think that's
2 going to hold everything for right now, right?

3 JUDGE JORDAN: Is Mr. Urbanik the only Staff
4 witness?

5 MR. TURK: No, we'll have two other Staff
6 witnesses: Mr. Perrotti who is sitting at counsel table
7 with me was the Staff reviewer of the emergency plan. He
8 is available next week. His time is a little more
9 flexible.

10 We'll have Mr. Brian Grimes, who is Director
11 of the Division of Emergency Preparedness next Tuesday.

12 JUDGE JORDAN: Tuesday of next week?

13 MR. TURK: That's correct.

14 JUDGE JORDAN: I see. That will be fine.

15 MR. TURK: And, incidentally, it's my under-
16 standing that with these arrangements in mind, the Joint
17 Intervenors have committed to complete examination of Mr.
18 Urbanik by the end of tomorrow -- the end of Wednesday, and
19 also to complete examination of the FEMA witnesses by the
20 end of the week.

21 It's my understanding that that would allow
22 time for Board questions and cross or redirect by other
23 parties as well.

24 MR. CHURCHILL: Your Honor, I think from the
25 Applicant's point of view, what this means is we will keep

2-3 1 the panel here today and all through tomorrow. The first
2 thing after lunch Mr. Urbanik would come on.

3 We're not -- It isn't clear how much cross-
4 examination there would be for him, but if it didn't take
5 very long, we could reconvene the panel in the afternoon.
6 And probably any time during the course of this, we can
7 get together and see how timing is going.

8 Obviously, my preference would be -- It
9 would be ideal for us and the convenience of our witnesses
10 if the panel could be finished this week. I don't know if
11 that's possible.

12 But Mr. Fontana and Mr. Turk have agreed
13 to cooperate toward this effort. If they can't be finished
14 this week, for whatever reason -- cross by the Staff or by
15 FEMA or questions by the Board -- we would bring back as
16 many of them as we could, which at this point is all but
17 Mr. Madere, next week.

18 JUDGE WOLFE: Well, the Board is pleased that
19 the counsel are trying to accommodate one another. That's
20 the way things should be.

21 We'll proceed on that basis. If, perchance,
22 by 3:00 or 4:00 in the afternoon of any particular day --
23 and I think that would give the reporter, Ms. Bagby,
24 sufficient time to make her arrangements -- if by 3:00 or
25 4:00 in any particular day, it becomes apparent that we

2-4 1 will not be able to complete a witness that has to be
2 completed that day, that we will proceed beyon. 5:00 in the
3 evening, perhaps to 6:30, in an effort to complete with
4 that witness' testimony and cross-examination.

5 All right. I would further indicate that
6 the Board was quite aware that NUREG-0654 was adverted
7 to several times yesterday, and our rulings in part were
8 directed to NUREG-0654.

9 I would advise the parties that the Board
10 does take official notice of that issuance. But I would
11 read into the record, so that the parties will certainly
12 have this before them for their edification -- I read
13 from page six of NUREG-0654. This is under heading,
14 "D. Planning Basis."

15 "The overall objective of emergency response
16 plans is to provide dose savings (and in some cases
17 immediate life saving) for a spectrum of accidents that
18 could produce offsite doses in excess of Protective Action
19 Guides (PAGs). Footnotes deleted. No single specific
20 accident sequence should be isolated as the one for which
21 to plan because each accident could have different
22 consequences, both in nature and degree. Further, the
23 range of possible selection for a planning basis is very
24 large, starting with a zero point of requiring no planning
25 at all because significant offsite radiological accident

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1 consequences are unlikely to occur, to planning for the
2 worst possible accident, regardless of its extremely low
3 likelihood. The NRC/EPA Task Force did not attempt to
4 define a single accident sequence or even a limited number
5 of sequences. Rather, it identified the bounds of the
6 parameters for which planning is recommended, based upon
7 knowledge of the potential consequences, timing, and re-
8 lease characteristics of a spectrum of accidents. Although
9 the selected planning basis is independent of specific
10 accident sequences, a number of accident descriptions were
11 considered in the development of the guidance, including the
12 core melt accident release categories of the Reactor
13 Safety Study."

14 All right, Mr. Fontana. You may proceed
15 with your cross-examination of the panel.
16 Whereupon,

17 ROB MYERS,
18 JOHN LUCAS,
19 BERT MADERE,
20 RONALD PERRY,
21 KEVIN TWINE,
ALEXIS TSAGGARIS
-and-
ROBERT AZZARELLO,

22 the witnesses on the stand at the time of the adjournment,
23 resumed the stand as witnesses on behalf of Applicant and,
24 having been previously duly sworn, were examined and
25 testified as follows:

CROSS-EXAMINATION
(Continued)

BY MR. FONTANA:

Q Mr. Perry -- and I would ask the panel to possibly have a pencil and paper as we try to follow the various numbers of school children and buses and various categories of children, people over 60 and the aged and crippled.

MR. CHURCHILL: May I ask if the panel members have pencil and paper?

(Witnesses nod heads.)

MR. CHURCHILL: You all do.

MR. FONTANA: Not only the panel members, of course, but the Staff, too, just in case. Okay.

BY MR. FONTANA:

Q Mr. Perry, can you give us the number of children, according to the original plan -- school children?

BY WITNESS PERRY:

A Good morning, Your Honors.

The number of school children in the original plan has been revised. I have now before me current figures that have been compiled in coordination --

Q Excuse me --

1 BY WITNESS PERRY:

2 A. -- with the school boards involved --

3 Q. -- that's not my question. I'm not interested
4 in the current figures. You can give me that if I ask that
5 question.

6 I'm asking you for the number of the students,
7 according to the original plan. That's my question.

8 BY WITNESS PERRY:

9 A. I do not have those figures before me,
10 Your Honors.

11 Q. Okay. Maybe we can help you get those
12 figures, if you'd look at the Lookabaugh testimony.

13 MR. CHURCHILL: Your Honor, we may need some
14 clarification. It's not at all clear to me that actual
15 numbers of school children are in the plan. The plan
16 is in terms of concepts and arrangements and so on.

17 JUDGE WOLFE: This is for the witness to
18 tell us, one way or the other, if he knows.

19 MR. CHURCHILL: It was a clarification of
20 the question. If he's asking for children in the plan --
21 Is that what it was, Mr. Fontana? You want to know the
22 numbers --

23 MR. FONTANA: I want to know the number of
24 the school children in the original plan. I'm willing to
25 tell him even where to find it.

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1 WITNESS PERRY: I was going to ask for a
2 citation, if you have it.

3 BY MR. FONTANA:

4 Q. Have you ever seen the Lookabaugh?

5 BY WITNESS PERRY:

6 A. Yes, Your Honors, I have seen it.

7 Q. Did you study it when you made the original
8 determination, your original testimony?

9 BY WITNESS PERRY:

10 A. The original testimony? I believe the
11 original testimony, Your Honors, preceded this testimony
12 by Messers. Benton and Lookabaugh.

13 Q. Look at Table 17 of the evacuation time
14 estimate, the ETE.

15 MR. CHURCHILL: Your Honor, that's why I
16 would like clarification of the question. The ETE is not
17 part of the plan.

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1 MR. TURK: I would like to voice a request
2 at this time.

3 If possible, I would like to hear the
4 witness' response rather than explanations from Counsel.
5 I appreciate that it's in the interest of all of us to
6 have an understanding of the plans and how they interface
7 but I'd rather ask that Counsel for Applicant allow the
8 witness to answer , rather than provide explanations for
9 the witness.

10 MR. FONTANA: I join in with Mr. Turk.

11 JUDGE WOLFE: I've indicated to Mr. Churchill
12 before that the witness should answer. However, if --
13 although he hasn't stated, that he objects to the question
14 in that the ETA was not part of the original plan, what
15 is your response to that? Mr. Fontana.

16 In fact, I'd really like to cut through all
17 this chaff and really what find out what the original plan
18 did provide. Does anybody have that information? Who has
19 it and let's have it.

20 MR. FONTANA: I have the information. It's
21 in the records. It's in the Evacuation Time Estimate which
22 is Table 17.

23 JUDGE WOLFE: Well, Mr. Churchill observes
24 that that is or was not part of the original plan and it
25 may have figures that weren't incorporated into the

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1 original plans.

2 Now, I'm trying to cut through these objections
3 and so forth and get to the question that is outstanding,
4 your question.

5 Now, who has this information? Anybody on
6 the panel have that information?

7 MR. CASSIDY: Your Honor, --

8 JUDGE WOLFE: Wait just a moment, please.

9 Anybody on the panel have that information?

10 MR. MYERS: Your Honor, I'm at somewhat of
11 a confused state here with the original plan that Counsel
12 for Intervenors is referring to.

13 The original State plan as stated in my
14 testimony, is a document printed in 1975 and has nothing
15 to do with the Evacuation Time Estimate Study produced by
16 LP&L.

17 MR. CHURCHILL: Your Honor, maybe I could
18 explain.

19 The original plan, I think, that Mr. Fontana
20 is talking about, is Applicant's Exhibit 2 and 3. I'm not
21 sure why he refers to it as the original plan but that is
22 the off-site plan that we are referring to. We've not
23 changed that plan. That is the plan.

24 What we have done is, we have updated
25 population and resource numbers, which are not called for

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1 NUREG 0654 to actually be in the plan. The plan does not
2 have to contain those numbers and so, that's probably what
3 the point of confusion is between original and new.

4 The only --

5 JUDGE WOLFE: Mr. Fontana, clarify your
6 question.

7 What do you mean by the original? What did
8 the original plan provide as to the number of schoolchildren?
9 What plan are you speaking of?

10 MR. FONTANA: Well, I'm talking about --
11 excuse me.

12 Maybe the use of the word "original plan"
13 was synthetically or something misleading. I'm talking
14 about testimony and the basis of the testimony of the FEMA
15 witnesses, John Benton and Albert L. Lookabaugh, that has
16 been filed into the record. Their calculations and their
17 use of obtaining various numbers from ETE and Lookabaugh
18 himself. So that's what I mean, those calculations.

19 That would be given to us in the sworn
20 testimony of giving us various numbers of students, various
21 numbers of school buses.

22 MR. MYERS: Your Honor, --

23 JUDGE WOLFE: Wait just a moment.

24 JUDGE JORDAN: You are referring now to the
25 FEMA testimony?

1 MR. FONTANA: Yes.

2 MR. CASSIDY: If I may take a moment to
3 clarify this.

4 JUDGE WOLFE: Yes.

5 MR. CASSIDY: Contrary to what Mr. Churchill
6 says, the ETE, the Evacuation Time Estimate Study is
7 incorporated by reference in the St. Charles Parish plan
8 at Page 162 and in the St. John's Parish Plan at Page 328.

9 The source of the numbers that are utilized
10 in the FEMA testimony come directly from the Time Evacuation
11 Estimate Study, which has been incorporated into the two
12 Parish plans.

13 MR. CHURCHILL: Your Honor, this may be a
14 matter of semantics that probably is not that important
15 and doesn't require that much time.

16 I have always understood the Evacuation Time
17 Estimate to be a separate document, which is available as
18 a resource and as a tool to Mr. Lucas and Mr. Madere. It
19 is reference in the plan -- as a matter of fact, technically
20 what's referenced in the plan is a previous version of
21 that which is not even in evidence.

22 The current document and the one which all
23 the parties have, is dated -- Revision 1, dated February
24 1982. That is the current document. That is what is
25 Applicant's Exhibit 4.

Whether or not -- perhaps it is a matter of semantics as to whether you include it -- it's considered to be part of the plan or not and if I could add one thing that might be helpful -- I believe what Mr. Fontana is asking is, what were the numbers, the school populations and so on, that formed the basis of the testimony we filed on April 20th, as opposed to perhaps the basis for the supplementary testimony dated May 3rd, which Mr. Perry has filed.

JUDGE WOLFE: Is that your question or not?
You tell us, Mr. Fontana.

MR. FONTANA: Well, I'd like to rephrase it, maybe in a different way.

JUDGE WOLFE: All right.

BY MR. FONTANA:

Q Did you use the Evacuation Time Estimates in your calculations of students?

BY WITNESS PERRY:

A May I ask what calculations you're referring to, sir?

Q Namely, the document Evacuation Time Estimate. On Table 17, Sheet 1 of 2.

BY WITNESS PERRY:

A Are you referring to my calculations? Which calculations are you referring to?

1 Q In your original testimony.

2 BY WITNESS PERRY:

3 A In my original testimony?

4 Q Filed on April the 20th , 1982.

5 BY WITNESS PERRY:

6 A I would say that the population figures, the
7 census figures for the schools from the Evacuation Time
8 Estimate were projections.

9 The numbers that we have dealt with, both in
10 the original and supplementary testimony, are numbers that
11 have been given directly to us by the School Boards with
12 which we have been working in developing School Board
13 response plans.

14 Q What are those projections?

15 BY WITNESS PERRY:

16 A What projections are you referring to?

17 Q Projections in the Evacuation Time Estimate.

18 BY WITNESS PERRY:

19 A I didn't write the Evacuation Time Estimate.

20 Q Are you telling me that the figures in the
21 Evacuation Time Estimate are now wrong?

22 BY WITNESS PERRY:

23 A I'm telling you that I had nothing to do with
24 the Evacuation Time Estimate. If you're interested in
25 dealing with the factual matters before us, I can provide you

1 or I do have before me the numbers which are actual and
2 verified by the School Boards based on the present census
3 of the schools in the risk area.

4 Q Okay.

5 Your original testimony -- tell me again,
6 where did you get the numbers you used in your original
7 testimony for school children?

8 MR. CHURCHILL: Excuse me.

9 Which numbers are you referring to, Mr.
10 Fontana? Could you show me the numbers in the original
11 testimony?

12 MR. FONTANA: Okay. I'll rephrase the question.
13 Just strike the last question.

14 BY MR. FONTANA:

15 Q In your supplemental testimony that was
16 submitted yesterday, you stated originally that you identified
17 2,370 buses and you've changed that, again, to 2,396 buses
18 in the support Parishes.

19 Where did you get that number?

20 BY WITNESS PERRY:

21 A Your Honors, that number was derived by making
22 direct contact with the School Boards, the Civil Defense
23 Agencies, Municipal bus providers, in the various support
24 Parishes.

25 JUDGE FOREMAN: Mr. Fontana, could you tell

1 us what page you're referring to?

2 MR. FONTANA: His testimony. It's Page --
3 okay, I referred to Page 4 of your testimony. Page 3
4 and 4 of your testimony.

5 BY MR. FONTANA:

6 Q Let's look at Page 3, right now, of your
7 testimony, Mr. Perry.

8 You state 904 students. Can you tell us where
9 you got the figure 904 students?

10 BY WITNESS PERRY:

11 A As I stated earlier, the number 904 students
12 was derived in consultation with the School Board. I believe
13 this is St. Charles Parish we're referring to here.

14 Q East Bank.

15 BY WITNESS PERRY:

16 A That's where the number came from.

17 Q Would you repeat again, it came from the
18 School Board?

19 BY WITNESS PERRY:

20 A It came through consultation with the School
21 Board. They identified the number.

22 Q And do you have that in writing anywhere?

23 BY WITNESS PERRY:

24 A Do I have that in writing?

25 Q Yes.

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1 BY WITNESS PERRY:

2 A At the present time, the School Board is in
3 the process of finalizing its plan. Finalization of that
4 document is expected shortly. Those numbers are contained
5 in that plan, which will be expected to be adopted by the
6 School Board. So, in fact, these numbers have been derived
7 from the School Board directly.

8 JUDGE JORDAN: But the question was, did they
9 give it to you in writing or did they give you this number
10 orally?

11 WITNESS PERRY: Well --

12 JUDGE WOLFE: Or did they give you the
13 school plan? However it may or may not be modified.

14 WITNESS PERRY: In the draft of the school plan,
15 the School Board is responsible for filling in the number.
16 I'd say as far as having a signed document, signed off by
17 the School Board, we don't have that at present.

18 But, we do have --we have worked with the
19 School Board in developing a draft of that plan and they
20 filled in the numbers for the draft.

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1 BY MR. FONTANA:

2 Q There's no way for us to really know at this
3 time whether or not this figure of 904 students is ab-
4 solutely correct; would that be a correct statement?

5 BY WITNESS PERRY:

6 A If you will not believe the numbers given by
7 the school board, then your assumption is correct.

8 Q Well, how do we know this is a number given
9 by the school board?

10 MR. CHURCHILL: Your Honor, I object to that
11 question. The witness has testified that the school board
12 told him what the current population of the schools were.
13 That's how he knows. The witness was testifying under
14 oath, Your Honor.

15 BY MR. FONTANA:

16 Q Can you give us the name of the person on
17 the school board that gave you this figure?

18 BY WITNESS PERRY:

19 A Which school board would you like to refer
20 to?

21 Q The one that gave you -- the one that we're
22 referring to in my questions, the 904 students on page
23 three of your testimony titled East Bank.

24 BY WITNESS PERRY:

25 A St. Charles Parish? The contact person at

4-2 1 St. Charles Parish was Mr. Larry Sesser, who will serve
2 as the School Services Officer for St. Charles Parish in
3 the event of an emergency.

4 Q Did you talk to him?

5 BY WITNESS PERRY:

6 A Yes, sir.

7 Q Did you talk to him in person?

8 BY WITNESS PERRY:

9 A Yes, sir.

10 Q Where did you talk to him?

11 BY WITNESS PERRY:

12 A I've met with Mr. Sesser on several occasions
13 in his office.

14 Q And he gave you this figure from a document,
15 do you know, or did he just give it to you orally?

16 BY WITNESS PERRY:

17 A He derived this number from the current
18 census that is documented at the school board office.

19 JUDGE WOLFE: Mr. Fontana asked you a
20 question; there was an objection. Mr. Fontana appeared
21 to have changed to another question. I did not have the
22 opportunity to rule.

23 MR. FONTANA: Excuse me.

24 JUDGE WOLFE: The objection to the question
25 is overruled. In substance, the question was: To your

4-3 1 knowledge, does this figure of 904 students -- is that
2 figure subject to change possibly?

3 WITNESS PERRY: It would be subject to
4 change by the beginning of the school term in the fall of
5 1982.

6 I believe this number is as accurate a number
7 as we can derive at this time.

8 JUDGE WOLFE: All right. Back to you, Mr.
9 Fontana.

10 BY MR. FONTANA:

11 Q And the person that gave you this number,
12 would you give us his name again, please? Larry Sesser?

13 BY WITNESS PERRY:

14 A Larry Sesser. I'll spell that for you.
15 S-e-s-s-e-r.

16 Q S-e-s-s-e-r.

17 And where can he be contacted?

18 BY WITNESS PERRY:

19 A He can be contacted at the St. Charles
20 School Board Administrative Office.

21 Q Also, on page three of your testimony you
22 state 16 buses. Was it Mr. Sesser that gave you that
23 information, too?

24 BY WITNESS PERRY:

25 A Based on -- In coordination with Mr.

4-4

1 Sesser, we have learned that a loading factor for school
2 buses in Louisiana is 60 students. This number was de-
3 rived in coordination with Mr. Sesser.

4 Q So Mr. Sesser gave you that number of 16
5 buses also?

6 BY WITNESS PERRY:

7 A Sixteen buses is a number identified by
8 Mr. Sesser, if, indeed, an evacuation of all of these
9 schools would be necessary.

10 Q Now, I'll refer you to page three again.
11 You state: "West Bank - three schools, 494 students."
12 Can you tell us who gave you that information?

13 BY WITNESS PERRY:

14 A Again, Your Honors, Mr. Sesser was the source
15 of all information for St. Charles schools.

16 Q So would it be true that he gave you all of
17 the information on page three entitled "East Bank - four
18 schools, 1651 students, 29 buses"? Mr. Sesser gave you
19 that information, too?

20 BY WITNESS PERRY:

21 A Mr. Sesser is the source of information,
22 as I mentioned.

23 Q Therefore, he gave you also "West Bank -
24 one school, 538 students, nine buses"?
25 /

4-5 1 BY WITNESS PERRY:

2 A That information was developed in coordina-
3 tion with Mr. Sesser, Your Honors.

4 Q Okay. And also page four of your testimony,
5 you show "East Bank - two schools, 936 students, 16
6 buses." Again, Mr. Sesser; is that correct?

7 BY WITNESS PERRY:

8 A Yes, Your Honors.

9 Q I refer you also to "West Bank - eight
10 schools, 3692 students, 63 buses." Again, that would be
11 Mr. Sesser?

12 BY WITNESS PERRY:

13 A The answer is the same, yes.

14 Q You state also on page four of your testi-
15 mony: "In St. John the Baptist Parish there are 8736
16 students within the ten-mile EPZ zone."

17 Who gave you that figure?

18 BY WITNESS PERRY:

19 A That figure was given to us by Mr. Cleveland
20 Farlough, who --

21 Q Would you spell Mr. Farlough's last
22 name?

23 BY WITNESS PERRY:

24 A F-a-r-l-o-u-g-h.

25 Q F-a-r --

4-6

1 BY WITNESS PERRY:

2 A -- l-o --

3 Q -- l-o --

4 BY WITNESS PERRY:

5 A -- u-g-h.

6 Q -- u-g-h.

7 And would you give us his title, please?

8 BY WITNESS PERRY:

9 A Mr. Farlough is the Assistant Superintendent
10 for the St. John the Baptist School Board and also serves
11 as the School Services Officer for an emergency in St.
12 John the Baptist Parish.

13 Q Then you have -- of these, 7800 on the
14 East Bank and 876 on the West Bank. Mr. Farlough gave
15 you that information?

16 BY WITNESS PERRY:

17 A The information for St. John the Baptist
18 Parish Schools was given to us by Mr. Farlough.

19 Q You have a summary of bus needs as follows:
20 "4 miles, East Bank: No schools. West Bank: 1 school,
21 123 students, 2 buses."

22 Where did that information come from?

23 BY WITNESS PERRY:

24 A That information was developed in coordina-
25 tion with Mr. Farlough.

Q With Mr. Farlough.

Okay. The next line you have "5-6 Miles (includes LaPlace and part of Reserve), East Bank: 8 schools; 3,349 students; 57 buses."

Who gave you that information?

BY WITNESS PERRY:

A As I've mentioned before, the information for St. John the Baptist Schools was developed in coordination with Mr. Farlough.

Q So Mr. Farlough gave you that information.

"5-6 Miles (includes LaPlace and part of Reserve), East Bank: 3,349 students, 57 buses," again Mr. Farlough?

BY WITNESS PERRY:

A The information is the same, Your Honors.

Q "West Bank: 2 schools, 392 students, 7 buses," again Mr. Farlough?

BY WITNESS PERRY:

A The information is the same, yes.

Q "6-10 Miles (includes Reserve and Edgard), East Bank: 11 schools, 4511 students, 75 buses." Again Mr. Farlough?

BY WITNESS PERRY:

A Yes.

Q "West Bank: 1 school, 361 students, 7

1 buses." Again Mr. Farlough?

2 BY WITNESS PERRY:

3 A. That's right.

4 Q. Now these figures that you got from Mr. Far-
5 lough and from Mr. Sesser, they're lower than in the
6 evacuation time estimate documents; is that right?

7 BY WITNESS PERRY:

8 A. I believe that's correct.

9 Q. How do you know what the figures are in the
10 ETE?

11 BY WITNESS PERRY:

12 A. How do I know?

13 Q. Yes.

14 BY WITNESS PERRY:

15 A. You have before you, as I do, Table 17 of
16 the evacuation time estimate. Those numbers appear to be
17 higher than the actual numbers which have been derived in
18 coordination with the school board.

19 Q. Do you have the figures given for the number
20 of students in the ETE? Do you know the number of students
21 in the ETE -- the total number? Or does anyone on the
22 panel know the total number in the ETE?

23 MR. CHURCHILL: Your Honor, that question
24 has been asked and answered. The figures in the ETE are
25 set forth in Table 17.

4-9

That was an objection.

BY MR. FONTANA:

Q. Mr. Perry, give us the total figure in the
ETE --

JUDGE WOLFE: Wait --

MR. FONTANA: Excuse me. I'm sorry.

JUDGE WOLFE: Do you have a response to
that -- the objection?

Asked and answered.

MR. FONTANA: Would you repeat it, Mr.
Churchill.

MR. CHURCHILL: I objected to your last
question because it had already been asked and answered.

MR. FONTANA: Well, I don't think the total
figure -- I don't have the total number of school kids
answered anywhere in the ETE.

WITNESS TWINE: Your Honors, perhaps as the
supervisor of the ETE --

JUDGE WOLFE: Wait a minute.

Objection overruled. All right. The
question was put to anyone on the panel.

MR. CHURCHILL: May I have the question again,
Your Honor?

BY MR. FONTANA:

Q. What is the total number --

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JUDGE WOLFE: Wait a moment, please.

Counsel for Applicant is requesting that the question be re-read.

All right, Ms. Bagby.

MR. FONTANA: What is the total number of students on Table 17?

(The question was read by the reporter as follows: "Do you have the figures given for the number of students in the ETE? Do you know the number of students in the ETE -- the total number? Or does anyone on the panel know the total number in the ETE?")

WITNESS TWINE: As a member of the panel, I can say that the total in the ETE approximates 22,000 students. I don't have the precise number. I'd have to add up the columns.

BY MR. FONTANA:

Q. I'll ask: Is 22,200 the exact figure?

BY WITNESS TWINE:

A. No, it's not the exact figure. We can add it up for you, though.

Q. Would you, please?

BY WITNESS TWINE:

A. It will take me a few minutes.

MR. TURK: While the witness is calculating

1 the numbers, I might point something out for the Licensing
2 Board and the other parties to take note of.

3 The Licensing Board asked where the numbers
4 might be found as to the school populations. Mr.
5 Churchill has introduced as a separate exhibit the
6 evacuation time estimate study.

7 In addition, he has introduced the on-site
8 plan for the Applicant.

9 I'm looking for the exhibit number for the
10 on-site plan.

11 MR. CHURCHILL: I think that's Exhibit No. 1.

12 MR. TURK: In Exhibit No. 1, Appendix B
13 sets out the evacuation time estimate study -- a second
14 time, apart from its being a separated document; and that
15 fact was noted by Mr. Churchill when he introduced the
16 evacuation time estimate study as Exhibit 4. That
17 reference may be found on page 2175 of yesterday's
18 transcript proceedings.

19 WITNESS TWINE: Your Honors, I have added
20 up those numbers on Table 17. The total is 22,040.

21 By the way, there are a couple of non-
22 school institutions on that table. I did not include
23 those within the figure of 22,040, since I assumed that
24 the conversation was dealing with schools here.

25 Correct me if I'm wrong, counsel.

4-12

1 BY MR. FONTANA:

2 Q For the present let's use the 22,040 figure
3 that you've given.

4 BY WITNESS TWINE:

5 A Yes, sir.

6 Q Mr. Madere or Mr. Lucas, you probably could
7 answer this question easy enough -- how many children
8 do we evacuate using a bus? In other words, a bus is
9 equal to how many children will be on that bus?

10 BY WITNESS MADERE:

11 A Your Honor, we would go by the recommenda-
12 tion of the school board if at all possible, which is 60
13 school kids.

14 But, of course, in an emergency that we've
15 had chemical releases and all, we would put 70 or 80 on a
16 bus, depending on what the situation is.

17 But for planning purposes, we're planning
18 on 60.

19 Q Okay. I'll refer any member of the panel
20 to the ETE study, page 18, where they recommend 56 children
21 per bus.

22 BY WITNESS MADERE:

23 A Yes. This was the ETA estimate, and that's
24 what we were going by also. But we also included the
25 bus driver, the possibility of him having a family or

4-13

1 something that he would want to take with him, or a
2 school administrator or a school teacher.

3 So between -- the 56 to 60 people per bus
4 is for planning purposes what we've been using.

5 Q Mr. Lucas, would you have any objections to
6 us using the ETE study, page 18, that recommends 56
7 students per bus?

8 BY WITNESS LUCAS:

9 A No, I wouldn't, counsel. But I'd like to
10 say something to Your Honors up there.

11 The fact of the whole thing is this: I
12 know Mr. Perry, and I know Mr. Sesser. I know that they
13 have conferred together.

14 I also want you to recognize the great
15 responsibility of developing implementing plans is mine
16 in my parish. I have accepted these figures as a fact
17 that I can use them to get these people out.

18 Q So you agree with the ETE study recommending
19 56 students per bus?

20 BY WITNESS LUCAS:

21 A Well, I would accept 56. But I will accept
22 a figure of 60, as was given to me by the study.

23 Q What study?

24 BY WITNESS LUCAS:

25 A Well, it was a figure that -- What's

4-14

1 that -- Was your figure 60 or -- 60 is the figure
2 that they gave to us in the development of our implement-
3 ing plans.

4 BY WITNESS MADERE:

5 A If I might add, Your Honor, the estimated
6 evacuation time study, ETE, was dependent on 56 students
7 per bus.

8 Q I just want to establish what the study
9 says -- the ETE study on page 18.

10 Would any member of the panel confirm that
11 page 18 of the ETE study, the second-to-last paragraph
12 states, for the record, 56 students per bus?

13 BY WITNESS TWINE:

14 A That is the assumption we used, yes, sir.

15 Q Okay. And that is in the ETE study, is
16 it not?

17 BY WITNESS TWINE:

18 A Yes, sir, that's correct.

19 Q Okay. So you're Mr. --

20 BY WITNESS TWINE:

21 A Twine.

22 Q Mr. Twine, if we had 22,040 students --

23 BY WITNESS TWINE:

24 A I should correct you, counsel on that.
25 That is not 22,040 students. That is 22,040 school

4-15 1 population. That includes teachers and employees of the
2 schools.

3 Q We have 22,040 school population. In the
4 ETE study recommending 56 students per bus, would you
5 please calculate for us how many buses would be needed?

6 BY WITNESS TWINE:

7 A. 393.

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1 BY MR. FONTANA:

2 Q Mr. Twine, do you know how many buses they have
3 available in St. John and St. Charles Parish, available?

4 BY WITNESS TWINE:

5 A Yes. At the current time --

6 Q No, no. Not at the current time, not
7 according to Mr. Perry's figures.

8 BY WITNESS TWINE:

9 A You mean at the time we wrote the ETE?

10 Q Yes. At the time the ETE was written.

11 BY WITNESS TWINE:

12 A I want to look that up to be sure. Hold on
13 a minute, please.

14 I refer you to Page 18 of the ETE. The
15 second full paragraph.

16 I'm quoting the first sentence here.

17 "In St. John the Baptist Parish there
18 are approximately 31 buses on the East
19 Bank (LaPlace side) of the Mississippi
20 River and 10 buses on the West Bank
21 (Waterford 3 side) of the Mississippi
22 River. Footnote deleted.

23 In St. Charles Parish, there are
24 44 buses on the East Bank of the
25 Mississippi River and 62 buses on the

5-2

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1 West Bank of the Mississippi River."

2 Q How many buses does that total up to,
3 available?

4 BY WITNESS TWINE:

5 A If you'll allow me a second, I'll calculate
6 that.

7 That's 147 buses.

8 These, I might add, are buses that are
9 available from within the Parish. It doesn't say anything
10 about buses that are available from support Parishes.

11 Q Okay.

12 According to the ETE study, we had 22,040
13 school population; correct?

14 BY WITNESS TWINE:

15 A Yes, sir.

16 Q We have 147 buses available, according to
17 the ETE; is that correct?

18 BY WITNESS TWINE:

19 A That's correct, yes.

20 Q And according to the ETE, one bus carries 56
21 students; correct?

22 BY WITNESS TWINE:

23 A That's correct.

24 Q So we would multiply 147 buses times 56
25 students, that's what student population?

5-3

1 Does that come out to 8,232 students?

2 BY WITNESS TWINE:

3 A. 147 times 56 is 8,232.

4 Q So, then if we have 22,040 school population,
5 according to ETE and we have buses -- 147 buses, one bus
6 equals 56 students, coming out to 8,232 students, if we
7 subtract the 8,232 students from 22,040 students, how many
8 remaining students do we have left over?

9 BY WITNESS TWINE:

10 A. That is not a remaining number of students.
11 That is the school population remaining.

12 Q Well, the school population.

13 BY WITNESS TWINE:

14 A. It's 13,808 left over.

15 Q So how many additional buses, using the ETE
16 56 students a bus, would be needed?

17 BY WITNESS TWINE:

18 A. Well, sir, you have to remember that the
19 entire school population is not going out on buses. Some
20 of the students -- the students are going out on buses but
21 some of the teachers are going to drive their cars out.

22 Q For practical purposes, now, using school
23 population of that number, how many additional buses would
24 be needed?
25

5-4

1 BY WITNESS TWINE:

2 A There's a short fall of 247. If you subtract
3 394 from 147, you get 247. However, the actual buses we
4 estimated will be needed, taking into account the employees
5 of the school, would be 374.

6 Q Okay. Just answer my question.

7 BY WITNESS TWINE:

8 A Sure.

9 Q So we need approximately 247 additional buses,
10 according to the calculations we're using; is that correct?

11 BY WITNESS TWINE:

12 A Yeah, according to the calculations we're
13 using right now. Yes, sir.

14 Q So how many total buses now do we need?

15 BY WITNESS TWINE:

16 A How many total buses do we need for what?

17 Q According to the ETE, according to your most
18 recent calculation ?

19 BY WITNESS TWINE:

20 A According to the ETE we need 374 buses.

21 Q I think you said 394 buses.

22 BY WITNESS TWINE:

23 A Well, if you divide the school population by
24 56, you get 394 buses.

25 Q And then how many additional buses? Would

5-5

1 you repeat that? Was it 247?

2 BY WITNESS TWINE:

3 A. How many additional buses, subtracting the
4 393 from 147? I mean, 147 from 393?

5 Q. To get the remaining students? I think you
6 said we need 247 additional buses; is that correct?

7 BY WITNESS TWINE:

8 A. I don,t think we need that many. That is
9 the number that results from the subtraction of 147 from
10 the number 393.

11 Q. Yes. That was your calculation?

12 BY WITNESS TWINE:

13 A. That's correct. Yes,sir.

14 Q. Okay. Mr. Perry.

15 Let's get into your most recent calculations.

16 Repeat me if I'm wrong but let's see if I'm
17 right from your testimony.

18 You stated 16,240 students; is that correct?

19 BY WITNESS PERRY:

20 A. Let me check on that, please.

21 Q. I believe that's on Page 4 of your testimony.

22 BY WITNESS PERRY:

23 A. What number did you arrive at?

24 Q. 16,240 students.

25

5-6

1 BY WITNESS PERRY:

2 A. I believe my figure indicates that there are
3 8,215 students in St. Charles Parish, and 8,736 students
4 in St. John the Baptist Parish for a total of 16,951?

5 Q. All right. 16,951 students.

6 I refer you to the ETE -- excuse me.

7 Mr. Twine, your testimony is at ETE Study,
8 Page 18, states and recommends 56 students per bus; is
9 that correct.

10 BY WITNESS TWINE:

11 A. That's correct.

12 Q. Using the ETE calculations that Mr. Twine just
13 gave, and using the amount of available buses, which I
14 think you give -- just scratch that last question.

15 How many buses are available to your Parish,
16 Mr. Perry?

17 BY WITNESS PERRY:

18 A. You're referring to school buses?

19 Q. Yes.

20 BY WITNESS PERRY:

21 A. In St. Charles Parish, there is a total of 94
22 buses. In St. John the Baptist Parish, there is a total
23 of 44 school buses available. Would you like to have that
24 broken down?

25 Q. No.

1 So that's a total of 138 buses; is that
2 correct?

3 BY WITNESS PERRY:

4 A. Yes, that is correct.

5 Q. Using the ETE recommendation on Page 18 of
6 56 children per one school bus, if we multiplied 138
7 available buses times 56, do we not come out with 7,728
8 school population?

9 BY WITNESS PERRY:

10 A. Run that by me again, if you will.

11 Q. You state that there's 16,951 students; is
12 that correct ?

13 BY WITNESS PERRY:

14 A. Yes, that is.

15 Q. Page 4 of your testimony.

16 You state that there is a total of 138 available
17 buses; is that correct?

18 BY WITNESS PERRY:

19 A. Correct.

20 Q. Using the ETE Study, Page 18, recommending
21 56 students per bus, if we take the number of available
22 buses as 138, times 56 school children, we come out with a
23 total of 7,728 school population; is that correct?

24 MR. CHURCHILL: Your Honor, I need some --
25 could we have some clarification on the question? There

5-8 1 is a difference here between school population and students
2 and it's an important difference.

3 MR. FONTANA: Okay. I'll use school
4 population; okay?

5 MR. CHURCHILL: I would remind the Board and
6 the parties that Mr. Perry's supplemental testimony is
7 students, and not school population; the ETE is school
8 population, which includes adults. Therefore, that is why
9 the ETE uses 56, because it includes adults on the bus.

10 Mr. Perry's uses 60 because it is dividing
11 by the total number of school children.

12 BY MR. FONTANA:

13 Q Okay. Let's use your calculations and let
14 me repeat the question.

15 BY WITNESS PERRY:

16 A Okay.

17 Q Using the number of 16,951 students.

18 BY WITNESS PERRY:

19 A Okay.

20 Q Using your available buses of 138 .

21 BY WITNESS PERRY:

22 A Mmm-hmmm.

23 Q And using your calculations of 60 students
24 per bus, if we multiply 138 buses times 60 school children,
25 what's the total number of school children that we have?

1 Using the available buses of 138.

2 BY WITNESS PERRY:

3 A I get 8,280.

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1 BY MR. FONTANA:

2 Q Can you tell us how many children would be
3 remaining and how many additional buses we would need for
4 those remaining children?

5 BY WITNESS PERRY:

6 A To which parish are you referring?

7 Q Both parishes.

8 BY WITNESS PERRY:

9 A Well, my calculations, Your Honors, are
10 broken down by parish and by bank. If you would, I would
11 rather refer to those figures, which I have available to
12 me now.

13 I think that what we're pursuing is somewhat
14 abstract, in view of the fact that I do have actual numbers
15 at the present time.

16 JUDGE WOLFE: Are you addressing the Board?

17 WITNESS PERRY: Yes, sir.

18 JUDGE WOLFE: Well, it's up to Mr. Fontana.

19 Do you want to do this, or do you want to proceed on
20 your -- where you're going at the present time. It's your
21 cross-examination.

22 MR. FONTANA: I think I might be able to help
23 you, Mr. Perry.

24 WITNESS PERRY: Okay.

25

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6-2

1 BY MR. FONTANA:

2 Q We have 16,951 students, according to your
3 calculations, correct?

4 BY WITNESS PERRY:

5 A That's correct.

6 Q We have 138 buses, correct -- available?

7 BY WITNESS PERRY:

8 A That's right.

9 JUDGE WOLFE: Where do you get a figure of
10 138?

11 MR. FONTANA: From Mr. Perry.

12 JUDGE WOLFE: I get 128.

13 WITNESS PERRY: St. Charles Parish has 94
14 buses, and St. John the Baptist Parish has available 44
15 buses.

16 JUDGE WOLFE: Forty-four?

17 WITNESS PERRY: Yes, sir.

18 JUDGE WOLFE: All right, 44.

19 BY MR. FONTANA:

20 Q Using your recommendation of 60 school
21 children per available bus, we come out with 8280 students;
22 is that correct?

23 BY WITNESS PERRY:

24 A That's correct.

25 Q If we have 16,951 students and we can

1 evacuate 8280, would you give us the remaining number
2 of children?

3 BY WITNESS PERRY:

4 A. 8671.

5 Q. Therefore, how many additional buses do we
6 need according to your calculations for these additional
7 8671 children?

8 BY WITNESS PERRY:

9 A. 144.

10 Q. Would you round off the 144.5 to 145?

11 BY WITNESS PERRY:

12 A. You could do that, yes.

13 Q. All right.

14 So, therefore, adding up your figures of
15 138 available buses and 145 additional buses, what figure
16 do you come up with there?

17 BY WITNESS PERRY:

18 A. 283.

19 Q. 283 buses.

20 Let's get to category two, which I describe
21 as residents without vehicles. I say category two; just
22 basically to separate it on the record.

23 Mr. Twine, I ask you to look at the ETE
24 study, Table 14.

25 /

6-4

1 BY WITNESS TWINE:

2 A Yes, sir.

3 Q Can you give us the number of residents
4 without vehicles? My calculations show the number
5 5,777. Would that be correct?

6 BY WITNESS TWINE:

7 A Yes, sir.

8 MR. CHURCHILL: Excuse me. May I have the
9 page reference?

10 BY MR. FONTANA:

11 Q Mr. Twine, could you give that to him,
12 please?

13 BY WITNESS TWINE:

14 A I don't have a page on that, Mr. Churchill.
15 It's a table number. It's Table 14.

16 MR. CHURCHILL: Your Honor, would this be a
17 good time for a ten-minute break?

18 JUDGE WOLFE: We'll take a 15-minute
19 recess.

20 MR. CHURCHILL: Thank you.

21 (A short recess was taken.)

22 JUDGE WOLFE: Back on the record.

23 BY MR. FONTANA:

24 Q I say category two, just for the record
25 purposes -- clarification -- titled "Residents Without

6-5
1 Vehicles."

2 Mr. Twine, I refer you to the ETE study,
3 Table 14, and ask you to give us that figure of these
4 residents, which I've got here at 5777, and see if you
5 agree with that figure?

6 BY WITNESS TWINE:

7 A. That's correct, sir.

8 MR. CHURCHILL: Does the Board have the
9 page number?

10 MR. FONTANA: Can you give us the page number,
11 Mr. Twine?

12 MR. TWINE: This is Table 14. It doesn't
13 have a page number on it. It's toward the back of the
14 book, before the maps.

15 BY MR. FONTANA:

16 Q Now I refer you to Table 14 of the ETE
17 that says, 143 buses needed for approximately half of
18 these people. Is that correct from the table?

19 BY WITNESS TWINE:

20 A. Yes, sir.

21 Q So that gives us 143 buses needed to evacuate
22 approximately 2889 people, is that correct, out of the
23 5777?

24 BY WITNESS TWINE:

25 A. If you'll allow me a second, I want to

1 confirm that calculation.

2 Q And Mr. Perry, while he's confirming that
3 calculation, do you also come up with that figure of
4 143 buses?

5 BY WITNESS PERRY:

6 A 143 buses for adults without transportation?

7 Q Residents without vehicles.

8 BY WITNESS PERRY:

9 A I'd like to wait for Mr. Twine to respond
10 to the question, if I may, Your Honor.

11 BY WITNESS TWINE:

12 A I get 2889, rounding off.

13 Q Half of these people, right?

14 BY WITNESS TWINE:

15 A Yes, that's right.

16 Q And you come up with 143 buses, according
17 to the ETE study, Table 14?

18 BY WITNESS TWINE:

19 A That's correct.

20 Q And, Mr. Perry?

21 BY WITNESS PERRY:

22 A May I make a clarification? And I want
23 to address this -- Mr. Fontana, if I may, I believe that
24 the 5777 represents 50 percent of the people without
25 transportation.

Am I wrong, Mr. Twine?

BY WITNESS TWINE:

A. I'll need a moment to check that out.

Q. While he's checking it out, I can move along the same lines here for Mr. Madere.

Mr. Madere, in residents without vehicles, I believe you are claiming that 50 percent of these people will get rides with neighbors?

BY WITNESS MADERE:

A. Yes, sir, I am.

Q. Why are you making this assumption? Can you tell us?

BY WITNESS MADERE:

A. Yes, sir. That exists probably on a day-to-day basis where there are elderly people that do not have rides. We've found out in the past -- by past experience of asking people to contact us without rides, we've found out that these people are being brought to the store and various places by neighbors.

Well, we're under the same assumption that these people will also be brought out in case of an evacuation by neighbors, because we pretty well know who those people are without transportation.

And every time we've asked for a request, we seem to get the same type of reply, that "We'll be

6-8 1 taken care of by neighbors."

2 Q If I told you that in a fuel core meltdown,
3 there's a government report that shows 45,000 people killed
4 immediately from a fuel core meltdown, do you think that
5 the people would still take time to give rides to their
6 neighbors in such an emergency?

7 MR. CHURCHILL: Your Honor, I'd have to ob-
8 ject to that question. There's no relationship at all
9 to the situation that we're dealing with.

10 JUDGE WOLFE: Would you explain -- clarify
11 that?

12 MR. CHURCHILL: Yes. He's assuming a fact
13 not in evidence.

14 He says, "If I tell you that 45,000 people
15 would be killed instantly," I would suggest, sir, that
16 there might not be much of an evacuation.

17 Also, I think it's clear from the as-
18 sumptions that we are working with under NUREG-0654 and
19 the planning basis in NUREG-0396 that this is not the
20 case.

21 One other point: Evacuation is only one of
22 several possible protective actions. There are no require-
23 ments for either FEMA or the NRC that evacuation has to
24 take place. This is assessed at the time, depending on
25 the situation.

6-9
1 He is asking a hypothetical question, which
2 would preclude evacuation. The testimony and the con-
3 tentions all deal with evacuation.

4 MR. TURK: I would join in the objection on
5 the grounds that there is no evidence in the record of
6 what might happen in the event of one or another accident,
7 including a core melt or any other accident.

8 It's not within the contention, so it's not
9 going to be part of the record, since it's outside the
10 scope of the contention. Therefore, the question is im-
11 proper.

12 There is no possible tie to anything which is
13 in evidence or might be put into evidence.

14 MR. FONTANA: The man is making an as-
15 sumption that 50 percent of the residents without vehicles
16 are going to be given rides by neighbors. I'm wondering
17 if he's making that assumption based on a lack of knowl-
18 edge of a fuel core reactor meltdown accident, if he
19 knows the consequences of such an accident.

20 He's making quite an assumption here.

21 MR. CHURCHILL: Your Honor, the contention
22 is directed toward the evacuation plans and the procedures
23 for evacuation.

24 Obviously, the contention assumes -- and it
25 has been clear from the beginning -- that we're talking

6-10

1 about a situation where evacuation is taking place.

2 It is outside the contention and indeed,
3 outside the scope of the Commission's regulations and
4 planning criteria to talk about evacuations in a situation
5 where there would not be an evacuation.

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1 JUDGE WOLFE: The objection is sustained on
2 two grounds.

3 Hypothetical questions, as such, must be
4 based upon facts in the record, which are brought to the
5 attention of the witness and he is being asked , in a
6 proper question, hypothetical question, necessarily has to
7 be based on a fact in the record.

8 There is no basis for your hypothetical
9 question, there being no fact in the record as to the
10 hypothetical facts that you present.

11 Secondly, the question does extend and go
12 beyond the scope of the Contention, itself.

13 Now, next question.

14 BY MR. FONTANA:

15 Q Do you base this assumption on any actual
16 studies that have been done? Can you point to a study that
17 has been done that residents without vehicles, that fifty
18 percent of them would be given rides with their neighbors?
19 Can you give us the name of a study?

20 BY WITNESS MADERE:

21 A No, sir, no study. However, I have conducted
22 in the Parish approximately three evacuations, partial
23 evacuations per year.

24 Those evacuations were followed by a school
25 bus going to the neighborhood and picking up those who did

1 not have transportation and in three of the four
2 instances, the school bus was empty. Those who did not
3 have rides, received rides.

4 Q Those are school buses?

5 BY WITNESS MADERE:

6 A Those were school buses sent as supplementary
7 to pick up those people evacuated from a chlorine or toxic
8 material release, to pick up those people who had no
9 transportation.

10 Q So, in a Waterford Nuclear Power Plant
11 accident, the residents without vehicles, we can assume
12 that if there are any empty school buses, they would be
13 picked up.

14 Is that your calculation?

15 BY WITNESS MADERE:

16 A No, sir. The question you asked me, if my
17 assumption was, on evacuation of people who did not have
18 rides, would be given rides by neighbors and my answer to
19 you was, in the past on evacuations that we have done on
20 toxic material releases, we have sent buses into the area
21 after the general public was evacuated. In three of the
22 four instances, the school buses came back empty. Which
23 means that the people in that neighborhood who did not have
24 rides, received rides from neighbors.

25 So, I am under the assumption, in seventy-five

1 percent of the cases, people who do not have transportation
2 can get transportation with neighbors.

3 Q Now, is this documented in writing anywhere,
4 that we can read about it?

5 A No, sir.

6 Q Mr. Lucas, if there is a fuel core meltdown
7 and the Waterford Nuclear Power Plant, are you assuming that
8 fifty percent of the residents without vehicles are going
9 to get rides with their neighbors?

10 BY WITNESS LUCAS:

11 A With reference to your question; first of all,
12 I don't think that in my area that they are fifty percent of
13 the people that are going to need rides.

14 But, secondly, in the same instance of Mr.
15 Madere -- and we have talked about this many times, with
16 the mutual aid agreements that we have, it's a fact, in the
17 very last evacuation we had with a tank car incident, the
18 fact is that when we sent school buses afterwards, there
19 were no people to ride them.

20 It is a fact that we are assuming, both of
21 us -- I'm speaking like that because I understand his
22 position -- that in most instances that people don't need
23 rides.

24 But, besides this, in a lot of instances,
25 we do canvas the area anyway, after the school buses have

7-4

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1 passed, with police cars to be sure that we haven't skipped
2 anybody and, to this point, it has to be an assumption on
3 our part, we have nothing in the record -- but you have to
4 understand this, Counsel, is that we do have -- it's a
5 dubious honor but we are high risk area. A lot of people
6 like honors but we don't like that particular one and we
7 do have a lot of experience and have evacuated many times
8 and those assumptions have to be assumed as being pretty
9 correct, because we have had experience with that.

10 And I will tell you, in answer to your
11 question, that I think using the good neighbor policy, like
12 we preach now in every type of incident, works, for the most
13 part.

14 Q. Have you had any nuclear power plant accidents
15 in your area?

16 BY MR. LUCAS:

17 A. It would be safe to say that we have not,
18 because the plant is not open.

19 Q. So, this assumption you're making is based
20 on a non-nuclear power plant accident; is it not?

21 BY WITNESS LUCAS:

22 A. That is true, Counsellor. But --

23 Q. Okay.

24 MR. CHURCHILL: Could I let the witness
25 answer the question, please?

7-5

1 MR. FONTANA: I just need a yes or no.

2 I'd like to ask you --

3 JUDGE WOLFE: It's the province of the
4 cross-examiner to advise when he's completed with his
5 questions.

6 All right. Next question.

7 BY MR. FONTANA:

8 Q I'd like to ask the entire --

9 JUDGE WOLFE: Objection overruled.

10 MR. FONTANA: Thank you.

11 BY MR. FONTANA:

12 Q I'd like to ask the entire panel.

13 Is there any studies showing that fifty percent
14 of residents without vehicles will be given rides in a
15 nuclear power plant accident, that they might know about?

16 BY WITNESS TSAGGARIS:

17 A I'm not aware of any study.

18 Q Well, I think we -- if anyone on the panel is
19 aware of this study, would they raise their hand.

20 (No response.)

21 Q So I think that we can all conclude that
22 none of the panels know of any documented evidence in writing
23 of this fact.

24 BY WITNESS MADERE:

25 A Counsel, if I might add, our planning does not

1 assume that fifty percent of the people are going to
2 get rides. Our plan strictly states that we are going to
3 provide for these people without transportation.

4 It is my assumption, from past experience,
5 that fifty percent of the people will, indeed, get rides
6 but our plans do not specify they will get rides. We are
7 planning that they will not get rides.

8 Q Mr. Twine, is Mr. Madere's statement true?

9 BY WITNESS TWINE:

10 A As far as I know, it is.

11 Q So, therefore, we're going to have to provide
12 all the 5,777 residents with school buses; is that correct?

13 BY WITNESS TWINE:

14 A Yeah, that's correct.

15 Q Okay.

16 So, if we have 5,777 residents, how many
17 school buses -- residents without vehicles, how many
18 school buses are going to need to evacuate these people?

19 BY WITNESS TWINE:

20 A Well, we're indicating they need 143 buses.

21 Q S, how many people would that be on each
22 school bus to evacuate 5,777 people?

23 BY WITNESS TWINE:

24 A Around 40 people on each bus.

25 Q What's 40 times 143?

x5x

7-7

1 BY WITNESS TWINE:

2 A. 5,720.

3 Q. Category 3, for the record, for clarification,
4 we're talking about the aged and crippled, people over 60
5 years old.

6 Mr. Twine, I refer you to the ETE Study, Page
7 33, of St. Charles Parish, of non-ambulatory, aged,
8 crippled people over 60 and ask you if the figure of 1500
9 is correct; according to this ETE Study?

10 BY WITNESS TWINE:

11 A. Precisely how are you characterizing this
12 figure of 1500, here?

13 Q. Aged, crippled, over 60, St. Charles Parish,
14 non-ambulatory.

15 BY WITNESS TWINE:

16 A. That is the information we received from the
17 Counsel on Aging a couple of years ago.

18 Q. 1500; correct?

19 BY WITNESS TWINE:

20 A. Yes.

21 Q. According to this ETE Study, would I be correct
22 in saying there's 2500 aged, crippled, over 60 St. Charles
23 Parish, without cars?

24 BY WITNESS TWINE:

25 A. How did you derive that number?

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7-8

1 Q From the ETE Study, Page 33.

2 BY WITNESS TWINE:

3 A Would you repeat that number for me please?

4 Q 2500.

5 BY WITNESS TWINE:

6 A 2500 what?

7 Q St. Charles Parish, over 60, without cars.

8 BY WITNESS TWINE:

9 A That would seem to be correct, yes.

10 Q Okay.

11 And would it be correct to assume in St. John
12 Parish, according to the ETE Study, Page 33, over 60 years
13 old without cars; there's a 1200 population?

14 Same page.

15 BY WITNESS TWINE:

16 A You say there are 1200 people over 60 without
17 cars?

18 Q Right. St. John's Parish.

19 BY WITNESS TWINE:

20 A That would seem to be correct, yes.

21 Q Does 1600 people represent seventy-five
22 percent of the elderly, according to the ETE Study, Page 33?

23 BY WITNESS TWINE:

24 A That's what it says, yes, sir.

25 Q Give us the total number of elderly in St.

1 John's Parish, according to the ETE Study.

2 BY WITNESS TWINE:

3 A. All right. If there are 1600 people
4 registered with the Counsel of Aging and this represent
5 seventy-five percent of the elderly people in the Parish,
6 that yields a total number of 2,133 elderly people in the
7 Parish, according to these figures.

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1 BY MR. FONTANA:

2 Q Are you assuming that 25 percent of them
3 have automobiles, according to this study?

4 BY WITNESS TWINE:

5 A That's what the Council on Aging told us at
6 that time.

7 Q Therefore, how many of the total figure
8 are without automobiles, using the total figure of 2133?

9 BY WITNESS TWINE:

10 A That would be 1600 again. That's --
11 Wait a minute. Let me figure that out.

12 Yes. 1600.

13 Q Therefore, the 1200 figure that you gave is
14 short by 400, is it not? It should be 1600?

15 BY WITNESS TWINE:

16 A Well, that was a figure you gave me.

17 Q That -- It should be 1600; is that
18 correct -- according to your calculations?

19 BY WITNESS TWINE:

20 A If you use these numbers, that's right,
21 yes.

22 Q So the figure of 1200 is wrong?

23 BY WITNESS TWINE:

24 A You gave me that figure; and if it's wrong,
25 it's your figure.

8-2

1 BY WITNESS MADERE:

2 A. Your Honor --

3 Q. How many people --

4 BY WITNESS MADERE:

5 A. -- --

6 Q. Excuse me. I have to proceed -- I'll get
7 to you in a few minutes.

8 How many people in St. John's Parish are
9 non-ambulatory, according to the ETE?

10 BY WITNESS TWINE:

11 A. Approximately between 105 and 110, if one
12 takes the term "non-ambulatory" to include handicapped
13 and invalid persons.

14 Q. Where did you get that figure?

15 BY WITNESS TWINE:

16 A. That's at page 33, in that bottom paragraph
17 there.

18 I might point out here that these figures that
19 we got from the Council on Aging a couple of years were
20 designed to pinpoint a problem, rather than to provide
21 the kinds of numbers --

22 Q. I had rather you just stick with my
23 questions.

24 BY WITNESS TWINE:

25 A. Okay.

1 Q You can always get your counsel to ask you
2 the questions later on redirect.

3 BY WITNESS TWINE:

4 A Yes, sir.

5 Q Okay. Therefore, let's see if we've got
6 these figures correct -- Wait a minute. One second.

7 Okay. We've got 1500 people, according to
8 the ETE study, in St. Charles that are non-ambulatory;
9 is that correct?

10 BY WITNESS TWINE:

11 A That's right.

12 Q 2000 in St. Charles Parish over 60 without
13 cars, correct?

14 BY WITNESS TWINE:

15 A 2500 was the number we came up with a minute
16 ago.

17 Q Yes.

18 1600 in St. John's over 60 without cars;
19 is that correct?

20 BY WITNESS TWINE:

21 A That's right.

22 Q And how many did you say in St. John's were
23 non-ambulatory?

24 BY WITNESS TWINE:

25 A Between 105 and 110.

8-4

1 Q Can we use 110? Would that be okay?

2 BY WITNESS TWINE:

3 A Excuse me.

4 Q Would you agree to use 110?

5 BY WITNESS TWINE:

6 A Yes.

7 Q Okay. What's that total figure?

8 BY WITNESS TWINE:

9 A Now which figures are you adding up here?

10 Q 1500, 2500, 1600 and 110.

11 BY WITNESS TWINE:

12 A I would like to be sure that these numbers
13 are mutually exclusive before I add them up.

14 Q These are aged and crippled, over 60, in
15 St. Charles/St. John's Parishes.

16 BY WITNESS TWINE:

17 A All right. Now we have 2500 people in St.
18 Charles Parish who are --

19 Q Wait a minute. Let me repeat that.

20 It's aged people over 60 and crippled people.
21 It's not aged/crippled people over 60. It's aged over 60 --
22 aged people over 60 and crippled.

23 BY WITNESS TWINE:

24 A Which number is that?

25 Q St. Charles and St. John's Parishes using

1 the numbers 1500, 2500, 1600 and 110 that you've given --

2 BY WITNESS TWINE:

3 A. Now wait a minute. I think these numbers
4 are getting distorted.

5 We've got 2500 people -- elderly people in
6 St. Charles Parish without cars. Right?

7 Q. Over 60 without cars, true.

8 BY WITNESS TWINE:

9 A. We have 1500 people who are non-ambulatory,
10 right?

11 Q. St. Charles, non-ambulatory, true.

12 BY WITNESS TWINE:

13 A. Okay. We don't say how many of those people
14 have cars. So some of those people are bound to be
15 included in the 2500 who do in fact have cars. So we're
16 probably adding up the same person there twice in many
17 instances.

18 Q. Well, would you agree that non-ambulatory
19 people that can't walk probably might not have a car --
20 most of them anyway?

21 BY WITNESS TWINE:

22 A. They might have access to a car. And there
23 are many non-ambulatory people who do have cars.

24 Q. Well, using the ETE study that doesn't
25 specify that -- just using the figure of 1500, St. Charles

1 non-ambulatory, and 2500 St. Charles over 60 without cars,
2 what is that total figure?

3 BY WITNESS TWINE:

4 A. The total of 1500 plus 2500 equals 4000.

5 Q. All right.

6 BY WITNESS TWINE:

7 A. That is no indication of the number of non-
8 ambulatory people without cars, however.

9 Q. For planning purposes, are we going to plan
10 for 1500 people in St. Charles Parish that are non-
11 ambulatory? Are we going to plan that way?

12 BY WITNESS TWINE:

13 A. We have more current figures that we're
14 planning on now -- that we're using to plan now.

15 Mr. Perry has these, and he has given them
16 to you in his supplemental testimony.

17 Q. I'm talking about according to this ETE
18 study.

19 BY WITNESS TWINE:

20 A. We made the assumption that the vast
21 majority of these people would have rides with friends and
22 neighbors. The others would receive rides from vans
23 that would be made available.

24 Q. Where does it say that in the ETE study?
25 /

BY WITNESS TWINE:

A Page 34, the top paragraph, the first sentence.

Q All right. Just going back to the ITE study on numerical figures, I just want to get a total number of people here.

Using the figure 1500, St. Charles non-ambulatory, using the figure 2500, St. Charles over 60 without cars, using the figure 1600 St. John's over 60 without cars and using the figure of 110, St. John's non-ambulatory, what is that figure -- that numerical number?

MR. CHURCHILL: Your Honor, I object to that question. The witness has testified several times that he cannot add those numbers because they contain many mutually exclusive -- they're not mutually exclusive. There's a lot of overlap.

MR. FONTANA: I think my question speaks for itself. I asked for the numerical figure.

JUDGE WOLFE: I'll allow the question to be asked. You may state your reservations about the figures, though.

What is -- the combined figures at St. John's --

WITNESS TWINE: Your Honor, would you like

1 me to add these figures up and then state my reservations?

2 JUDGE WOLFE: Yes.

3 WITNESS TWINE: All right. Let's see which
4 numbers we're adding up. Would you repeat them for me,
5 please, sir?

6 MR. FONTANA: 1500, 2500, 1600 and 110.

7 WITNESS TWINE: All right. Excuse me for a
8 moment while I add these up.

9 (Pause.)

10 WITNESS TWINE: The total of those numbers
11 is 5710.

12 However, my reservations are these: That
13 this total number in no way represents the number of
14 people that we would have to utilize as a planning basis
15 for transporting elderly non-ambulatory people from the
16 parishes.

17 These figures were not intended as a basis
18 for planning here.

19 The current figures used as a basis for
20 planning, Mr. Perry has now.

21 BY MR. FONTANA:

22 Q If these figures prove in reality to be
23 wrong in the case of a Waterford Nuclear Power Plant
24 accident, do you take full responsibility for that,
25 Mr. --

BY WITNESS TWINE:

A. I did not say that the figures --

MR. CHURCHILL: Objection, objection.

JUDGE WOLFE: Wait a minute.

You have an objection?

MR. CHURCHILL: Yes, sir, I have an objection.

He has asked this witness if he takes full responsibility for something. I would like to know exactly what it is that he's asking this witness to take full responsibility for, and then I will complete my objection.

MR. FONTANA: Full responsibility in that the figures he gives here are wrong, that there's many more people than is being stated; and these people are injured or die in an accident.

MR. CHURCHILL: Your Honor, he stated that these numbers were not down here for planning purposes, and the planning purpose numbers were contained in Mr. Perry's testimony.

Unless I understand what responsibility Mr. Fontana is asking Mr. Twine to take, we need that clarification before the question can be asked.

MR. FONTANA: The responsibility for deaths, injuries, thyroid cancers, genetic effects, related cancer deaths.

8-10 1 MR. CHURCHILL: Your Honor, this is an in-
2 flammatory question that bears no relationship to what
3 this witness has testified. He has said that these numbers
4 were not used as a planning basis.

5 JUDGE WOLFE: I think to date the witness'
6 answers have been responsive and indicate wherein he thinks
7 these figures are accurate with certain reservations.
8 Beyond that I think it's arguing with the witness.

9 Objection sustained.

10 BY MR. FONTANA:

11 Q You assume that most of the elderly and
12 handicapped people, as stated in the ETE, without cars
13 will be evacuated. Can you give us the percentage
14 of most?

15 BY WITNESS TWINE:

16 A I'm sorry, sir, I didn't hear that question.

17 Q On page 34 you refer --

18 BY WITNESS TWINE:

19 A Could you speak into the microphone? I
20 can't hear you very well.

21 Q On page 34 of the ETE study, you referred
22 us to a sentence that says, "During an evacuation it is
23 assumed that most of the elderly and handicapped people
24 without cars will be evacuated."

25 Can you give us that percentage?

8-11

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BY WITNESS TWINE:

A. No, I can't. I will only repeat again that this document was not -- this particular part of this document was not the basis for planning in this area.

Therefore, I was not required to come up with a specific percentage.

Q. So the ETE study was not used for either --
BY WITNESS TWINE:

A. I didn't say that. I said that this particular part of this document, the top of page 34 to be precise, was not intended as a basis for planning.

Q. Mr. Madere, you said earlier that you assume that the residents without cars would be given rides; and there has been no documentation to that effect in writing that we can find.

I ask you: If this proves to be an error during a Waterford Nuclear Power Plant accident, do you take full responsibility of the consequences that might occur?

MR. CHURCHILL: Your Honor, I object to that question. It bears no relevance to the testimony of this witness, which is to state what the plans are for evacuation in the event it's necessary.

Mr. Madere has stated what his role is. I find this an inflammatory question that adds absolutely

1 nothing of substance to the record.

2 JUDGE WOLFE: Objection sustained. This
3 question gets us nowhere. It's arguing with the witness.
4 The witness is under oath. We expect him to tell the
5 truth to the best of his information and belief. Beyond
6 that, we call a halt.

7 All right. Next question.

8 BY MR. FONTANA:

9 Q Okay. Mr. Perry, your most recent testimony
10 submitted yesterday states that -- Give us the number it
11 gives for aged people over 60 and crippled in St. Charles
12 Parish? What's that total number?

13 BY WITNESS PERRY:

14 A I have stated that there are rosters which
15 have been compiled of aged, handicapped, non-ambulatory
16 persons. In St. Charles Parish this number is approxi-
17 mately 100.

18 Q Who gave you that information?

19 BY WITNESS PERRY:

20 A That information was compiled in coordina-
21 tion with the Council on Aging and social service
22 providers for St. Charles Parish.

23 Q Did you get that information in writing?

24 BY WITNESS PERRY:

25 A No, sir, I did not.

1 Q Who gave you the information? Can you give
2 us the name of a person?

3 BY WITNESS PERRY:

4 A The information was derived by people working
5 under my supervision. It was they who made direct contact
6 with the individuals.

7 If you'd like the individuals' names, I could
8 provide that.

9 Q Yes. I'd like to know the people that were
10 working under you, and I'd like to know who they contacted,
11 and I'd like to have their phone numbers.

12 Not the people working under you, I don't
13 want their phone numbers. I want the phone numbers of the
14 people that the people working under you contacted in
15 St. Charles Parish to get that information.

16 MR. CHURCHILL: Your Honor, I have no
17 objection to Mr. Perry answering the question for purposes
18 of identifying the source of his information.

19 I do very much have an objection to counsel
20 for the Joint Intervenors conducting discovery during
21 cross-examination. That is not the proper function of
22 cross-examination.

23 I, therefore, would object to the phone
24 numbers.

25 JUDGE WOLFE: Is this question directed to Mr.

8-14

1 Perry to do this additional work?

2 MR. FONTANA: Who did the work under him --

3 JUDGE WOLFE: Yes.

4 MR. FONTANA: -- their names.

5 JUDGE WOLFE: This question springs from
6 the supplementary testimony of Mr. Perry?

7 MR. FONTANA: Yes. This figure of 100 in
8 St. Charles --

9 JUDGE WOLFE: Objection overruled. You will
10 provide both the information -- the names of the people
11 that were contacted by your subordinates, plus their
12 telephone numbers. All right?

13 MR. CHURCHILL: Your Honor, I only objected
14 to the telephone numbers. I understand the objection has
15 been overruled.

16 The witness, however, I hope Mr. Fontana under-
17 stands, may not have the telephone numbers.

18 MR. TURK: I object to that. If the witness
19 doesn't have them, he can say so.

20 I hope we don't hear too much from counsel
21 in the way of testimony.

22 JUDGE WOLFE: I didn't hear what your
23 comment -- the latter part about phone numbers.

24 MR. CHURCHILL: My comment, Your Honor, is
25 that I do not think that my witness should be expected to

8-15
1 go out and look up the phone numbers in the white pages.
2 He either has them or he doesn't have them.

3 But I understand that my objection has been
4 overruled.

5 JUDGE WOLFE: In all parts.

6 MR. CHURCHILL: Yes, sir.

7 And my objection was only to the phone
8 numbers.

9 WITNESS PERRY: Your Honor, I don't have
10 any phone numbers. I can provide him names.

11 JUDGE WOLFE: You will secure the phone
12 numbers, to the extent possible. If they don't have
13 phone numbers, they don't have phone numbers.

14 But, undoubtedly, they have offices, so give
15 that information to Mr. Fontana because Mr. Fontana is
16 under orders from the Board that by the end of this
17 session he's going to advise us -- this Board -- whether
18 there are any of these additional figures, numbers, what-
19 ever, in Mr. Perry's supplemental testimony which are
20 in error or incorrect, and to advise what witnesses, if
21 any, he's going to call to rebut or refute these
22 figures.

23 How long will this take, Mr. Perry?

24 WITNESS PERRY: I don't really know, Your
25 Honor. We can try to do it over lunch.

8-16 1 JUDGE WOLFE: At the noon recess, Mr.
2 Churchill, will you make an effort to find out how long
3 this will take?

4 MR. CHURCHILL: Yes, sir. We will attempt
5 to get the information.

6 JUDGE WOLFE: You may proceed.

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1 Q In your testimony submitted yesterday, you
2 state that in St. John's Parish, aged people over 60 without
3 cars and also in St. John's Parish, non-ambulatory
4 residents, amounted to the figure of 150; is that correct?

5 BY WITNESS PERRY:

6 A Yes, sir, it is.

7 Q Where did you get this figure of 150?

8 BY WITNESS PERRY:

9 A Again, through contact with the Social
10 Service provided in St. John the Baptist Parish.

11 Q Can you give us their names?

12 BY WITNESS PERRY:

13 A Yes, I can.

14 Q Can you give us their phone numbers?

15 BY WITNESS PERRY:

16 A Not at the present time.

17 Q But you will shortly after lunch; is that
18 correct?

19 BY WITNESS PERRY:

20 A I will attempt to do so, yes.

21 BY WITNESS MADERE:

22 A Counsel, can I give you that information, as
23 Civil Defense Director.

24 Q Sure.

25

1 BY WITNESS MADERE:

2 A. Okay. The fellow's name is Henry V. Harrison
3 or Harris. I'm sorry.

4 Q. Henry v --

5 BY WITNESS MADERE:

6 A. Harris.

7 Q. H-a-r-r-i-s?

8 BY WITNESS MADERE:

9 A. Right.

10 Q. And what is his title?

11 BY WITNESS MADERE:

12 A. He's Executive Director.

13 Q. He's Executive Director? Okay.

14 BY WITNESS MADERE:

15 A. That's St. John Parish Council on Aging.

16 Q. St. John Parish Council on Aging.

17 BY WITNESS MADERE:

18 A. Now, I don't have the phone number here with
19 me but I have it at the office and I could have it at noon
20 for you. Okay?

21 Plus his subordinates who helped us or assisted
22 us in getting the information and the other person's name
23 is Una, U-n-a, Songy, S-o-n-g-y, and she's Secretary of
24 the Council on Aging.

25 Q. U -- ?

9-3
1 BY WITNESS MADERE:

2 A. Una. U-n-a.

3 Q. What's the last name?

4 BY WITNESS MADERE:

5 A. Songy.

6 Q. S-o-n-g-y?

7 BY WITNESS MADERE:

8 A. Right you are, sir.

9 Q. All right.

10 And, Mr. Perry, I would like you to confirm
11 to me that these are the actual people that your
12 subordinates contacted.

13 BY WITNESS PERRY:

14 A. I would have difficulty doing so at this time.
15 Mrs. Songy was contacted, to my knowledge. Mr. Harris,
16 I don't know.

17 Q. We'd like to have your subordinates find out
18 if that is who they also contacted and gave you this
19 number, specifically.

20 Again, I want my questions to you to remain
21 the same, even though Mr. Madere has given me some
22 information, I still want an answer to my two questions.

23 If it's the same as the information Mr. Madere
24 has given me, that's fine but I want you still to answer my
25 two questions.

1 BY WITNESS PERRY:

2 A. Can you repeat those questions?

3 Q. The two questions are.

4 For your figure of 100 people in the St.

5 Charles Parish who are non-ambulatory and the St. Charles

6 Parish over-60 without cars, for that figure of 100, I'd

7 like to know who your subordinates that worked on this are

8 and who they contacted to get that information in St. Charles

9 Parish and their phone number in St. Charles Parish.

10 Also, for your figure for 150 that you gave

11 in St. John Parish for people over 60 without cars and

12 people who were non-ambulatory, for that figure of 150, I

13 want to know who your subordinates are that worked with

14 you to get that number and I also want to know the phone

15 number and names of who your subordinates contacted, to get

16 the figure of 150 in St. John's Parish.

17 BY WITNESS PERRY:

18 A. The persons working under me in St. Charles

19 Parish, the man's name is Gary Winters and in St. John the

20 Baptist Parish, the man's name is Jim Byers.

21 Q. Can you --

22 BY WITNESS PERRY:

23 A. From the information they've tendered to me,

24 yna Songy was the person who contacted the Council of Aging

25 in St. John Parish and Barbara Schwarer -- I'll spell that.

1 S-c-h-w-a-r-e-r, was the person contacted in St. Charles
2 Parish.

3 Q Does Gary Winters work for LP&L?

4 BY WITNESS PERRY:

5 A No. He works for Energy Consultants.

6 Q Is that EBASCO?

7 BY WITNESS PERRY:

8 A Energy Consultants is the firm that I work
9 for.

10 Q I see.

11 And Jim Byers, does he also work for --

12 BY WITNESS PERRY:

13 A Energy Consultants.

14 Q Energy Consultants.

15 Was any of this information given to you in
16 writing?

17 BY WITNESS PERRY:

18 A By whom?

19 Q By anyone?

20 BY WITNESS PERRY:

21 A Yes.

22 Q By whom?

23 BY WITNESS PERRY:

24 A Persons working for me.

25 Q Would that be Mr. Winters?

9-6

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1 BY WITNESS PERRY:

2 A. And Mr. Byers.

3 Q. And Mr. Byers.

4 Do you have that letter in your files right
5 now?

6 BY WITNESS PERRY:

7 A. It's not in letter form.

8 Q. Is it handwritten?

9 BY WITNESS PERRY:

10 A. Yes, it is.

11 Q. Is it dated?

12 BY WITNESS PERRY:

13 A. No.

14 Q. Do you have that handwritten letter form?

15 BY WITNESS PERRY:

16 A. Yes.

17 Q. Do you have it on you?

18 BY WITNESS PERRY:

19 A. Yes.

20 Q. Can you show it to the Board?

21 MR. CHURCHILL: Your Honor --

22 JUDGE WOLFE: You may look at it.

23 MR. FONTANA: I'd like to look at it, too.

24 JUDGE WOLFE: Do you have the document?

25 (Inaudible discussion among parties.)

1 JUDGE WOLFE: I'd like for this to be on
2 the record.

3 You've asked for a document. Would you hand
4 it to Mr. Fontana?

5 MR. CHURCHILL: Your Honor, this document
6 contains his personal notes. It has a lot of information
7 other than what's been asked for. I don't think it's
8 appropriate to show the document to any other parties.

9 WE can describe the document and we can
10 characterize generally the type of information that is in
11 it and if he wants to know specifically what's in it
12 relating to this question, we may be able to tell him
13 verbatim what that information is.

14 It's not a memorandum, it's a large chart
15 and contains a lot of information that's been compiled.
16 It's his own personal notes, many of which are not germane
17 or relevant to the issues in this proceeding.

18 JUDGE WOLFE: What harm then?

19 MR. CHURCHILL: They may very well contain
20 confidential information. I don't know. I do object to
21 having personal, private notes of these witnesses shown to
22 Counsel, that have information that are not related to
23 questions being asked.

24 I understand there is a rule that if the witness
25 consults some notes while he's answering the question, if

1 Counsel asking the questions would like to see the notes he
2 consulting in an effort to aid him in answering the question,
3 he's entitled to do that.

4 In this case we have an adversary party
5 asking to see a document which contains notes not relevant
6 to this matter and I would object to his turning them over.

7 JUDGE WOLFE: Can you show that particular
8 document to Mr. Fontana and point out the precise number
9 that you have written in there?

10 WITNESS PERRY: Sir, if I may explain.

11 JUDGE WOLFE: Yes.

12 WITNESS PERRY: We have specific numbers on
13 the aged persons who are handicapped and would require
14 transportation assistance.

15 JUDGE WOLFE: All right.

16 WITNESS PERRY: Okay.

17 The other numbers are approximations. We
18 have made contacts with other Social Service Providers,
19 and because of the processes involved in confidentiality
20 requirement, we have not generated hard numbers.

21 However, we have been given approximations
22 of these numbers and I believe that the figures given in my
23 testimony are correct, as stated.

24 The numbers that I do have, which are hard
25 numbers, refer specifically to the aged and to the

1 handicapped, in both Parishes.

2 JUDGE WOLFE: And which numbers do you say
3 were given to you in confidence?

4 WITNESS PERRY: Were given to us in confidence?

5 JUDGE WOLFE: Yes.

6 WITNESS PERRY: Okay.

7 The other Social Service Providers we're
8 citing, have not given us complete lists of individuals at
9 this point. They have given us some indication of what the
10 client population is and those numbers are approximations,
11 at this point in time.

12 JUDGE WOLFE: Well, which numbers, if any,
13 do you say there is some confidence --

14 WITNESS PERRY: Okay.

15 JUDGE WOLFE: -- that confidentiality
16 attaches to? Are there any numbers there on that document?

17 WITNESS PERRY: Okay.

18 The numbers that we have refer to --

19 JUDGE WOLFE: Yes or no?

20 WITNESS PERRY: Yes.

21 JUDGE WOLFE: There are some of them that
22 confidentiality attaches to ; is that correct?

23 WITNESS PERRY: Yes, sir. At this time.

24 JUDGE WOLFE: And why?

25 WITNESS PERRY: It's my understanding that

9-10

1 working through the Social Service structure, client
2 confidentiality is something that is held in high regard,
3 of necessity. They have been unwilling --

4 JUDGE WOLFE: Are they identified by name on
5 that document you have before you?

6 WITNESS PERRY: No, sir.

7 JUDGE WOLFE: Go ahead.

8 WITNESS PERRY: The hard numbers that we have
9 refer to the elderly who are in need of transportation and
10 we do have firm numbers from the Councils of Aging in both
11 Parishes.

12 MR. CHURCHILL: Your Honor, perhaps I could
13 help.

14 May I ask Mr. Perry one question?

15 JUDGE WOLFE: All right.

16 MR. CHURCHILL: Mr. Perry, that document that
17 you have, is that, in fact, a compilation of either your
18 own notes or the notes of your own people?

19 That's not a document that was given you in
20 writing by somebody from Social Service Agency; is it?

21 WITNESS PERRY: Oh, no, no.

22 MR. CHURCHILL: That is your own notes?

23 WITNESS PERRY: These are my notes.

24 MR. CHURCHILL: Your Honor, would it help if,
25 over the noon hour, I talk with Mr. Perry and we presented

1 a summary or perhaps even so much of the data as is
2 possible to present, as to what is on there?

3 Mr. Fontana, in asking to see documents and
4 asking if something is in writing, obviously is looking for
5 proof of the accuracy of the numbers and, therefore, I would
6 assume is looking for something in writing given to Mr.
7 Perry or his people by the people who originally provided
8 the numbers. That is, the Social Service Agencies.

9 What we are, in fact, dealing with here, is
10 a summary of his own notes, he had the numbers gathered for his
11 own use and I think, to the extent those numbers can be
12 revealed, we would be glad to present those numbers this
13 afternoon in such a way that doesn't breach any confidence
14 and, if it does, we will try to explain what numbers would
15 and why.

16 Would that be --

17 JUDGE WOLFE: Mr. Fontana?

18 MR. FONTANA: Well, I will stick with my
19 original question. I'd like to see the document. If I'm
20 not entitled to it, then we'll go from there.

21 MR. CHURCHILL: I do object.

22 MR. FONTANA: I've asked whether or not he
23 had anything in writing to prove that these figures were
24 correct and he said yes. So, --

25 WITNESS PERRY: I have nothing from either

1 Council on Aging in writing.

2 JUDGE WOLFE: Can you give Mr. Fontana the
3 source of the figures that he's questioning about?

4 WITNESS PERRY: Yes, sir. I can give him the
5 numbers and the persons who provided the numbers.

6 JUDGE WOLFE: All right. Do that.

7 WITNESS PERRY: Okay.

8 St. John the Baptist Parish as it was
9 described to me, to the best of my information, on the
10 West Bank there are 84 persons that fall into the elderly,
11 handicapped category needing transportation.

12 On the East Bank, there are 46 persons.

13 JUDGE WOLFE: And the source of that
14 information?

15 WITNESS PERRY: That was Dr. Harris of the
16 Council on Aging.

17 JUDGE WOLFE: All right. Continue.

18 WITNESS PERRY: St. Charles Parish. Falling
19 into the elderly and handicapped needing transportation
20 category. On the West Bank we've identified 28 individuals.
21 On the East Bank, 37.

22 I believe that was Mrs Schwarer who was the
23 source of that information.

24 JUDGE WOLFE: All right.

25 You've got the information and the source of

1 the information.

2 Now, it's up to you to contact these people
3 and see whether those figures are accurate.

4 All right.

5 There's no need for you to show your figures
6 -- other figures, Mr. Perry.

7 BY MR. FONTANA:

8 Q Which of these figures are for the elderly
9 and which figures are handicapped?

10 BY WITNESS PERRY:

11 A Of the numbers I just gave you?

12 Q Yes.

13 BY WITNESS PERRY:

14 A These people are elderly and handicapped who
15 would require special transportation assistance of some
16 sort in the event of an emergency.

17 Q So they're lumped together? You haven't
18 separated them?

19 BY WITNESS PERRY:

20 A These are elderly handicapped individuals.
21 Individuals over 60 years of age with some
22 physical impairment and would need special transportation
23 or transportation assistance.

24 Q I want to know how many people are over 60
25 and I want to know how many people are handicapped.

1 BY WITNESS PERRY:

2 A. They are all over 60 and I believe they all
3 have some handicap condition.
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1 BY MR. FONTANA:

2 Q I want to know how many under 60 are handi-
3 capped?

4 BY WITNESS PERRY:

5 A I don't have firm figures on that. I have
6 estimates given to me by various sources.

7 Again, due to confidentiality and due to
8 the requirements of certain agencies, we have not been
9 able to confirm these figures. However, we have been
10 provided with estimates.

11 Q Can you provide us with the number of
12 people under 60 who are handicapped?

13 BY WITNESS PERRY:

14 A My testimony states a number which is an
15 approximation. The only hard figures that I have at the
16 present time deal specifically with the elderly handi-
17 capped needing transportation.

18 Q Can you provide us with the number of people
19 who are under 60 and need transportation?

20 BY WITNESS PERRY:

21 A Only an approximation.

22 Q When can you give us that figure?

23 JUDGE JORDAN: Didn't you say it was in your
24 testimony?

25 WITNESS PERRY: The approximation is in the

10-2

1 testimony.

2 BY MR. FONTANA:

3 Q Are you telling me that in the entire
4 parishes of St. Charles and St. John's, there are only 250
5 people who are over 60 and need transportation, who are
6 handicapped and need transportation, and who are under 60
7 and need transportation? There's only 250 people?

8 BY WITNESS PERRY:

9 A To the best of the information that has
10 been given to me, that is true.

11 Q Of the 100 figure that you have, does that
12 include under 60 that need transportation?

13 BY WITNESS PERRY:

14 A Yes, it would.

15 Q I thought you just said it didn't.

16 BY WITNESS PERRY:

17 A I misunderstood your question.

18 Q All right.

19 And all of your figures were gotten from
20 the Council on Aging; is that correct?

21 BY WITNESS PERRY:

22 A The figures for the elderly and handicapped --
23 elderly handicapped were gotten from the Council on Aging.
24 The other numbers, as I've indicated to you, are approxi-
25 mations. That's reflected in my testimony.

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1 Q Confirmations from who? What?

2 MR. CHURCHILL: Could we have clarification --

3 MR. FONTANA: You say it's based on --

4 Excuse me. You want me to re-ask the question, right?

5 JUDGE WOLFE: All right.

6 MR. FONTANA: Would you please repeat what

7 Mr. Perry said.

8 (The record was read by the reporter as

9 follows:

10 "Question by Mr. Fontana: Of the 100 figure

11 that you have, does that include under 60 that need

12 transportation?

13 "Answer by Witness Perry: Yes, it would.

14 "Question by Mr. Fontana: I thought you just

15 said it didn't.

16 "Answer by Witness Perry: I misunderstood

17 your question.

18 "Question by Mr. Fontana: All right. And

19 all of your figures were gotten from the Council

20 on Aging; is that correct?

21 "Answer by Witness Perry: The figures for

22 the elderly and handicapped -- elderly handicapped

23 were gotten from the Council on Aging. The other

24 numbers, as I've indicated to you, are approxi-

25 mations. That's reflected in my testimony.

10-4

1 "Question by Mr. Fontana: Confirmations
2 from who? What?")

3 WITNESS PERRY: There have been a number of
4 other agencies with which we've been in contact. Those
5 would include Catholic Charities -- their services, the
6 Louisiana Department of Health and Human Resources,
7 the Office of Family Services --

8 BY MR. FONTANA:

9 Q Stop. Stop right there. We want to get down
10 these things. Start from the beginning.

11 You say it was Catholic Charities?

12 BY WITNESS PERRY:

13 A. Yes.

14 Q Who in Catholic Charities?

15 BY WITNESS PERRY:

16 A. I have the name of Orville Dugan.

17 Q Orville, O-r-v-i-l-l-e, Dugan, D-u-g-a-n?

18 BY WITNESS PERRY:

19 A. Right.

20 Q And that's Catholic Charities in St. Charles
21 Parish?

22 BY WITNESS PERRY:

23 A. No. That is out of New Orleans. I believe
24 they service the two river parishes in question.

25 Q Can you give us his phone number?

10-5

1 BY WITNESS PERRY:

2 A. No, I can't.

3 Q. Can you provide us with his phone number
4 after the lunch hour?

5 BY WITNESS PERRY:

6 A. I can attempt to.

7 Q. Who contacted Orville Dugan? Did you do
8 that?

9 BY WITNESS PERRY:

10 A. No, I didn't.

11 Q. Can you give us the person that did contact
12 him?

13 BY WITNESS PERRY:

14 A. Not for sure, no. One of the other in-
15 dividuals I mentioned.

16 Q. Can you find out after the lunch hour who
17 that individual was?

18 BY WITNESS PERRY:

19 A. I can attempt to.

20 Q. What was the other agency that you men-
21 tioned?

22 BY WITNESS PERRY:

23 A. Louisiana Department of Health and Human
24 Resources.

25 Q. Louisiana Department of Public Health and

1 Resources?

2 BY WITNESS PERRY:

3 A. Health and Human Resources.

4 Q. Health and Human Resources.

5 And where is that located?

6 BY WITNESS PERRY:

7 A. That would be in Baton Rouge.

8 Q. And who -- What's the person's name there
9 that was contacted?

10 BY WITNESS PERRY:

11 A. Julian Troup.

12 Q. Julian Troup. T-r-o-o-p?

13 BY WITNESS PERRY:

14 A. T-r-o-u-p.

15 Q. T-r-o-u-p, is that right?

16 BY WITNESS PERRY:

17 A. Yes, it is.

18 Q. And what's her phone number?

19 BY WITNESS PERRY:

20 A. I have no idea.

21 Q. And who is the person that contacted --
22 Is it her or he?

23 BY WITNESS PERRY:

24 A. The name is Julian, as I read it.

25 Q. Who contacted that person?

10-7

1 BY WITNESS PERRY:

2 A. I don't know.

3 Q. Can you find out who contacted that person?

4 BY WITNESS PERRY:

5 A. I can attempt to.

6 Q. And what was the other agency that you men-
7 tioned?

8 BY WITNESS PERRY:

9 A. There are Offices of Family Security --

10 Q. Offices of Family Security?

11 BY WITNESS PERRY:

12 A. -- in both parishes. I would ask the
13 Directors sitting here with me to confirm the title of
14 that office.

15 BY WITNESS MADERE:

16 A. The Office of Family Security is welfare --
17 the old Louisiana Welfare Department.

18 Q. And where is that located?

19 BY WITNESS MADERE:

20 A. This one is in Reserve, St. John's Parish.

21 Q. Reserve in St. John's Parish.

22 And who contacted that agency, Mr. Perry?

23 BY WITNESS PERRY:

24 A. I believe Mr. Byers or Mr. Winters.

25 Q. Can you give us the name of the person that

1 contacted that agency?

2 BY WITNESS PERRY:

3 A. I can't at this time, no.

4 Q. Can you after the lunch hour?

5 BY WITNESS PERRY:

6 A. I can attempt to.

7 Q. And whom did they contact in that agency?

8 BY WITNESS PERRY:

9 A. I don't know. I don't have a name.

10 Q. Can you provide us with a name possibly
11 after the lunch hour?

12 BY WITNESS PERRY:

13 A. I can attempt to.

14 Q. And what other agency was contacted?

15 BY WITNESS PERRY:

16 A. I'd ask Mr. Lucas to confirm the title of
17 Office of Family Security in St. Charles.

18 Q. Let's have that again, please, a little bit
19 slower.

20 BY WITNESS PERRY:

21 A. The Office of Family Security in St.
22 Charles.

23 Q. The Office of Family Security in St. Charles
24 Parish. What town is that located in, Mr. Lucas?

25 /

1 BY WITNESS LUCAS:

2 A Counsel, in our parish it's known now as
3 the Office of Family Service. It's the old Welfare
4 Department.

5 Q The Office of Family Services?

6 BY WITNESS LUCAS:

7 A Yes.

8 Q And where is that located?

9 BY WITNESS LUCAS:

10 A It's in Hahnville.

11 Q In Hahnville, Louisiana?

12 BY WITNESS LUCAS:

13 A Not in the courthouse itself, but in a
14 separate unit.

15 Q And Mr. Perry or Mr. Lucas -- well, Mr.
16 Perry, let me ask you: Who was contacted in that office?

17 BY WITNESS PERRY:

18 A I don't have a name.

19 Q Who was under you that contacted that
20 office?

21 BY WITNESS PERRY:

22 A It would be Mr. Byers or Mr. Winters. I'd
23 have to confirm that.

24 Q Will you provide us with that name?

25 /

10-10

1 BY WITNESS PERRY:

2 A. I'll try to.

3 Q. And will you provide us with a phone number
4 of the person that was contacted?

5 BY WITNESS PERRY:

6 A. I'll attempt to do that.

7 Q. And the name of the person that was con-
8 tacted.

9 Who else was contacted, Mr. Perry?

10 BY WITNESS PERRY:

11 A. That's the list that I have at this point.

12 Q. Now on your figure of 100 in the St. Charles
13 Parish that you gave, can you break down for us the number
14 of people who are under 60, handicapped and need trans-
15 portation? How many?

16 BY WITNESS PERRY:

17 A. The approximate number I have is 35.

18 Q. Therefore, people who are over 60 and
19 crippled and need transportation would be -- what is it --
20 60?

21 BY WITNESS PERRY:

22 A. It would be 65.

23 Q. It would be 65.

24 And your figure of 150, how many are under
25 60, handicapped and need transportation in the St. John

10-11

1 Parish area?

2 BY WITNESS PERRY:

3 A. It would be 20.

4 Q Twenty. So that would be 130 that are over
5 60.

6 MR. FONTANA: Now, Your Honors at this time
7 on the record, I would like to indicate to the attorney
8 for the FEMA group that they also have a responsibility,
9 I believe, to help us verify or non-verify this informa-
10 tion.

11 I would ask if we can get some help from
12 FEMA in obtaining the correct figures here. Would the
13 counsel have any objection in using the facilities of
14 FEMA to either verify or non-verify these figures?

15 JUDGE WOLFE: We've given you the opportunity
16 to do that. Are you asking FEMA to also do that?

17 MR. FONTANA: Yes, I am.

18 MR. CASSIDY: I'm not sure that that requires
19 a response from counsel at this time, Your Honor.

20 JUDGE WOLFE: Pardon me?

21 MR. CASSIDY: I take note of counsel's
22 comment, but I'm not sure that that requires a response
23 from me at this time.

24 JUDGE WOLFE: Mr. Turk?

25 MR. TURK: I don't understand that Mr.

10-12
1 Fontana has asked the Staff to undertake any additional
2 chores at this time.

3 But I would note for the record that this
4 line of questioning seems again to me to be something
5 which might be resolvable at a later date when it comes
6 time to making sure there's a reasonable assurance that
7 commitments have been made to obtain the necessary number
8 of transportation vehicles.

9 JUDGE WOLFE: You're asking FEMA to also
10 check back on the figures employed by Mr. Perry?

11 MR. FONTANA: Yes. I think it would be a
12 help not only to us, but to you, Your Honor.

13 JUDGE WOLFE: I think not. I think we gave
14 you that responsibility.

15 We've given you full leeway to develop your
16 cross-examination. I don't know that FEMA is contesting --
17 or will contest this testimony and the accuracy thereof,
18 as testified to by Mr. Perry.

19 If they don't contest it, I don't know that
20 I'm going to saddle them with any responsibility for
21 going back to see the accuracy of Mr. Perry's figures.
22 That's your responsibility.

23 Request denied.

24 BY MR. FONTANA:

25 Q Mr. Perry, in your figure of 100 in the St.

10-13 1 Charles Parish that we referred to previously, how many
2 of this figure are over 60, nonhandicapped and need trans-
3 portation?

4 BY WITNESS PERRY:

5 A. None.

6 Q. In your figure of 150 in St. John's Parish
7 that we've referred to previously, how many of this figure
8 are over 60, nonhandicapped and need transportation?

9 BY WITNESS PERRY:

10 A. None.

11 MR. FONTANA: I'd ask for a five-minute
12 recess.

13 JUDGE WOLFE: We'll have a five-minute
14 recess.

15 (A short recess was taken.)

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JUDGE WOLFE: All right, Mr. Fontana.

BY MR. FONTANA:

Q. Mr. Twine, in your testimony you stated you had no figure at all for a number of elderly or a handicapped people who need special transportation; is that correct?

BY WITNESS TWINE:

A. Would you cite the part of my testimony that makes that comment, please, sir?

Q. Well, I'll ask you the question.
Section 3.7.4, Page 33 of the ETE Study.
You state it was not used for planning purposes; is that right?

BY WITNESS TWINE:

A. That's right.

Q. Therefore, is it not true that elderly and handicapped persons are not provided special transportation in your study?

Let me rephrase that. Give me a minute.

Just strike that last question.

Does the ETE Study provide for the number of elderly and handicapped people who need special transportation?

BY WITNESS TWINE:

A. No, it doesn't.

1 Q Why?

2 BY WITNESS TWINE:

3 A We felt that the number was small enough that
4 it would not affect the overall Evacuation Time Estimate.
5 That was what we were charged with doing. Not with the
6 planning out the particulars of the evacuation.

7 Q Are you telling me that the elderly and
8 handicapped people should not be provided for?

9 BY WITNESS TWINE:

10 A No, I'm not telling you that.

11 Q How are they going to be provided for?

12 BY WITNESS TWINE:

13 A Mr. Perry is telling you that.

14 Q Mr. Perry told me that he has a zero number
15 for the elderly and handicapped people over 60 --

16 BY WITNESS TWINE:

17 A No. He said it was a zero number for the
18 elderly, I think. The number he gave you --

19 Q Well, let's ask Mr. Perry. Let's get it
20 clarified.

21 Mr. Perry, what does your zero number indicate?

22 BY WITNESS PERRY:

23 A I don't recall giving you a zero number. What
24 I recall giving you were numbers for both Parishes indicating
25 those persons who were elderly and handicapped and who

11-3

1 required special transportation assistance.

2 That was the number that I gave.

3 Q All right.

4 Let me ask the question again.

5 Is it not true that you had not provided for
6 people who are over 60 who are not handicapped and who need
7 transportation?

8 BY WITNESS PERRY:

9 A Who is this addressed to?

10 Q You, Mr. Perry.

11 BY WITNESS PERRY:

12 A No. They've been provided for in other
13 fashions.

14 Q I'm asking you if you have provided for them
15 in your figures of 250 for St. Charles and St. John's
16 Parish.

17 MR._CHURCHILL: Could we have the question
18 over again, Your Honor? There was a double negative and
19 I'm sorry, but I got confused with the question.

20 MR. FONTANA: All right.

21 BY MR. FONTANA:

22 Q I asked you previously before the five
23 minute break, I asked you if your 250 figure for St Charles
24 and St. John's Parish included elderly people, over 60,
25 who are not handicapped and who need transportation? If

11-4

1 your figure included any of these people.

2 And you told me the figure was zero. You had
3 not included that in your figure of 250.

4 BY WITNESS PERRY:

5 A. That is correct.

6 Q. All right.

7 And I'm asking you, Mr. Perry, whether or not
8 in your ETE Study -- I mean, Mr. Twine, in your ETE Study,
9 if you provided for these people?

10 BY WITNESS TWINE:

11 A. All right.

12 Those people you are singling out now, I want
13 to get this correct -- are elderly, over -- people over 60
14 not handicapped; is that right?

15 Q. And need transportation.

16 BY WITNESS TWINE:

17 A. And need transportation. All right.

18 Those are included in the 5,770 number that
19 we talked about before.

20 Q. Okay.

21 And where did you get that number from?

22 BY WITNESS TWINE:

23 A. What number?

24 Q. The number of people that are included in
25 the 5,770 people who are over 60, not handicapped and need

11-5
1 transportation.

2 Who gave you that information?

3 BY WITNESS TWINE:

4 A I don,t have that specific number. All I can
5 say is, that included within those 5,777 people, are
6 aged people without transportation.

7 Q Where did you get that information?

8 BY WITNESS TWINE:

9 A Are you talking about the 5,777?

10 Q I am.

11 BY WITNESS TWINE:

12 A All right.

13 We made that estimate from census information
14 and information studies that was available, at the time.

15 Q And who gave you the information? Somebody
16 had to give it to you.

17 BY WITNESS TWINE:

18 A No. We developed that ourselves from the
19 census figures.

20 Q Okay.

21 What census figures?

22 BY WITNESS TWINE:

23 A The 1970 census figures and studies that were
24 done subsequent to that regarding transportation in this
25 region of the country.

1 Q. Okay.

2 Name the census report or document.

3 BY WITNESS TWINE:

4 A. It will take me a minute to find it in my
5 references here.

6 All right. This is on Page 36 of the ETE.
7 It's my list of references.

8 The two references that we used in calculating
9 that number were Numbers 12 and 13.

10 Q. Did you contact any of the St. Charles Council
11 on Aging people?

12 BY WITNESS TWINE:

13 A. Not to develop these particular figures? Not
14 to develop that 5,777 number.

15 Q. Was there any reason why you didn't contact
16 the same people that Mr. Perry contacted, that he has
17 mentioned?

18 BY WITNESS TWINE:

19 A. We felt that the 5,777 number covered us well
20 enough to provide an estimate.

21 Q. Would you be willing at this time to contact
22 the people that Mr. Perry has contacted to either see if your
23 figures are correct or not?

24 Would you be willing to do that in the next
25 couple of days?

11-7

1 MR. CHUFCHILL: Your Honor, I would object to
2 that request, because what Mr. Twine is giving is total
3 population figures.

4 He has testified he did not break down that
5 population figure by age bracket and it would make no sense
6 -- it simply does not include the people that the -- that
7 Mr. Fontana is asking about who would be obtained from the
8 individuals Mr. Perry identified.

9 JUDGE WOLFE: Are you asking for a double
10 check? Not only by Mr. Perry but now by Mr. Twine?

11 MR. FONTANA: I'm asking for a double check by
12 Mr. Twine to see whether or not we can get a figure of
13 elderly people over 60 who are not handicapped and who need
14 transportation so we can get that number to the Board here.

15 MR. CHURCHILL: I would object to that, Your
16 Honor. That number is not necessary. That's been provided for.
17 That population of people has been provided for, as has
18 been testified by these witnesses. That's in the 5,777 and
19 the testimony explains how those people will be provided
20 for.

21 MR. FONTANA: I think we're trying to get
22 information here that's going to help you. I think you,
23 Mr. Wolfe --

24 JUDGE WOLFE: You determine what's going to
25 be helpful to you in the presentation of your own case and

11-8

1 I'm trying to understand what precise figures you want
2 that you haven't already been given, by various witnesses.

3 MR. FONTANA: The number of the elderly, over
4 60 and not handicapped, who need transportation.

5 I'm asking Mr. Twine if he would be willing
6 to provide you and myself a verification by contacting
7 these other people to see if his number is correct at
8 this time and give him a couple of days to do it.

9 MR. CHURCHILL: Your Honor, I object to that.
10 That number was not testified by these people. None of the
11 witnesses know that number and that number is not necessary
12 for their testimony.

13 He is asking us to do his ground work for
14 him to produce a number, the use of which I would have no
15 idea.

16 MR. FONTANA: My question remains the same.

17 JUDGE WOLFE: Mr. Twine, can you furnish
18 this information or are you at -- have you done as much as
19 you can to explain this to the Board?

20 WITNESS TWINE: Well, Your Honor, for the
21 purposes of the Evacuation Time Estimate, I can't see the
22 purpose of separating out the elderly non-handicapped
23 people from this 5,777 number we're talking about.

24 We've provided for transportation of all
25 those people in the estimate, as a means of giving us the

11-9

1 information of how long it's going -- we estimate it will
2 take people to get out of the area-

3 It sounds to me like make-work.

4 WITNESS MADERE: Your Honor, could I inject
5 something here?

6 JUDGE WOLFE: All right.

7 WITNESS MADERE: We did not treat these
8 people who are 60 or above any different from the general
9 population if they did not have transportation. That's
10 why the numbers are the same.

11 The only thing we identified is people how
12 are over 60 who need special transportation for certain
13 reasons. So we can deal with ambulances or vans or what
14 have you, but we did not consider people 61 or 62 years old
15 that could come up with some transportation of their own
16 or in needing of transportation, should be in a special
17 populous group.

18 JUDGE WOLFE: All right.

19 Request denied. I see no purpose to breaking
20 out that number.

21 BY MR. FONTANA:

22 Q Do you have any calculations in regard to the
23 possibility of an adverse weather condition to evacuate
24 people over 60 that might need special evacuation or special
25 transportation?

1 BY WITNESS TWINE:

2 A. Would you repeat that? Rephrase the question,
3 please, sir?

4 Q. Do you have any calculations in regard to
5 people over 60 who might be caught in an adverse weather
6 condition in this area, that need special evacuation or
7 transportation?

8 BY WITNESS TWINE:

9 A. Calculation?

10 Q. Yeah.

11 BY WITNESS TWINE:

12 A. I'm not sure what you mean by calculation.
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1 MR. FONTANA: I'll scratch that question.

2 BY MR. FONTANA:

3 Q Who made the decision on the computer
4 calculation to exclude the elderly and handicapped who
5 need transportation from the ETE study? Who made that
6 decision?

7 BY WITNESS TWINE:

8 A I did. I did -- Those people are --
9 we assumed that they would be transported out by vans or
10 by friends and relatives, and we did not have the specific
11 number of vans at the time.

12 We felt that they would be small enough so
13 that they would not affect the evacuation time estimate,
14 which is what we were charged with doing.

15 Q You said "small enough." What do you mean
16 by "small enough"?

17 BY WITNESS TWINE:

18 A I don't -- We felt that, as we stated
19 on page 33, that the vast majority of these people would
20 be taken out by friends and relatives.

21 Page 33 -- Page 34, I'm sorry.

22 Q What do you base that on, what documented --
23 Do you have a document or study to base that on?

24 BY WITNESS TWINE:

25 A No, I don't. We had -- During the course

12-2

1 of this study, we had to make certain assumptions, and
2 this is one of the assumptions that we made.

3 Q I'll ask the members of the panel -- all
4 members of the panel -- do they know of any documented
5 study to back this up? Raise their hand.

6 A documented written study and report.

7 MR. CHURCHILL: Your Honor, I'd like clari-
8 fication of that question. A documented written study of
9 what, Mr. Fontana?

10 MR. FONTANA: Of Mr. Twine's just previous
11 mention of assumption that these people will be picked up
12 by friends and relatives.

13 MR. CHURCHILL: Are you referring to the top
14 of page 34? Are you referring to the sentence on the top
15 of page 34?

16 MR. FONTANA: Yes.

17 " ... it is assumed that most of the elderly
18 and handicapped people without cars will be evacuated
19 either in Council of Aging vans or in cars with family
20 or neighbors."

21 MR. CHURCHILL: Thank you for the clarifica-
22 tion.

23 MR. FONTANA: Sure.

24 BY MR. FONTANA:

25 Q Does anyone know of a documented written

1 study to back that assumption up? Raise their hand.

2 BY WITNESS MADERE:

3 A. There is no document, but we do have a letter
4 from the Council on Aging specifying the exact names of
5 people who do need transportation out of that 150.

6 Q. Therefore, no one raising their hand --
7 you know of no documented or written study to back up that
8 assumption? Is that correct, panel?

9 A. (No response.)

10 Q. Thank you.

11 MR. FONTANA: It's 12:25 now, Mr. Wolfe.
12 I'd like to have the 12:30 break, if we could.

13 JUDGE WOLFE: We'll recess until 1:45.

14 (Whereupon, at 12:25 p.m. the hearing was
15 recessed, to reconvene at 1:45 p.m. of the same day.)
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AFTERNOON SESSION

1:45 p.m.

JUDGE WOLFE: All right.

Has the information been secured that Mr. Fontana was requesting?

MR. CHURCHILL: Your Honor, we have obtained the information. And with your permission, we'll present it right now.

JUDGE WOLFE: All right.

FURTHER DIRECT EXAMINATION

BY MR. CHURCHILL:

Q Mr. Perry, on page nine of your testimony you testified that in St. Charles Parish there were 100 persons, and in St. John the Baptist Parish there were 150 persons who were handicapped and non-ambulatory, and needed transportation in the event of an evacuation; is that correct?

BY WITNESS PERRY:

A Yes, sir.

Q Now, would you tell us how you derived -- how you obtained that information and in the process explain who in your organization made the contacts, identify each agency contacted, identify each person in that agency contacted, and please give their telephone numbers.

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1 BY WITNESS PERRY:

2 A. Okay.

3 Your Honor, as I stated this morning, the
4 hard numbers which we have derived pertain to the elderly
5 persons who would need special transportation assistance
6 in the event of an evacuation.

7 Those numbers are as I have stated, which
8 would be 65 in St. Charles Parish and exactly 130 in
9 St. John the Baptist Parish.

10 We have made contacts with an extensive
11 list of social service providers for both parishes. I
12 would like to read to you the name of the organization, the
13 name of the person contacted and provide for you their
14 telephone numbers at this time.

15 It is an extensive list.

16 For St. John the Baptist Parish, the list is
17 as follows. Contacts were made with St. John Health
18 Unit, Visiting Nurses Association --

19 MR. FONTANA: Excuse me. After he's finished,
20 I would like a xeroxed copy -- is that going to be possible --
21 so that we won't have to slow down to write it all out?

22 MR. CHURCHILL: Your Honor, we don't have
23 this in a copy suitable for -- It's just in rough hand-
24 written notes and shorthand and everything else. We
25 developed this in great haste over the noon hour at the

1 sacrifice of our lunch.

2 JUDGE WOLFE: Yes. You may take some notes
3 now --

4 MR. FONTANA: Okay. Well, my staff is
5 taking notes, so don't talk too quick. Okay?

6 WITNESS PERRY: Please advise me if I'm speak-
7 ing too quickly.

8 The contact person at that organization was
9 Ms. McKnight, Ms. Virginia McKnight. Her telephone
10 number is 536-2128.

11 Please assume area code 504 in all these
12 instances.

13 MR. FONTANA: Yes.

14 WITNESS PERRY: A second organization is
15 the St. John Association for Retarded Citizens, Day
16 Development Training School. Our contact there was
17 Eugene Keller. The telephone number there is 536-4173.

18 A third organization: St. John Office of
19 Family Security. The contact person was Mr. Dean Torris,
20 T-o-r-r-i-s. Telephone number: 536-1199.

21 The next organization: St. John's Community
22 Action Agency. Contact person: Mrs. Joseph. Telephone
23 number: 536-4955.

24 The next organization: St. John Housing
25 Authority. Contact person was Ethel Secque, and I will

1-4

1 spell that -- S-e-c-q-u-e. Telephone number: 652-9036.

2 The next organization: St. John Council
3 on Aging. There are two contact persons. The first is
4 Dr. Henry Harris, and the second is Yna Songy. I will
5 spell that name in its entirety. The first name is Y-n-a;
6 the last name is S-o-n-g-y. Their telephone number is
7 652-3669.

8 The next organization, I will point out --
9 this has an application for both parishes. The organiza-
10 tion is the Norco Mental Health Clinic. The contact
11 person is Joe Gandolini. I will spell that last
12 name. G-a-n-d-o-l-i-n-i. The telephone number is 764-6553.

13 The next organization is Associated Catholic
14 Charities Death Services. The contact person is Orville
15 Dugan. The telephone number is 949-4413.

16 The next organization is Louisiana State
17 School for the Deaf. The contact person is Jan Harp,
18 spelled H-a-r-p. The telephone number is 342-6350.

19 The next organization is the St. John
20 Office of Human Development. The contact person is
21 Nick Cashio. I will spell the last name. Cashio is
22 spelled C-a-s-h-i-o. The telephone number is 536-1199.

23 The next organization is Louisiana Department
24 of Health and Human Resources, Division of the Blind.
25 The contact person there is Julian Toups. I believe in my

1 earlier testimony I referred to his name as "Troup." But
2 the last name is spelled T-o-u-p-s. The telephone number
3 is 834-4642.

4 There is an additional contact person at that
5 organization. That's Mr. Elton Eube. I'm going to spell
6 that; I am mispronouncing it. The name is spelled
7 E-u-b-e. His telephone number is 447-7277.

8 The next organization is the Louisiana
9 School for the Visually Impaired, State School for the
10 Blind. The contact there is Dr. Day. The telephone number
11 is 342-4757.

12 The last organization I have for St. John
13 Parish is the Louisiana Vocational Rehabilitation Service
14 for the Deaf. The contact there was David Myers, spelled
15 M-y-e-r-s. Telephone number: 342-2287.

16 That completes my list for St. John Parish.
17 I'd like to go on to St. Charles Parish.

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1 MR. FONTANA: Could you repeat the phone
2 number for Yna Songy ?

3 WITNESS PERRY: Yes.

4 Her number is the same as that number given
5 for Dr. Harris. 652-3669.

6 MR. FONTANA: Thank you.

7 WITNESS PERRY: In St. Charles Parish, the
8 organizations contacted, are as follows:

9 Louisiana State School for the Deaf. I
10 believe I referred to that same organization for St. John.
11 Contact there again is Jan Harp. Telephone Number
12 342-6350.

13 We have another organization that we also
14 contacted for St. Johns. That's Louisiana Vocational
15 Rehabilitation Service for the Deaf. This is for St.
16 Charles. There were additional contacts made here. I hope
17 the list will be complete, so that's why I'm repeating it.

18 The contact there, again, is David Myers.
19 His telephone number is 342-2287.

20 MR. FONTANA: Would you repeat the phone number?

21 WITNESS PERRY: 342-2287.

22 MR. FONTANA: Thank you.

23 WITNESS PERRY: The next organization is
24 the St. John office of Family Security.

25

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a_e
1 BY MR. CHURCHILL:

2 Q Excuse me.

3 St. Charles?

4 BY WITNESS PERRY:

5 A St. Charles. Excuse me.

6 The St. Charles Office of Family Security.

7 The contact person there was Clarice Perdue. I'll spell the
8 name.

9 C-l-a-r-i-c-e P-e-r-d-u-e.

10 The telephone number is 783-2242.

11 The next organization is Associated Catholic
12 Charities. The contact person was Steven Beil. I'll spell
13 the last name.

14 B-e-i-l.

15 The telephone number is 783-2906.

16 The next organization is the St. Charles
17 Veterans Service Office. The contact person was a Royal
18 Bergoran. I will spell that name.

19 The first name is spelled R-o-y-a-l. The last
20 name is spelled B-e-r-g-o-r-a-n.

21 The telephone number there is 783-2221.

22 The next organization also appears in St. John
23 the Baptist list and that is the Norco Mental Health Clinic.
24 The contact there again is Mr. Joe Gandolini. The telephone
25 number, 764-6553.

2-3

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1 The next organization is --

2 MR. FONTANA: One second.

3 Okay.

4 WITNESS PERRY: The next organization is
5 St. Charles Council on Aging. The contact person was Barbara
6 Schwarer. I'll spell the last name.

7 S-c-h-w-a-r-e-r.

8 The telephone number is 785-1981.

9 The next organization, St. Charles Health Unit.
10 Contact person, Mrs. Zeringue. I will spell that name
11 because I have mispronounced it.

12 The last name is spelled Z-e-r-i-n-g-u-e.

13 The telephone number is 783-6268.

14 The next organization is the ST. Charles
15 Department of Welfare. The contact person there was Mr.
16 Rhen. I'll spell the last name.

17 R-h-e-n.

18 The telephone number is 783-2242.

19 The next organization is the St. Charles
20 Retired Senior Volunteer Program. The contact person there
21 is Cynthia Raymond.

22 Do you have that name?

23 MR. FONTANA: Raymond?

24 WITNESS PERRY: Yes.

25 The telephone number is 785-1037.

2-4

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1 The last organization I have for St. Charles
2 Parish is the St. Charles Community Action Program. The
3 contact person there was Irma Green. The telephone number
4 is 783-6246.

5 BY MR. CHURCHILL:

6 Q Mr. Perry, would you tell us who in your
7 organization contacted these organizations?

8 MR. FONTANA: Excuse me. I need the phone
9 number of the last one.

10 WITNESS PERRY: Excuse me.

11 783-6246.

12 MR. FONTANA: And who was that person?

13 WITNESS PERRY: Irma Green.

14 That completes the list for St. Charles.

15 I'll have to qualify this statement to a
16 degree, Mr. Churchill.

17 In general, contacts for the St. Charles
18 agencies were made by Mr. James Byers, of the Energy
19 Consultants staff. That's for St. John the Baptist Parish.

20 For St. Charles, the basic contacts were
21 made by Mr. Gary Winters, of the Energy Consultants staff.

22 BY MR. CHURCHILL:

23 Q Now, just to make sure that we have these
24 numbers correct; for St. John Parish, you testified there
25 was a total of 150 and that 130 of these were over 60 and

2-5

1 these names came from the Council on Aging?

2 BY WITNESS PERRY:

3 A Yes, sir, that is correct.

4 Q Then the remaining 20, how did you obtain that
5 number for -- I would presume, people under 60 who were
6 handicapped and non-ambulatory and needed transportation?

7 BY WITNESS PERRY:

8 A As I explained my earlier testimony, it is
9 difficult at this time to arrive at a firm figure for the
10 persons who are under 60 and need transportation assistance
11 and are handicapped.

12 That number was made based on estimates given
13 to us of the population by the various agencies that I cited.

14 Q And did you talk to Mr. Byers and ask him if
15 he confirmed the estimate of 20 under 60, non-ambulatory
16 people requiring transportation in St. John Parish?

17 BY WITNESS PERRY:

18 A Yes, I did.

19 Q And did he confirm it?

20 BY WITNESS PERRY:

21 A Yes, he did.

22 Q And for St. Charles Parish, you testified that
23 of the 100 people requiring transportation, who were not
24 ambulatory, 65 of them were over 60 and that is a hard
25 number?

2-6
1 BY WITNESS PERRY:

2 A Yes. That is the number provided to us by
3 the Council on Aging.

4 Q And how did you arrive at the number of 35
5 for the people under 60 who were non-ambulatory and required
6 transportation?

7 BY WITNESS PERRY:

8 A Again, Mr. Winters made contact with each
9 of the organizations that I have indicated in the list.
10 These numbers were given to him as an estimate, in lieu of
11 the hard figures which are being provided.

12 That estimate , which I believe is a sound
13 estimate, went into the calculation of 100.

14 Q And did Mr. Winters reaffirm to you that that
15 was a reasonable estimate?

16 BY WITNESS PERRY:

17 A Yes, he did.

18 Q And did you actually or did Mr. Winters and
19 Mr. Byers actually receive numbers or is this their best
20 judgment of an estimate based on interviews with the people
21 that you've mentioned?

22 BY WITNESS PERRY:

23 A For the population group under 60, which is
24 in reference, this is a reasonable estimate, based on
25 interviews of persons contacted.

1 Q Did any of the agencies contacted give any
2 of your people any hard numbers?

3 BY WITNESS PERRY:

4 A At this time, no hard totals are available.

5 Q Now, did any of them, perhaps, discuss or
6 talk about people who would have been over 60?

7 BY WITNESS PERRY:

8 A Yes, they did.

9 Q And how did you account for that?

10 BY WITNESS PERRY:

11 A That was accounted for in the total given to
12 us by the Council on Aging.

13 MR. CHURCHILL: Thank you, Mr. Perry.

14 Your Honor, I believe that is the information
15 that was requested.

16 JUDGE WOLFE: All right.

17 Mr. Fontana?

18 MR. FONTANA: Thank you, Mr. Churchill. Thank
19 you, Mr. Perry.

20 CROSS-EXAMINATION (Continued)

21 BY MR. FONTANA:

22 Q At what point, Mr. Twine, at what point would
23 a number of elderly and handicapped become significant,
24 according to the ETE?

25

1 BY WITNESS TWINE:

2 A. I should point out in preface to my answer,
3 that the purpose of the ETE is to provide a time estimate
4 that can be used as a tool to determine what kind of
5 protective action is necessary.

6 Okay?

7 Now, it is not an evacuation plan. The
8 evacuation plan is being done at this stage and it's done
9 with the kind of numbers Mr. Perry is talking about here.

10 We're dealing in the ten-mile EPZ with about
11 36,000 vehicles. Just off the top of my head, the kind
12 of numbers Mr. Perry is talking about is calling for maybe
13 about 15 or 20 vans; something like that.

14 Now, there is no reason why we couldn't include
15 that in the ETE, but I doubt that it would be statistically
16 significant in terms of the time results at the end. It
17 would be lost in the middle somewhere.

18 Q. If we were, let's say, in a retirement area
19 of Florida, would you take into more consideration the
20 elderly and handicapped there than you do here?

21 BY WITNESS TWINE:

22 A. No.

23 Q. Well, can you give me in answer to my question,
24 at what point would a number of elderly and handicapped
25 become significant?

2-9
1 BY WITNESS TWINE:

2 A. I would say if it constituted more than
3 about five percent of total traffic, it might be significant.
4 Usually, five percent is used as a measure of statistical
5 significance. So, I would say that would be a reasonable
6 figure to use.

7 Q. And where do you get that documentation?

8 BY WITNESS TWINE :

9 A. I don't have documentation for that. You
10 just asked me and I gave you the best estimate that I have.

11 Q. And what is five percent of the total
12 population?

13 BY WITNESS TWINE:

14 A. Five percent --

15 Q. Of total traffic, as you say.

16 BY WITNESS TWINE:

17 A. It's around 36,000 vehicles. Five percent of
18 that would be about 1800 vehicles.

19 By no means do I mean to construe that the
20 elderly handicapped population is not important, by this.
21 All I am saying is, that for purposes of our estimate, given
22 that the figures were not available within our time frame,
23 we had to do the best we could with the numbers we had,
24 which is what we did.

25 Q. Well, in your ETE on Page 33, Paragraph

1 Title 3.7.4, Title Elderly and Handicapped Persons, I'll
2 read to you:

3 "In St. Charles Parish there are approximately
4 5000 people who are 60 years
5 and older. Approximately 1500 people
6 who are non-ambulatory."

7 Do you consider these people significant?

8 BY WITNESS TWINE:

9 A. Of course, those people are significant.

10 Q. Do you feel those figures are significant?

11 BY WITNESS TWINE:

12 A. In terms of what?

13 Q. In terms of your determination of including
14 them in the ETE?

15 BY WITNESS TWINE:

16 A. Well, as I mentioned before, we made the
17 assumption that the large majority of those people would be
18 transported out by friends and relatives.

19 Q. And then we've already concluded that that's
20 based on an assumption that's nowhere documented; is that
21 right?

22 BY WITNESS TWINE:

23 A. That's correct. Yes.

24 Q. You made that assumption?
25

2-11

1 BY WITNESS TWINE:

2 A Yeah. We made it as part of the time
3 estimate.

4 That was --

5 Q How did you --

6 BY WITNESS TWINE:

7 A Excuse me.

8 Q How did you get a number in which to exclude
9 the elderly and handicapped who need transportation? From
10 that assumption; is that right?

11 BY WITNESS TWINE:

12 A How did we get a --

13 Q How did you get the number to exclude the
14 elderly and handicapped who need transportation?

15 BY WITNESS TWINE:

16 A You mean, a threshold value of some kind or
17 other?

18 Q Yes.

19 BY WITNESS TWINE:

20 A Well, we didn't have -- we never formally
21 developed a threshold value. We knew that the number was
22 quite probably going to be very low and, given the fact
23 that at the time we did the study, we did not have the
24 available information to put down precisely what the number
25 was, we felt it was in the -- at that time we were trying

1 to meet the schedule of hearings for March 23rd, I believe
2 it was.

3 We felt it was, in view of the number of
4 agencies we would have to contact to get the precise
5 information, that we should proceed with the study under
6 that assumption.

7 Q And you concluded that it was a low number?
8 You mentioned a low number; did you not?

9 BY WITNESS TWINE:

10 A Yeah, that's right.

11 Q And where did you get that information? To
12 conclude it was a low number? Who gave you that?

13 BY WITNESS TWINE:

14 A We concluded that the vast majority of those
15 people would be taken out by friends and relatives and our
16 conversations at the local level with the Civil Defense
17 Directors didn't contradict that, so we utilized that
18 assumption.

19 Q I'm going to refer you to Page 35 of the ETE,
20 under references No. 6, Assimilation Using GPSS.

21 Can you tell us who wrote the GPSS assimilation?

22 BY WITNESS TWINE:

23 A Well, it's in the reference. It's a person
24 named T. Schriber. He wrote the book which described how
25 to use it as a assimilation model.

1 Q Is that the assimilation that you used? You
2 actually used --

3 BY WITNESS TWINE:

4 A Yeah. We used GPSS.

5 Q Does GPSS has a special category for elderly
6 and handicapped?

7 BY WITNESS TWINE:

8 A No. We can, however, create any special
9 category we want in GPSS.

10 Q But, in reality, GPSS has no special
11 category for handicapped; is that correct?

12 BY WITNESS TWINE:

13 A Not in and of itself, no it has no special
14 category for anything but you create the special categories.

15 Q Are you an expert on GPSS?

16 BY WITNESS TWINE:

17 A No.

18 Q Who on the panel is an expert on GPSS?

19 Raise your hand.

20 (No response.)

21 How can you make those statements on the
22 elderly and handicapped if you're not an expert? You can't
23 really; can you?

24 MR. CHURCHILL: Objection.

25 I'd like to know what statements he's

2-14

1 questioning the witness about.

2 MR. FONTANA: On the fact that he stated there
3 is no special category in the GPSS for elderly and
4 handicapped, when he admitted he's not an expert on GPSS.

5 WITNESS TWINE: All right. I understand.

6 The fact that I'm not an expert with GPSS,
7 doesn't mean I don't know anything about it at all.

8 I did work with it quite a bit and constructed
9 the model.

10 BY MR. FONTANA:

11 Q. Let me repeat my question.

12 My question basically is, how can you make
13 that statement -- can you make that statement as an expert?

14 MR CHURCHILL: Your Honor, I would like to
15 have "an expert" defined. If he wants to ask Mr. Twine what
16 he knows about GPSS, then maybe the Board can determine
17 for itself how much of an expert he is, and how much weight
18 to give his testimony.

19 I don't think that the witness knows the
20 definition of "expert" any more than the rest of us do.

21 JUDGE WOLFE: I'll let the witness answer the
22 question and elaborate on your answer.

23 You may answer the question.

24 Objection overruled.

25 WITNESS PERRY: Would you repeat the question,

2-15

1 please?

2 BY MR. FONTANA:

3 Q Can you make the statement as an expert in
4 regard to the GPSS --

5 BY WITNESS TWINE:

6 A You mean the statement about the elderly?

7 Q Let's just leave it as this, right now.

8 Can you make a statement as an expert in
9 regard to the GPSS?

10 BY WITNESS TWINE:

11 A Well, we get down to the definition of the
12 word expert.

13 Again, when you told me expert, I took it to
14 mean that I would be familiar with the computer programming
15 that went into designing the language. I don't know that.

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3-1

1 BY MR. FONTANA:

2 Q Okay. Have you ever been qualified in
3 any --

4 JUDGE WOLFE: I allowed the witness to ex-
5 plain his answer. Do you wish to go into any further
6 explanation of that, Mr. Twine?

7 WITNESS TWINE: Well, it's just by that
8 criterion I don't consider myself an expert on GPSS.

9 JUDGE WOLFE: All right.

10 BY MR. FONTANA:

11 Q Have you ever been qualified as an expert
12 in GPSS in any other hearings of this nature?

13 BY WITNESS TWINE:

14 A No.

15 Q How do you plan to transport the elderly
16 and handicapped people --

17 MR. FONTANA: Hold up one second, Your
18 Honor, and scratch that last question.

19 BY MR. FONTANA:

20 Q Mr. Madere, can you tell me how many non-
21 ambulatory vans there are in St. Charles Parish to
22 transport people in case of evacuation?

23 BY WITNESS MADERE:

24 A In St. Charles Parish?

25 Q Yes.

1 BY WITNESS MADERE:

2 A No, I couldn't tell you. Maybe Mr.
3 Lucas could.

4 Q Okay. How about St. John Parish? How
5 many passenger vans do you have?

6 BY WITNESS MADERE:

7 A That I know of offhand, we have three.

8 Q Three. And how many passengers does this
9 carry?

10 BY WITNESS MADERE:

11 A I'm sorry. I didn't understand the
12 question.

13 Q How many passengers -- Are these 12-
14 passenger vans?

15 BY WITNESS MADERE:

16 A These are 12-passenger vans. We have three
17 that I know of.

18 The Council on Aging has two. The As-
19 sociation for Retarded Children has one.

20 Q All right. And, Mr. Lucas, in St. Charles
21 Parish, non-ambulatory vans -- Okay. Scratch the last
22 question.

23 Going back to you, Mr. Madere, do you have
24 any passenger vans that transport non-ambulatory resi-
25 dents?

3-3

1 BY WITNESS MADERE:

2 A Yes, we do.

3 Q How many of those do you have?

4 BY WITNESS MADERE:

5 A Well, there's --

6 MR. CHURCHILL: I'm sorry. Your Honor,
7 wasn't this question just asked?

8 MR. FONTANA: I'm trying to distinguish how
9 many passenger vans you have and how many vans you have
10 for non-ambulatory residents, if there's any distinction
11 there.

12 Do you have just three 12-passenger vans
13 for both ambulatory and non-ambulatory?

14 WITNESS MADERE: I'm sorry. You'll have to
15 restate that question. It was very confusing to me.

16 BY MR. FONTANA:

17 Q Your 12-passenger vans in St. John's
18 Parish that you have -- you said you had three.

19 BY WITNESS MADERE:

20 A I know of three. I can get my hands on
21 three.

22 Q Can they be used for non-ambulatory per-
23 sons?

24 BY WITNESS MADERE:

25 A Definitely.

3-4

1 Q Okay. And, Mr. Lucas, in St. Charles
2 Parish, for non-ambulatory persons how many vans do you
3 have?

4 BY WITNESS LUCAS:

5 A We also have three.

6 Q And do you have any other vans to be used
7 for -- Okay. Scratch the very last question.

8 I will just conclude what you've said, Mr.
9 Lucas, and that is, that you have -- Give me the
10 number again, for non-ambulatory.

11 BY WITNESS LUCAS:

12 A Three.

13 Q Three for non-ambulatory.

14 And these are 12-passenger vans also?

15 BY WITNESS LUCAS:

16 A That's correct.

17 Q Okay. I have some testimony here that will
18 be introduced later on by Mr. Lookabaugh, and I just want
19 to see if his figures coincide with your figures.

20 Page 11, down below and in the last para-
21 graph, it states, "The Council of Aging in St. Charles
22 Parish operates three 12-passenger vans and one van for
23 non-ambulatory people. Is that correct?

24 BY WITNESS LUCAS:

25 A That could be so, counselor. I just am not

3-5

1 positive of that. And I'm not going to answer anything
2 that I'm not sure of.

3 Q Well, basically a van to be used for non-
4 ambulatory people can only fit so many people, I imagine
5 because of the different equipment they might have to
6 get inside of the van since they can't walk. Would that
7 be right?

8 BY WITNESS LUCAS:

9 A Well, I would say that that would be true.
10 I think that that would probably hold about five
11 people.

12 Q Five non-ambulatory people?

13 BY WITNESS LUCAS:

14 A Well, five people in wheelchairs or something
15 like that.

16 Q Right.

17 BY WITNESS LUCAS:

18 A That's what I'm talking about.

19 Q So in regard to the number of vans you
20 have in your parish for non-ambulatory people, would it
21 be safe to conclude that you have one van for non-
22 ambulatory residents?

23 BY WITNESS LUCAS:

24 A I'm going to tell you we have -- from what
25 I see or what I know positively at this stage, at this

3-6 1 minute -- that I have three vans that hold 12 passengers.

2 I can get my hands on a number of others.
3 I know you did not ask me that question --

4 Q Okay.

5 BY WITNESS LUCAS:

6 A -- but that will be those who are in wheel-
7 chairs or handicapped.

8 Q I think what we're after is to find out how
9 many non-ambulatory people the three vans that you have
10 would hold.

11 BY WITNESS LUCAS:

12 A I'd say about -- Well, I don't know.

13 MR. CHURCHILL: Excuse me. Could we have
14 a clarification on non-ambulatory --

15 WITNESS LUCAS: I'm mixed up a little bit
16 here -- Why don't you in plain language --

17 JUDGE WOLFE: A clarification of what?

18 MR. CHURCHILL: The use of the word
19 "non-ambulatory." If he's talking about wheelchairs, we
20 can talk about wheelchairs.

21 But I assume that non-ambulatory means any-
22 body who needs a ride and can't necessarily walk. It
23 doesn't mean they're in a wheelchair.

24 But at least maybe we could have some
25 clarification so the witness --

3-7

1 WITNESS LUCAS: I would thank you for that,
2 counselor. I'm a little confused as to exactly what he
3 wants.

4 If you -- Is it the ones in wheelchairs
5 and things like that? Is that what you're asking?

6 BY MR. FONTANA:

7 Q I'd say wheelchairs and also crippled. I
8 don't know if you could put them together or incorporate
9 them.

10 BY WITNESS LUCAS:

11 A Well, I have three vans that I'm positive
12 of that hold 12 people that might be handicapped with bad
13 legs, but they can get to the vehicle and get in.

14 If you're going to put wheelchairs in,
15 counselor, I don't know of any that I could get, other
16 than the mutual aid agreements that I have with other
17 people. There are none in my parish.

18 Q So I guess what I'm trying to figure out is
19 how many people who are non-ambulatory in your parish will
20 these three vans take would be -- Can you give us a
21 number at this time?

22 BY WITNESS LUCAS:

23 A Well, let's say 36.

24 Q Thirty-six.

25 But if any of these people have wheelchairs,

3-8

1 it would be less; is that right?

2 BY WITNESS LUCAS:

3 A. It would be less, definitely, because you
4 can only put five of those in a van of that type that
5 would hold those type of people.

6 Q. Do you know how many people in your parish
7 there are who are in wheelchairs?

8 BY WITNESS LUCAS:

9 A. I really don't know. I just know from the
10 survey that was given to me that I have predicated my
11 implementing plans for, as to what I actually need
12 to take care of these hundred people.

13 Q. Are there any vans in your parish that you
14 have that a person in a wheelchair would not have to be
15 lifted up in order to get in the van? Do you have any
16 special vans to accommodate people who are in wheel-
17 chairs?

18 BY WITNESS LUCAS:

19 A. Yes. We have paraplegics and so forth,
20 any number of them, who have special vans and have their
21 own lift to them. But they own them as individuals, and
22 I'm sure that when we really need them that they would
23 have a conscience and help us out with that also.

24 Q. My question to you is: Do you in your
25 capacity as Civil Defense Director of St. Charles Parish --

1 do you have any of these vans?

2 BY WITNESS LUCAS:

3 A I would say no to you, counsel.

4 Q None of these three vans have any of these
5 special accommodations for people who are crippled and
6 in wheelchairs; is that correct?

7 BY WITNESS LUCAS:

8 A Right, that I know of.

9 Q And my question to you again is: Are these
10 three vans, therefore -- let's say we had in your parish
11 36 people who are in wheelchairs, could you get these
12 36 people who are in wheelchairs inside those vans with
13 their wheelchairs?

14 BY WITNESS LUCAS:

15 A I don't think so.

16 Q Okay. Also, Mr. Madere, for your three
17 vans in your parish, do you have any vans that are
18 specially equipped for people who are crippled and who are
19 in wheelchairs?

20 BY WITNESS MADERE:

21 A Yes, sir. All three vans that I have have
22 lift tail gates on them.

23 Q And if we were to take in your parish --
24 let's say, 36 people who are in wheelchairs -- could we
25 accommodate 36 people in your three vans in their

3-10

1 wheelchairs and keep the wheelchairs in the van?

2 BY WITNESS MADERE:

3 A Not in the van, no, sir. But I can ac-
4 commodate all 36 of them in the vans --

5 JUDGE FOREMAN: Pardon me for interrupting.
6 But for clarification is it necessary under those circum-
7 stances to put the wheelchairs into the van?

8 WITNESS MADERE: No, sir, it is not. It's
9 an emergency condition.

10 BY MR. FONTANA:

11 Q So these people would be transported without
12 their wheelchairs?

13 BY WITNESS MADERE:

14 A They could be.

15 Q And what would you do with their wheel-
16 chairs?

17 BY WITNESS MADERE:

18 A I would probably put them in another
19 vehicle, a follow-up vehicle. It could be a pickup
20 truck or what have you, following the van.

21 Q So do you have any special trucks or school
22 buses to accommodate these people with wheelchairs?

23 BY WITNESS MADERE:

24 A Yes, we do.

25 Q And approximately how many special trucks do

3-11 1 you think it would take to transport these people's wheel-
2 chairs?

3 BY WITNESS MADERE:

4 A Well, if we have three vans, it would
5 definitely take three vehicles to accompany these. And
6 we would have this done by an emergency person, normally a
7 member of the fire department or a member of our fan-out
8 team, because we will schedule someone to each one of
9 these institutions.

10 Q So, therefore, it's going to take another
11 number of vans and trucks to accommodate the wheelchairs;
12 is that correct?

13 BY WITNESS MADERE:

14 A Another vehicle.

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4-1
BY MR. FONTANA:

Q Okay, Mr. Madere, we're trying to establish how many vehicles are needed to transport the aged and crippled people of St. Charles -- excuse me -- St. John's Parish.

BY WITNESS MADERE:

A Counselor, if the question you asked -- if I understand right -- we have on the East Bank of St. John 2663 people without automobiles, handicapped people - 50, special facility people -- hospital - 102; Twin Oaks Nursing Home - 132.

That requires 59 buses for people without automobiles, five vans and five ambulances for the handicapped, one van and 11 ambulances for the hospital, one van and ten ambulances for the nursing home on the East Bank of St. John the Baptist.

On the West Bank, our population of people without automobiles is 531. We need 12 buses there. We have approximately 100 who are handicapped or at home. We broke this down into needing ten vans and ten ambulances.

Q Will any of these vehicles be making return trips to pick up the aged and crippled people that might be remaining?

Yes, Mr. Madere?

1 BY WITNESS MADERE:

2 A Yes, sir. Those people who are non-
3 ambulatory who we have to pick up at their homes, we will
4 take these people to a designated reception -- or designated
5 pickup point, which is within a mile or so -- should be
6 within about a mile of their home.

7 These people will then be transported on by
8 bus from the pickup point to the reception center or
9 staging area. So the van would be available back for us
10 in the parish to make as many return trips as necessary,
11 because those people who can walk on their own, or can get
12 out of one vehicle into another, but just need some
13 transportation because they can't walk half a mile

14 to a pickup point, we will transport to a pickup point
15 and then get them on a bus from there to a staging area.

16 Those people who cannot leave the vehicle
17 at all without assistance, then we will have that vehicle
18 go right into the reception center.

19 Q So how many return trips back and forth do
20 you estimate to evacuate all of the aged and crippled
21 people out of St. John's Parish?

22 BY WITNESS MADERE:

23 A We do not have that number right now.

24 Q Can you give us an estimate of some kind?

25 /

1 BY WITNESS MADERE:

2 A. Yes. On the West Bank with the ten vans
3 involved on the West Bank and the ten ambulances, with
4 100 people I would think that we could take out all of the
5 people in one trip.

6 And on the East Bank we could do the same
7 thing. Five vans and five ambulances and 50 people.

8 Q. Can you tell us where the ten-van figure
9 came from?

10 BY WITNESS MADERE:

11 A. Where the ten-van figure came from on the
12 West Bank?

13 Q. Yes. I thought you said you only had three
14 vans.

15 BY WITNESS MADERE:

16 A. No, sir. On the West Bank I said there
17 were 100 people handicapped or at home. It's estimated
18 there are 100 people on the West Bank.

19 We will need ten vans and ten ambulances on
20 the West Bank.

21 Q. You would need -- .

22 BY WITNESS MADERE:

23 A. We would need ten ambulances and ten vans.

24 Q. You don't really have those right now?

25 /

4-4

1 BY WITNESS MADERE:

2 A No, we only have one at this time on the
3 West Bank. But we do have agreements with support
4 parishes, such as St. James, Ascension and LaFourche
5 Parish on the West Bank to give us those vans.

6 Q Who made the agreement in St. James Parish
7 to supply you with those vans?

8 BY WITNESS MADERE:

9 A There were about three or four people that
10 were involved in the talking stage, and that's where we
11 are now. We have nothing written as far as letters of
12 commitment.

13 Q Who are those three people in St. James
14 Parish?

15 BY WITNESS MADERE:

16 A We are in the talkative stage, counselor,
17 right now with those people.

18 Q I know. What's their names?

19 BY WITNESS MADERE:

20 A I don't have that information.

21 Q Can you get us that information?

22 BY WITNESS MADERE:

23 A No, sir, I cannot.

24 MR. FONTANA: Well, I'm going to ask the
25 Board to ask Mr. Madere to get us that information.

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4-5 1 WITNESS MADERE: If I understand, we've talked
2 to the Civil Defense Directors in each one of those
3 parishes. The Civil Defense Director has gone to in-
4 dividuals, such as Council on Aging, hospitals and every-
5 thing else in that parish -- we've also gone to the
6 Louisiana Office of Emergency Preparedness to help us
7 coordinate from the state level on through those support
8 parishes.

9 But as far as giving you any individual's
10 name as far as who all talked to who concerning vans, I
11 can't give you that information.

12 If you want to know who is coordinating,
13 and who will coordinate this in the support parishes,
14 it will be the civil defense director of each parish.

15 And who will coordinate this for the state,
16 it will be the Louisiana Office of Emergency Preparedness.

17 BY MR. FONTANA:

18 Q Let me see if I've got the names of the
19 parishes correct: St. James -- Would you name the
20 other neighboring parishes?

21 BY WITNESS MADERE:

22 A Yes, I will.

23 For the West Bank, we would be talking
24 about St. James. We would be talking about Ascension.
25 We would be talking about East Baton Rouge, and we would be

4-6

1 talking about LaFourche Parish.

2 At the present time the Ascension Parish
3 Civil Defense Director is the only one that we did not
4 make initial contact to. We did make contact to the
5 state that we would like to include them as a part of our
6 support parishes.

7 For the East Bank of the river, we have made
8 contact with St. James, East Baton Rouge Parish, Jefferson
9 Parish and Orleans Parish. And we are talking to
10 Tangipahoa Parish at this time.

11 Q Do you honestly believe that in a nuclear
12 accident at the Waterford plant that these people are
13 going to actually come from their parish and evacuate
14 your parish?

15 BY WITNESS MADERE:

16 A Are you asking me personally, sir?

17 Q Yes.

18 BY WITNESS MADERE:

19 A Yes, sir, I do.

20 Q Why?

21 BY WITNESS MADERE:

22 A For the same reason that I would stay on
23 duty.

24 Q Suppose their parish would be affected by
25 this nuclear power plant accident. Are they going to

1 abandon the people in their parish to rescue the people
2 in your parish?

3 BY WITNESS MADERE:

4 A If their parish is involved, sir, this would
5 take on another light. And this is the reason why we have
6 other support parishes, so that if another parish is
7 involved, we have access to other vehicles from other
8 support parishes surrounding us.

9 It is unlikely that the accident or any
10 incident would involve the total 12 or 13 parishes
11 surrounding St. John's and St. Charles.

12 Q Is that what LP&L has told you?

13 BY WITNESS MADERE:

14 A No, sir.

15 Q Where did you get that information?

16 MR. CHURCHILL: Objection.

17 JUDGE WOLFE: Objection to what? Where did
18 he get that information?

19 MR. CHURCHILL: Yes, sir.

20 I think that what happened is we very
21 quickly got into an area that has already been ruled
22 as outside the scope of this hearing.

23 JUDGE WOLFE: Being what? How is this
24 question outside the scope? I don't understand.

25 MR. CHURCHILL: Your Honor, the scope --

1 the subject matter of this hearing, and in fact the
2 operating license is the evacuation procedures for
3 evacuation of people within the ten-mile EPZ.

4 JUDGE WOLFE: Yes.

5 MR. CHURCHILL: I think if we're talking about
6 any parishes other than within the ten-mile EPZ -- there
7 are no other parishes within the ten-mile EPZ.

8 He is not required (a) to either postulate a
9 specific kind of accident, or (b) postulate an accident
10 that would require evacuation beyond the ten-mile EPZ.
11 That is the planning basis in the NRC/FEMA documents.

12 BY MR. FONTANA:

13 Q Mr. --

14 MR. FONTANA: Could I --

15 JUDGE WOLFE: Well, do you have anything in
16 response to the objection?

17 MR. FONTANA: Yes.

18 Mr. Madere and Mr. Lucas --

19 JUDGE WOLFE: Wait just a moment. Are you
20 responding to the objection?

21 MR. FONTANA: Yes.

22 JUDGE WOLFE: -- in your question?

23 Then address Mr. Churchill's objection.

24 MR. FONTANA: I am.

25 JUDGE WOLFE: Well ...

4-9
1 MR. FONTANA: I am. I don't have to look
2 at Mr. Churchill, do I?

3 JUDGE WOLFE: All right, go ahead.

4 MR. FONTANA: Mr. Madere and Mr. Lucas are
5 both qualifying themselves as experts and civil defense
6 directors of their respective parishes.

7 I believe that these men have no idea of the
8 consequences of an accident at the Waterford Nuclear
9 Power Plant.

10 I think, number one, they're not being in-
11 formed. And, number two, they're misinformed, and that
12 if this is true, they're making basis of getting support
13 facilities from surrounding parishes that they're just
14 not going to get, and that they're putting the lives,
15 the health, the well being, the economic future of this
16 state in serious jeopardy by their ignorance, either by
17 their ignorance on purpose, either by refusing to come to
18 grips with reality, either by lack of knowledge of some
19 form -- either by being misinformed by LP&L --

20 JUDGE WOLFE: All right.

21 MR. FONTANA: And --

22 JUDGE WOLFE: Let's address Mr. Churchill's
23 remarks and objections. He says that your question goes
24 outside the scope of the contention.

25 Now, you're not -- You're berating the

4-10

1 witnesses for which I'm not going to stand, and you have
2 not addressed Mr. Churchill's objection.

3 Now, pay attention, and address the ob-
4 jection.

5 MR. FONTANA: The objection is that I am
6 right on scope --

7 JUDGE WOLFE: I know what the objection
8 is.

9 MR. FONTANA: I'm right --

10 JUDGE WOLFE: I want to know what your answer
11 to the objection is.

12 MR. FONTANA: My answer is that I'm right
13 on point, I'm right on scope, that these people should be
14 aware and either -- they're making statements that
15 basically -- and making assumptions based on wrong as-
16 sumptions.

17 I'm asking a very relevant question. Now, if
18 they know what the consequences are, let's hear it. If
19 they don't, let's hear it.

20 And I'm responding to his objection, as far
21 as I'm concerned.

22 JUDGE WOLFE: Any comment?

23 MR. CHURCHILL: Yes, sir.

24 JUDGE WOLFE: I'm sorry. I'm talking to
25 Mr. Turk.

4-11

1 MR. TURK: The question that was raised to
2 which Mr. Churchill's objection has been entered, as I
3 recall, was: On what basis Mr. Madere, the Civil Defense
4 Director for St. John the Baptist Parish, concluded that
5 not all of the many parishes surrounding St. John the
6 Baptist and St. Charles Parish would be affected in the
7 event of an emergency at the Waterford 3 plant.

8 I believe that is a question outside the
9 scope of the contention. However, I think it would be
10 permissible and informative if the Board were to take
11 official notice, or through some other means it might be
12 noticed that the wind does not blow in all directions at
13 once.

14 It is not an unfair assumption to make that
15 not all areas surrounding a nuclear plant are affected
16 at the same time by a nuclear accident.

17 JUDGE WOLFE: I think -- trying to piece
18 this together -- Mr. Fontana's question was to where the
19 witness would be able to get additional vehicles ...
20 vans, beyond those currently in its possession.

21 The witness said that he would be able to
22 get those from several other parishes.

23 The next question then was: Well, what
24 happens if these other parishes are involved? How would
25 they be able to furnish their vehicles if they were using

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1 them themselves.

2 And your objection was that that goes out-
3 side the scope of the contention because we're only con-
4 cerned with evacuation within the ten-mile emergency --
5 EPZ.

6 Now, I don't understand your objection,
7 that these other parishes being outside the EPZ, neverthe-
8 less, might -- might not be -- might not at least think
9 themselves affected and not wish to loan out or use
10 their surplus vehicles.

11 I'm trying to understand your position on
12 that, Mr. Churchill.

13 MR. CHURCHILL: Yes, sir, perhaps I could
14 clarify.

15 Technically, I think that the question I
16 objected to was the question of: Does he know the con-
17 sequences of an incident in the neighboring parishes.
18 We went through that at great length yesterday.

19 That was ruled external to the scope of the
20 hearing and the scope of the contentions because the
21 types of accidents are taken into account in the basis --
22 in the general criteria in NUREG-0654, because the only
23 requirements are for an evacuation plan within ten
24 miles, and finally, because the contention itself does
25 not go to it.

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1 It, therefore, follows that a suitable plan-
2 ning basis, as in accordance with NUREG-0654, is to
3 enable reliance on neighboring parish resources from outside
4 the ten-mile EPZ.

5 If we were to challenge that, that would,
6 in fact, be mounting a challenge against the NRC regula-
7 tion itself in Section 50.47.

8 Therefore, we really -- in our discussion we
9 got into two questions; and it was along related lines.
10 One is does he know the consequences of a particular
11 accident out there, which is the one I objected to.

12 But the line of questioning which -- it was
13 characterized by the other witnesses as being objected
14 to -- also went to the question of whether or not he
15 should be able to rely in his planning on support
16 parish resources from outside the ten-mile EPZ.

17 They're both related, and I think the results
18 of your ruling would apply equally to both.

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1 JUDGE WOLFE: I sustain the objection.

2 MR. FONTANA: I have no further comment.

3 Are you directing him to answer the question?

4 JUDGE WOLFE: I have affirmed the objections.

5 BY MR. FONTANA:

6 Q Can you -- would you be able to provide us
7 with written agreements with St. James, Ascension, East
8 Baton Rouge, Lafourche, Jefferson and Tangipahoa Parish,
9 those support Parishes providing you with facilities --

10 BY WITNESS MADERE:

11 A Before the Nuclear Power Plant is operational,
12 yes, sir, I will.

13 Q Therefore, you will have those agreements in
14 writing -- when do you estimate you'll have those agreements
15 in writing?

16 BY WITNESS MADERE:

17 A They'll be in my hands prior to the operation
18 of Waterford 3.

19 Q And these agreements in writing will have the
20 approval of various Jefferson Parish City Council Members?

21 BY WITNESS MADERE:

22 A Yes, sir, they will.

23 Q And they'll have the approval of the Ascension
24 Parish Council?

25

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1 BY WITNESS MADERE:

2 A. Whoever or whatever is involved, when we are
3 requesting what support from what resource from what Parish,
4 it will be listed down and appropriate signatures will be
5 on that document.

6 Q. And you'll have the written agreement of the
7 East Baton Rouge Parish Council?

8 BY WITNESS MADERE:

9 A. If this is one of our Parishes, yes, sir.

10 Q. And written approval of the Lafourche Parish
11 Council?

12 BY WITNESS MADERE:

13 A. Yes, sir.

14 Q. And you will have the written approval of
15 the Jefferson Parish Council?

16 BY WITNESS MADERE:

17 A. Yes, sir.

18 Q. And you'll have the written approval of the
19 Tangipahoa Council?

20 BY WITNESS MADERE:

21 A. Yes, sir.

22 I would like to testify on this, only if
23 we are going to use these Parishes as a support Parish.

24 Some Parishes may not want to cooperate and
25 be a support Parish, so this could be an indication of

5-23
1 someone not agreeing with releasing buses or releasing vans,
2 so it could be one of the persons or one of the Parishes
3 you listed there that we would not have an agreement with.

4 But all of our support Parishes, we would
5 have a written agreement with and before operation of
6 Waterford, we will make sure the ones
7 we do have a written agreement with meets
8 our minimum need for buses vans and ambulances.
9

10 Q Is there any reason why you do not have those
11 written agreements now, since the plant has been under
12 construction for twelve years?

13 BY WITNESS MADERE:

14 A Yes. We didn't know until approximately six
15 weeks ago, the exact number of people we were talking about.
16 Each one of these Parishes wants to know an exact number of
17 buses and exact number of vans and exact number of
18 ambulances that we possibly would need so we could request
19 by equipment, name and number to each one of these
20 Parishes.

21 Q Let's see, now, in the last six months there's
22 been a recommended evaluation on three occasions in your
23 Parish; is that correct?

24 BY WITNESS MADERE:

25 A Yes, sir.

-4
1 Q Would you give us those three occasions and
2 summarize them very briefly.

3 BY WITNESS MADERE:

4 A Yes. We've had a 6000 gallon tank of
5 hydrochloric -- better known as muriatic acid -- rupture at
6 one of the chemical companies in Reserve, bordering West
7 Tenth Street and U.S. Highway 61.

8 There was an evacuation of approximately 300
9 people.

10 We had a incident occur when the rain had
11 gotten into an underground gasoline storage tank and the
12 gasoline had seeped to the surface and caused a runoff of
13 the water at U.S. Highway 61 in LaPlace. There was an
14 evacuation of about a hundred people there.

15 And here within about two or three weeks ago,
16 we had the Argus ship collision and the barge collision in
17 St. Charles Parish, about a quarter of a mile from the St
18 John Parish line. We had an evacuation of the people from
19 the St. John Parish line to the Bayou Steel Industrial
20 Complex.

21 Q This area of St. Charles Parish, would you
22 estimate as a very dangerous area because of the various
23 industry in that area?

24 BY WITNESS MADERE:

25 A If I would -- what point in St. Charles Parish?

1 Q I'm sorry.

2 I meant St. John's Parish.

3 BY WITNESS MADERE:

4 A St. John's Parish has numerous industries with
5 -- I couldn't say, Counsellor, that one area was more
6 dangerous than the other. We are pretty well separated.

7 Q I see.

8 In the last six months where you've had these
9 three evacuations, was that the East Bank or the West Bank?

10 BY WITNESS MADERE:

11 A That's along the East Bank.

12 Q On the East Bank.

13 And the Waterford Nuclear Power Plant, is it
14 on the East Bank or West Bank?

15 BY WITNESS MADERE:

16 A That's on the West Bank.

17 Q And howfar, exactly, from the Waterford Nuclear
18 Power Plant is the Parish boundary? Or is it --

19 BY WITNESS MADERE:

20 A The boundary onthe West Bank is approximately
21 two miles from the containment building.

22 Q And on the East Bank?

23 BY WITNESS MADERE:

24 A On the East Bank, we're about 2.8 miles, I
25 would think and the population group is right at 5 miles.

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1 Q Now, you plan on using school buses for
2 evacuation; is that correct?

3 BY WITNESS MADERE:

4 A Yes, sir. Or whatever buses I can get a hold
5 of. Municipality buses et cetera.

6 Q And who is going to drive these buses?

7 BY WITNESS MADERE:

8 A We're in the talking and planning stages
9 now on drivers. As far as coming to the hearings, the way
10 I understood, the buses were available and it was not
11 nailed down as to who would drive. Whether they would drive
12 their own buses or we would provide emergency workers to
13 drive the buses.

14 Q And how many school buses do you have in
15 your Parish for evacuation?

16 BY WITNESS MADERE:

17 A We have 44 total buses, for St. John Parish.

18 Q Okay.

19 Going to the elderly and handicapped on the
20 East Bank. How many vans do you have to evacuate these
21 people?

22 Excuse me.

23 Let's scratch that last question.

24 How many vans do you need to evacuate the
25 elderly and handicapped on the East Bank, Mr. Madere?

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1 BY WITNESS MADERE:

2 A. Vans?

3 Q. Yes.

4 BY WITNESS MADERE:

5 A. I would need five.

6 Q. Ambulances on the East Bank?

7 BY WITNESS MADERE:

8 A. Five.

9 Q. And how many people are there to evacuate
10 who are elderly and handicapped, on the East Bank?

11 BY WITNESS MADERE:

12 A. Fifty.

13 Q. Now, Mr. Lucas, in your Parish, St. Charles
14 Parish, how many vans do you have in your Parish to evacuate
15 the elderly and handicapped?

16 BY WITNESS LUCAS:

17 A. I have three.

18 Q. And how many people do you have to evacuate
19 who are actually elderly and handicapped in your Parish,
20 on the West Bank?

21 BY WITNESS LUCAS:

22 A. On the West Bank I have 60.

23 Q. And how many people on the East Bank, elderly
24 and handicapped?

25

1 BY WITNESS LUCAS:

2 A. Forty.

3 Q. And how many vans do you have on the East
4 Bank to -- I'm sorry.

5 Scratch that last question.

6 How many vans are necessary to evacuate on
7 the West Bank, these 60 people?

8 BY WITNESS LUCAS:

9 A. I need six vans and six ambulances.

10 Q. Six vans and six ambulances on the West Bank
11 and now, on the East Bank.

12 BY WITNESS LUCAS:

13 A. I need four vans and four ambulances.

14 Q. Mr. Perry, Page 4 of your testimony that has
15 been supplemented as of yesterday -- to save a little time
16 here, repeat me if I make a mistake -- okay?

17 Your testimony, as I appreciate it, is your
18 calculations is 6,951 students.

19 BY WITNESS PERRY:

20 A. Which Parish --

21 Q. 16,951 students.

22 BY WITNESS PERRY:

23 A. I believe that's the number we mentioned this
24 morning. We can re-add it if necessary. I believe that is
25 the number.

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1 Q Your calculations showed that each bus would
2 carry 60 students, that there are 138 available buses,
3 therefore those 138 available buses carrying 60 students
4 each, total 8,280 students.

5 Since there are 16,951 total students, 8,671
6 children remain.

7 Therefore, an additional 145 buses are
8 required to carry these 8,671 additional children.

9 Since there is 138 available buses and 145
10 buses that are required to carry the additional children, a
11 total of 283 buses are required.

12 Does the Board have these figures?

13 JUDGE WOLFE: We had them this morning, yes.

14 BY MR. FONTANA:

15 Q Now, Mr. Perry, residents without vehicles --
16 correct me if I'm wrong -- but 143 buses are estimated to
17 be required for --

18 BY WITNESS PERRY:

19 A Are you taking this out of my testimony?

20 Q Yes, this morning.

21 Well, not of your testimony -- well --

22 BY WITNESS PERRY:

23 A Taking out the calculations performed
24 by you this morning.

25 Q Not by me. 143 available buses.

5-10

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1 I'm sorry. I'm asking the wrong person.
2 Scratch any questions I might have now of Mr.
3 Perry.

4 I want to direct them to Mr. Twine.
5 Mr. Twine.

6 BY WITNESS TWINE:

7 A. Yes.

8 Q. According to your calculations on the ETE and
9 your testimony this morning, the residents without vehicles,
10 which I classify as Category 2 for the record, merely for
11 clarification's sake, 143 buses are needed.

12 BY WITNESS TWINE:

13 A. That's according to the ETE, yeah.

14 Q. Okay.

15 In your testimony, did you relate to how many
16 buses are needed to evacuate St. Charles Hospital?

17 BY WITNESS TWINE:

18 A. I believe I did.

19 Q. How many buses are needed to evacuate St-
20 Charles Hospital? In your testimony.

21 I've got "1" here.

22 BY WITNESS TWINE:

23 A. I'm referring to Page 10 of my testimony and
24 for St. Charles Hospital I have totaled six ambulances and
25 one bus needed to evacuate the hospital.

5-11

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1 Q Mr. Perry, to evacuate Luling Nursing Home,
2 I show that your testimony reflects four buses, ten
3 ambulances; is that correct?

4 BY WITNESS PERRY:

5 A That is correct.

6 Q Mr. Perry, to evacuate St. John's Medical
7 Center, I show your tetimony reflects need of two buses,
8 and eleven ambulances.

9 Is that correct?

10 BY WITNESS PERRY:

11 A No, it's not correct, Mr. Fontana.

12 I believe the name is River Parishes Medical
13 Center, which is not open yet, I would add, but the numbers
14 you have cited are correct.

15 Q So, River Parishes Medical Center.

16 What Parish is that in?

17 BY WITNESS PERRY:

18 A I believe my testimony at Page 11 reflects
19 that that is in St. John the Baptist Parish.

20 Q And Mr. Perry, Twin Oaks Nursing Home, your
21 testimony show it needed three buses, no vans,
22 no ambulances. Just three buses; is that correct?

23 BY WITNESS PERRY:

24 A No, it's not correct.

25 You're referring to Twin Oaks Nursing Home?

5-12

1 Q Twin Oaks Nursing Home. I repeat and correct
2 me.-- I show, looking it over, the need of three buses.
3 You say one van and ten ambulances.

4 BY WITNESS PERRY:

5 A That's correct.

6 Q Okay.

7 Mr. Perry -- Mr. Twine, I show a total of
8 436 buses to evacuate. I show a total of 436 buses.

9 BY WITNESS TWINE:

10 A What are the components of your estimate?
11 Would you mind reading them off?

12 WITNESS TWINE: Your Honors, if I might
13 request a break after this question.

14 JUDGE WOLFE: Yes. All right.

15 BY MR. FONTANA:

16 Q From Page 4 of Mr. Perry's testimony, it shows
17 16,951 --

18 BY WITNESS TWINE:

19 A I just need the number of buses that you've
20 got, the basis for the calculations.

21 Q Oh. Okay.

22 I got 283 buses under Perry's plan.

23 BY WITNESS TWINE:

24 A That's for what? The schools?

25 Q For schools, which for record purposes is

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1 is classified as Category 1; 143 buses for residents
2 without vehicles under the ETE, Table 14.

3 I got one bus under Mr. Perry's -- to evacuate
4 St. Charles Hospital. Four buses under Mr. Perry to
5 evacuate Luling Nursing Home. Two buses to evacuate the
6 St. John River Parishes Medical Center, under Mr. Perry and
7 Twin Oaks Nursing, three buses, under Mr. Perry's testimony
8 and I come up with a total of 436 buses.

9 WITNESS PERRY: May I request a clarification?
10 Mr. Fontana, in development of your calculations, are you
11 mixing the Evacuation Time Estimate numbers and my testimony
12 numbers to arrive at your final figure?

13 MR. FONTANA: Yes, I'm using --

14 WITNESS PERRY: A combination of those?

15 MR. FONTANA: Yes. The ETE Table 14, Mr.
16 Twine's calculations, residents without vehicles, 143 buses.

17 WITNESS PERRY: I might recommend that my
18 numbers, I believe, should be taken as a whole, rather than
19 having a mixture. I think we discussed earlier the fact
20 that the planning effort has been ongoing. The planning
21 effort has specified numbers of buses and numbers of
22 transportation resources needed, which may, in some cases,
23 differ from the Evacuation Time Estimate.

24 JUDGE WOLFE: All right. We'll have a
25 fifteen-minute recess.

(Short recess.)

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1 MR. FONTANA: One comment, Mr. Wolfe, to
2 the question of this ETE study, residents without vehicles.
3 It should be noted for the record that that's the only
4 study available for residents without vehicles, that
5 143 number.

6 So, again, this calculation of 436 buses
7 is correct?

8 WITNESS PERRY: Excuse me?

9 BY MR. FONTANA:

10 Q This calculation of 436 buses is
11 correct?

12 BY WITNESS PERRY:

13 A I'd like to state to the Board, if I may,
14 Mr. Fontana, that my number is somewhat lower than that,
15 the number that I've arrived at is 429.

16 But for purposes of our discussion, I'm
17 willing to go with Mr. Fontana's number. But I would like
18 to reflect that my number is somewhat lower.

19 MR. CHURCHILL: Your Honor, excuse me, I
20 wanted to make a comment before we started today on a
21 procedural matter.

22 We started right up before I got a chance.
23 May I?

24 JUDGE WOLFE: Go ahead.

25 MR. CHURCHILL: Mr. Tsaggaris, who I said

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1 would be available today and yesterday, but not tomorrow,
2 has to leave promptly at 5:00 in order to catch a
3 plane.

4 Would it be all right if he were excused at
5 5:00, and I also would like to tell Mr. Fontana this in
6 case he has any special questions for him?

7 MR. FONTANA: Yes. Mr. Tsaggaris can be
8 excused at 5:00.

9 Thank you, Mr. Churchill, for pointing
10 that out.

11 JUDGE WOLFE: Are we likely to go beyond
12 5:00 tonight?

13 MR. FONTANA: No.

14 JUDGE WOLFE: All right. Proceed.

15 JUDGE FOREMAN: Before you start again,
16 Mr. Fontana, I have a question to ask.

17 I'm asking it of the panel. The 143-bus
18 estimates given for the ETE evaluation, is that based
19 upon the larger population that you used in your esti-
20 mates, or upon the population that Mr. Perry uses?

21 WITNESS TWINE: I believe that in the case
22 of persons without vehicles, the populations are the
23 same. Correct me if I'm wrong, Mr. Perry.

24 WITNESS PERRY: The populations are the
25 same. I can give you some understanding of why my figure

6-3

1 is somewhat lower.

2 The reason for that is that Mr. Twine's
3 estimate is somewhat more conservative in that in several
4 instances he has assigned one bus to a pickup point
5 that would anticipate few people, nine people, 18
6 people, 20 people, et cetera.

7 For our purposes, because many of these
8 pickup points are close b to one another, we have
9 indicated that we would fill up a bus before we would
10 have it leave the EPZ. So it might mean going to another
11 point that would not be far away, to fill it to capacity
12 in order to maximize efficiency.

13 That is the reason why my figure is stated
14 as being somewhat lower.

15 JUDGE FOREMAN: Thank you, that's all I
16 have.

17 MR. FONTANA: Thank you.

18 BY MR. FONTANA:

19 Q Mr. Madere, please describe, so we can just
20 get a base here, the programs for providing residents
21 with evacuation instructions at the time an evacuation is
22 ordered.

23 BY WITNESS MADERE:

24 A Are you talking about protective growth,
25 counsel? Are you talking about medicine?

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Q No.

BY WITNESS MADERE:

A I understood "medicines." Sorry.

Q No. Please describe the programs for providing residents with evacuation instructions at the time an evacuation is ordered.

BY WITNESS MADERE:

A Oh? Program instructions.

Prior to the operation of Waterford 3, we are going to hand out to all residents and transient people -- hotels --

Q No, excuse me, Mr. Madere. At the time an evacuation is ordered -- Waterford 3 is on the line, there has been a problem, and we're talking about right now -- at that time.

At the time an evacuation is ordered, describe briefly the program for providing residents with evacuation instructions at the time an evacuation is ordered, an evacuation has been ordered?

BY WITNESS MADERE:

A Okay. You don't want any background on it?

Q No.

BY WITNESS MADERE:

A At the time an evacuation would be ordered,

6-5

1 if it would be so ordered -- that's only one of the
2 Protective Action Guides -- we would go straight to
3 WCKW and WKQT as our local emergency radio broadcast
4 in St. John's Parish.

5 We would, by prearranged message -- a
6 typed, prearranged message -- fill-in-the-blank type of
7 thing where evacuation would be ordered, et cetera -- we
8 would sound the warning system in whatever area may be
9 involved, whatever quadrant.

10 It could be up to 17 sirens if the whole
11 parish were involved.

12 People would have been educated by that
13 brochure that I wanted to inject in here, to listen to the
14 radio station or the television station any time those
15 sirens went off, for instructions of what to do.

16 They would be told through the radio or
17 television station exactly what were their Protective
18 Action Guides as far as evacuation goes.

19 Q Would support parishes provide assistance?
20 BY WITNESS MADERE:

21 A Yes, sir. Right now we are in the process
22 of finalizing plans with support parishes as to exactly
23 what we would like them to do for us, such as operate a
24 reception center or operate a decontamination station, or
25 operating an access control point into the parish, or

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?

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1 in any way we may need them on various teams, et cetera.
2 They would -- as spelled out in our imple-
3 menting procedures, they would activate the
4 operating center upon request from us.

5 Q Would they provide buses?

6 BY WITNESS MADERE:

7 A Yes, sir. As far as I know, they would.

8 Q St. James Parish would provide buses?

9 BY WITNESS MADERE:

10 A As far as I know, sir, they would. As I
11 said earlier in my testimony, all these plans for buses
12 and exactly where they would come from aren't nailed down
13 as yet.

14 But in talking with the Civil Defense
15 Director, Mr. Robert Rousselle -- he talked with the school
16 board/superintendent in St. James Parish -- there would
17 be no problem.

18 Q You don't have this agreement in writing, do
19 you?

20 BY WITNESS MADERE:

21 A No, sir. But when we nail down exactly
22 what we want from St. James Parish prior to the operation
23 of Waterford 3, we will have all agreements in writing.

24 Q Would school buses come from Ascension
25 Parish?

6-7

1 BY WITNESS MADERE:

2 A We are in the talkative stage with Ascension
3 Parish now.

4 Q Therefore, Ascension Parish will provide
5 school buses for evacuation?

6 BY WITNESS MADERE:

7 A We're just in the talkative stage with
8 Ascension Parish as to what help and what resources they
9 can give us.

10 At the present time we have East Baton
11 Rouge Parish, St. James Parish, Orleans and Jefferson.

12 Q How many school buses will Ascension Parish
13 provide you with?

14 BY WITNESS MADERE:

15 A There are 120 buses in Ascension, 600 in
16 East Baton Rouge, 450 in Jefferson, 125 in LaFourche,
17 300 in Orleans, 44 in St. James and 210 in Tangipahoa
18 Parish, which is a total of 1839 buses -- school buses
19 only.

20 Q How many school buses do you want Ascension
21 Parish to provide you with?

22 BY WITNESS MADERE:

23 A When our implementing plans are through,
24 sir, we'll know exactly how many we'd expect Ascension
25 Parish to send us. We're still in the planning stages as

6-8

1 far as the implementing procedures go.

2 Q How many school buses do you want East
3 Baton Rouge to provide you with?

4 BY WITNESS MADERE:

5 A The same as the last answer.

6 Q And that would be true of LaFourche, Jeffer-
7 son and Tangipahoa Parishes?

8 BY WITNESS MADERE:

9 A Yes, sir. The only thing that we have tied
10 down so far is the West Bank of the parish of St. John's,
11 we have -- we need 16 school buses to be able to get all
12 of the kids out in one trip.

13 We have ten on the West Bank, so we're short
14 six, which we readily asked St. James Parish for about
15 two weeks ago, and there was no problem there. We're
16 supposed to get a letter of agreement with them sometime
17 in the next two weeks.

18 So the West Bank of our parish will be taken
19 care of as far as the school kids go.

20 We would ask also that these six buses
21 make a return trip along with our buses to pick up those
22 people who are without transportation.

23 Q And you'll have the approval in writing of
24 the Parish Council --

25 /

6-9

1 BY WITNESS MADERE:

2 A From the Civil Defense Directors and the
3 board of the St. James Parish, we will have the superin-
4 tendent's name and signature on the document, which is all
5 that is required. He is in charge of the buses in St.
6 James Parish.

7 Q So it would be the superintendent of the
8 schools?

9 BY WITNESS MADERE:

10 A The superintendent of the public schools for
11 the St. James Parish, Mr. Rousselle.

12 Q What's his first name?

13 BY WITNESS MADERE:

14 A I'm not sure. It's a Rousselle. The civil
15 defense director and the superintendent have the same
16 name. In fact, I think they're related.

17 Q And the superintendent could be overruled
18 by the parish council, could he not?

19 BY WITNESS MADERE:

20 A Negative, sir.

21 Q So he has supreme authority over the school
22 buses, even over the parish council?

23 BY WITNESS MADERE:

24 A Yes, sir.

25 Q And where do you get that information from?

1 BY WITNESS MADERE:

2 A. That's the Louisiana law, sir.

3 Q. And can you give me that law?

4 BY WITNESS MADERE:

5 A. No, sir, I don't have it with me.

6 Q. Can you provide it to myself and to the
7 NRC Board?

8 BY WITNESS MADERE:

9 A. Yes, sir, I guess I could.

10 Q. All right. Do you think you could do that
11 by tomorrow afternoon before 12:00?

12 BY WITNESS MADERE:

13 A. No, sir.

14 Q. How long do you estimate before you can get
15 that information to us?

16 BY WITNESS MADERE:

17 A. Twenty-four hours.

18 Q. All right.

19 BY WITNESS MADERE:

20 A. -- of work time.

21 Q. Will you attempt to have that information
22 before 12:00 tomorrow?

23 BY WITNESS MADERE:

24 A. If you so desire, counsel, and the Court
25 would like that from me. But I'm sure that everybody

6-11
1 familiar with the law in this room knows that the school
2 board is not superseded in any way by any government --
3 local government authority.

4 Would you accept the Attorney General's
5 written -- or do you want to see it in the law? You
6 know, that's ... an opinion.

7 Q I would accept the Attorney General's
8 opinion. I would ask that you request the Attorney
9 General of the State of Louisiana, William Guste, to
10 provide that opinion. Would you do that?

11 BY WITNESS MADERE:

12 A Give me 24 hours, sir; and you'll have
13 that.

14 MR. CHURCHILL: Your Honor, what we have
15 said is that there will be agreements in place. I do not
16 think that it would serve any point at this point right
17 now for one of the witnesses to research some law to try
18 to determine whether or not whoever might sign that agree-
19 ment may or may not have the authority to do it.

20 I think we can presume that whoever signs
21 the agreement will have the authority. But in any event,
22 I do not see the point in doing it now before we even
23 identify it, or before the agreement has been signed.

24 I do not know what would be involved in
25 coming forward with this kind of information or having a

6-12

1 witness who is a non-lawyer produce this kind of informa-
2 tion.

3 I do not think it is necessary. And in
4 spite of my witness' agreement to try to provide this
5 information, I would object to it, sir.

6 JUDGE WOLFE: I'll sustain the objection.
7 If you want to look that up as a lawyer, you do it, Mr.
8 Fontana.

9 BY MR. FONTANA:

10 Q Mr. Madere, you are an official of the State
11 of Louisiana, are you not?

12 BY WITNESS MADERE:

13 A Yes, sir.

14 Q You wouldn't want to do anything against
15 the laws of the State of Louisiana, would you?

16 BY WITNESS MADERE:

17 A No, sir.

18 Q And you would want to make sure that all
19 proper requirements under the sovereignty of the State
20 of Louisiana are followed, would you not?

21 BY WITNESS MADERE:

22 A Yes, sir.

23 Would the counsel understand also that
24 in the case of an emergency -- I think he's referring to
25 the school buses -- in the case of an emergency, the

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6-13

1 school buses could be made available since they are public
2 property?

3 Q You would want to make sure that any agree-
4 ment in writing that's entered into on these school buses
5 would be legal under the sovereign laws of Louisiana,
6 would you not?

7 BY WITNESS MADERE:

8 A Yes, sir. All that has to be done is to
9 refer to the Louisiana Disaster Act of 1974, which says
10 that "All public property shall be made available for
11 civil defense emergencies."

12 And I'm sure this would be considered one of
13 those.

14 Q You're stating that you're going to get
15 written agreements from the supporting parishes; is that
16 correct?

17 BY WITNESS MADERE:

18 A Yes, sir.

19 Q And you would want to make sure that these
20 written agreements are legal, would you not?

21 BY WITNESS MADERE:

22 A Yes, sir.

23 Q And the written agreement, to your under-
24 standing, is that the head of the school board or the
25 parish would make this agreement in writing with you to

6-14

1 provide you with these support facilities; is that
2 correct?

3 BY WITNESS MADERE:

4 A Yes, sir. The superintendent has that right
5 by the school board. The school board may have to counter-
6 sign or make an agreement with them, but he is the opera-
7 tional head of that facility.

8 Q And in your capacity as an official of the
9 State of Louisiana, you want to make sure that that agree-
10 ment is in writing --

11 BY WITNESS MADERE:

12 A Yes, sir.

13 Q -- and is legal, do you not?

14 Well, as an official of the State of
15 Louisiana, would you submit that you would be willing to
16 get a legal opinion from the Attorney General of the
17 State of Louisiana --

18 MR. CHURCHILL: Objection --

19 MR. FONTANA: -- that this agreement in
20 writing would be legal. Do you have any objections to
21 that, Mr. Madere?

22 MR. CHURCHILL: Your Honor, I object to that
23 question. I thought we just had a ruling on that on
24 my last objection.

25 JUDGE WOLFE: We did. Sustained.

6-15

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1 BY MR. FONTANA:

2 Q Mr. Madere and Mr. Lucas, in both parishes
3 you have a total right now of 138 buses; is that
4 correct?

5 BY WITNESS LUCAS:

6 A I'm not too familiar with St. John's.
7 Basically, I'll tell you, we have 94.

8 Q And Mr. Madere?

9 BY WITNESS MADERE:

10 A We have 44, counselor. 94 and 44, that would
11 be 138.

12 Q 138 buses.

13 And, Mr. Twine and Mr. Perry, we discussed
14 the other number. It's 436, is that correct?

15 BY WITNESS MADERE:

16 A Our numbers indicate 429, but we'll buy
17 436.

18 Q Yes. Mr. Twine and Mr. Perry, we just
19 discussed previously the number of 436 buses; is that
20 correct?

21 BY WITNESS MADERE:

22 A Right. Depending on whether you use the
23 evacuation time study which we did not use --

24 Q Wait. Mr. Madere, I'm talking to Mr.
25 Twine and Mr. Perry. I'm sorry.

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Mr. Twine and Mr. Perry, we did come up
with the number 436?

BY WITNESS PERRY:

A. As I indicated earlier, my number is some-
what lower. But for purposes of our discussion, we would
go with your number.

Q. And, Mr. Lucas and Mr. Madere, we just
dicussed the number of 138 buses available right now
between your two parishes; is that correct?

BY WITNESS LUCAS:

A. That's correct.

BY WITNESS MADERE:

A. Yes, sir, that's correct.

Q. Okay. My calculations of 138 from 436 --
correct me if I'm wrong, you four gentlemen -- is
298 buses; is that correct?

BY WITNESS MADERE:

A. Yes, sir, that's correct.

- - -

1 Q Mr. Madere, will you give us an idea of how
2 you're going to obtain the services of these additional
3 buses, which we have established to be needed, which we
4 have established to be approximately 298, at this time?

5 Will you tell us how you're going to obtain
6 those?

7 BY WITNESS MADERE:

8 A Well, Counsel, I can't talk about 298 buses.
9 All I can do is talk about the phasing and planning
10 purposes of St. John Parish, if I might give you that
11 information.

12 If this is what you're looking for.

13 Q Well, we've established the number of 436
14 available buses. You need -- that between your two Parishes
15 you have 138 buses.

16 BY WITNESS MADERE:

17 A Well, that's a combination of both Parishes,
18 Counselor, and I can't give you St. Charles' figures. I
19 can only give you St. John's, which I'm responsible for
20 planning in

21 Q Okay.

22 Wait one second.

23 Okay, let's talk to Mr. Myers.

24 Mr. Myers, can you tell us how we're going to
25 get these additional 298 buses into these two Parishes?

1 BY WITNESS MYERS:

2 A. I cannot tell you exactly how the two
3 gentlemen to my left will obtain them. I can tell you the
4 process they will go through to obtain them.

5 They will contact Louisiana Office of
6 Emergency Preparedness, who under their Authorizing Act,
7 have the authority to request and/or see that these
8 outlying Parishes or whatever resources they may have within
9 the State are designated to support these two Parishes.

10 Q. Are you going to call up these 298 people
11 directly or are you going to call the Parishes and have
12 them call? How are you going to contact them?

13 BY WITNESS MYERS:

14 A. I just told you I cannot tell you how they
15 will do it. I can tell you the procedure they will go
16 through to contact OEP. I am not privy to OEP's internal
17 procedures on how they would attempt to go about this.

18 Q. Isn't your agency responsible for this type
19 of notice, for this standard operating procedure?

20 BY WITNESS MYERS:

21 A. My agency is responsible for the coordination
22 -- just a minute. I'll cite you a section of our Authorizing
23 Act.

24 I'm going to read an excerpt from Mr. William
25 H. Spell's limited appearance statement that was made

1 previously in the proceedings on March 23rd.

2 Q Who is this, please?

3 BY WITNESS MYERS:

4 A William H. Spell, Administrator of the
5 Nuclear Energy Division, Office of Environmental Affairs,
6 he made a statement at the preceding hearings, a limited
7 appearance statement and I'll excerpt from that:

8 "The Environmental Affairs Act of
9 Louisiana, Revised Statutes 30:1051
10 et seq. Section 1104(a)(14)," in particular.
11 That section reads: "To develop and
12 implement a statewide radiological
13 emergency preparedness plan and
14 coordinate the development of specific
15 emergency plans for nuclear power
16 facilities, including planned protective
17 actions for the population and the
18 establishment of appropriate
19 boundaries for which planning for
20 nuclear emergencies will be undertaken.
21 To respond to any emergency which
22 involves possible or actual release
23 of radioactive material, to
24 coordinate decontamination efforts,
25

7-4

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1 to issue relocation and evacuation
2 recommendations and to otherwise
3 protect the public welfare and
4 safety, in any manner deemed
5 necessary and appropriate."

6 Q Therefore, in answer to my question, who is
7 to contact these -- scratch that last sentence.

8 Is it not the responsibility of your Agency
9 to come up with standard operating procedures?

10 BY WITNESS MYERS:

11 A We coordinate their development, yes.

12 Q And can you give reasonable assurance to this
13 panel that these 298 buses in these surrounding Parishes
14 will be contacted, at this time?

15 BY WITNESS MYERS:

16 A Yes.

17 Q How?

18 BY WITNESS MYERS:

19 A By virtue of the fact the OEP, as a State
20 Agency, under its Assigned Authority and under the Laws of
21 Louisiana, will perform that function.

22 Q Do you have to come up with the standard
23 operating procedures?

24 BY WITNESS MYERS:

25 A We have to coordinate their development.

1 They are currently being developed.

2 Q Can you present them to us right now?

3 BY WITNESS MYERS:

4 A I cannot.

5 Q When can you present them to us?

6 BY WITNESS MYERS:

7 A I'm not certain at this time. I can place
8 a call to OEP and check on their development.

9 Q So you're not promulgating these standard
10 operating procedures; are you?

11 BY WITNESS MYERS:

12 A I am coordinating the development in all
13 State Agencies, yes. Most State Agencies do have draft
14 procedures developed. They are only in draft stage at this
15 point.

16 Q So, therefore, since they're only in the
17 draft stage at this point, have you seen them?

18 BY WITNESS MYERS:

19 A I have seen them, reviewed them, yes.

20 Q Can you present the draft to us now?

21 BY WITNESS MYERS:

22 A I cannot at this time, no.

23 Q Can you present the draft to the Board here?

24 BY WITNESS MYERS:

25 A At this time, no.

1 Q How long will it be before you can --

2 BY WITNESS MYERS:

3 A They're in my office in Baton Rouge.

4 MR CHURCHILL: Your Honor, I would like to
5 object at this point because I think what he is trying to do,
6 is pin down the precise arrangements for locating the
7 support Parish buses and we've had a lot of testimony to
8 the effect that while there is a lot of assurance that the
9 buses are there and there is a lot of cooperation involved
10 and a lot of meetings have been held, these arrangements
11 have not been finalized.

12 There are no written agreements as of yet
13 on these buses.

14 JUDGE WOLFE: Is there a question outstanding?

15 MR. CHURCHILL: Yes. I am objecting to --
16 I'm sorry.

17 I'm objecting to the request for draft
18 procedures which have not yet been promulgated and which
19 have not been relied upon in the testimony of these
20 witnesses.

21 JUDGE WOLFE: I'll sustain that objection.

22 MR. FONTANA: I need just one minute.

23 BY MR. FONTANA:

24 Q Mr.Madere, we have 143 buses available for
25 residents without vehicles. Now, will school bus drivers

1 be wearing 24-hour beepers, to be notified if they're
2 needed?

3 BY WITNESS MADERE:

4 A I can't answer that, sir. I really don't
5 know. In St. John Parish, some of the bus drivers can be
6 paged. Others cannot.

7 Q Two Parishes have 138 buses available; is
8 that right, Mr. Madere, Mr. Lucas?

9 BY WITNESS MADERE:

10 A Yes, sir, I think that's the number you came
11 up with, and we agreed with you.

12 Q And we see in the record that there's 143
13 buses needed to evacuate residents without vehicles; is
14 that right.

15 BY WITNESS MADERE:

16 A Sorry. I have to check in to my numbers. I
17 have them all listed down.

18 Q Mr. Perry, I'll just refer to you -- excuse
19 me.

20 I'll refer to Mr. Twine.

21 Residents without vehicles, we need 143 buses,
22 according to the ETE; is that correct?

23 BY WITNESS TWINE:

24 A According to the ETE, yes. According to current
25 plan, they need slightly fewer.

1 Q And Mr. Lucas and Mr. Madere, there's 138
2 buses available right now, in your two Parishes; is that
3 correct?

4 BY WITNESS LUCAS:

5 A That is right.

6 Q Okay.

7 At nighttime, how will these 138 buses be
8 called out?

9 BY WITNESS LUCAS:

10 A Again, we will have to speak as individual
11 Parishes, Counselor, because I certainly don't know how
12 this thing operates --

13 Q All right. Let's call on Mr. Madere first.

14 BY WITNESS MADERE:

15 A We have a Staff officer on our Civil Defense
16 Staff who has permission from the Superintendent that in
17 the event something does happen, he can go ahead and directly
18 call -- we have a list of, I think its eight or ten bus
19 drivers. They can be readily called. You know, things like
20 we've been experiencing, toxic material releases.

21 Now, with these buses we will have to go
22 through the superintendent, probably, at night, making a
23 call into him and having his telephone list started, which
24 I'm sure will be by land line.

25 Q And how long do you estimate it will be to

7-9

1 call these 138 buses?

2 BY WITNESS MADERE:

3 A At night I won't need them, because my school
4 kids are not going to be in session, so I won't need
5 that total number. I will have to sit back again and find
6 out exactly what I needed at night.

7 Q Okay.

8 We're talking about for picking up residents
9 without vehicles. Okay?

10 BY WITNESS MADERE:

11 A Fine.

12 Q So, how long do you think it would take to
13 call in order to evacuate these people?

14 BY WITNESS MADERE:

15 A We can get them in within forty-five minutes,
16 I would think, sir.

17 Q You're going to contact 138 people in 45
18 minutes?

19 BY WITNESS MADERE:

20 A Our bus drivers in our area.

21 Now, again, I can't talk about Mr. Lucas and
22 what his thing is, but the 138, I understand, is for both
23 Parishes.

24 Q Yes.

25

7-10

1 BY WITNESS MADERE:

2 A. I can't talk for his buses.

3 Q. Right.

4 BY WITNESS MADERE:

5 A. I can only talk for my buses. I would think
6 within 45 minutes we would have mobilized 80 to 90 percent
7 of our buses.

8 Q. And Mr. Lucas, how long would it take to call
9 your buses at night?

10 BY WITNESS LUCAS:

11 A. Counselor, I don't know. The procedure we
12 use, we make one radio call to each school service officer
13 who has been assigned that duty by the Superintendent of
14 Schools. We don't have to make a lot of calls, so I make
15 that one call and assure him of the seriousness of any
16 incident that's prevalent in the area and from then on, it's
17 his judgment, or how fast they get them out, it's his
18 business.

19 Q. How long would it take to get the buses to
20 a designated area in order to evacuate the residents without
21 vehicles, Mr. Madere?

22 BY WITNESS MADERE:

23 A. Well, sir, if you take the 45 minutes that's
24 estimated for mobilization, between a half hour to
25 45 minutes for them to be at a certain point to pick up

7-11

1 people, oh, I'd say you're looking at in the neighborhood
2 of an hour and a half or ninety minutes.

3 Q And how long, Mr. Madere, would it take to
4 get the 298 buses from the surrounding Parish to your
5 designated evacuation points, do you estimate?

6 BY WITNESS MADERE:

7 A Sir, that depends on what Parish I'm getting
8 those buses from. It stands to reason I would get them
9 faster from St. James than I would from East Baton Rouge.

10 Q Well, let's say from East Baton Rouge, how
11 long would it take?

12 BY WITNESS MADERE:

13 A I estimate that we can have them mobilized,
14 sir, in less than two hours.

15 Q So, how long would it take to get the buses
16 from East Baton Rouge to your point? Two hours; is that
17 your estimate?

18 BY WITNESS MADERE:

19 A It depends whether it's the day or the night,
20 sir.

21 Q Okay.

22 Let's say it's at night. That it's at night
23 at 2:00 a.m. and I'm asking you what you estimate in order
24 to get the buses from East Baton Rouge --

25

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1 BY WITNESS MADERE:

2 A Can you tell me, Counselor, how many buses from
3 East Baton Rouge you are asking me to get?

4 Q Well, no. I have asked you that question.
5 You calim you don't know yet.

6 BY WITNESS MADERE:

7 A No, sir. You keep asking about 138 buses and
8 I keep referring to I can only talk for St. John the
9 Baptist Parish.

10 Q Okay.

11 BY WITNESS MADERE:

12 A Now, let's say about 138 -- for purposes of
13 argument, we'll say half of those buses or 75 buses, are
14 needed at 2:00 o'clock. 2:00 a.m. in the morning?

15 Q Yes.

16 BY WITNESS MADERE:

17 A Okay. For our St. John the Baptist Parish
18 buses, I estimate in two hours that we can have those buses
19 at a point to be able to transport people out of the Parish.

20 If I need St. James Parish buses, I would have to add
21 about another 15 to 20 minutes because of St. James'
22 approximate location to St. John.

23 So this would probably be closer to two hours,
24 45 minutes.

25 East Baton Rouge buses at night, probably would
be around three hours.

8-1
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1 BY MR. FONTANA:

2 Q How about from Ascension Parish?

3 BY WITNESS MADERE:

4 A I would think it would be under three
5 hours, sir. East Baton Rouge would be the furthestest.

6 Q Ascension, you'd say 2 hours and 45 minutes?
7 Would that be approximate?

8 BY WITNESS MADERE:

9 A Two forty-five, two fifty, in that neighbor-
10 hood, yes, sir.

11 Q LaFourche Parish?

12 BY WITNESS MADERE:

13 A I wouldn't need any buses from LaFourche
14 Parish, sir.

15 Q Jefferson Parish?

16 BY WITNESS MADERE:

17 A Jefferson Parish, within the hour.

18 Q Who would be the bus drivers for these
19 buses?

20 BY WITNESS MADERE:

21 A We're drawing these up now, sir, as far as
22 the implementing procedures go, to the need of buses and
23 who would actually be the bus drivers -- whether they would
24 be their permanent bus drivers or whether those bus
25 drivers would drive them into a ten-mile point, and then

8-2

1 whether our bus drivers or our emergency personnel would
2 take over from there. It's not quite known yet.

3 Q What makes you think that any bus driver
4 would drive into an area that has been affected by a
5 ten-mile radioactive plume?

6 BY WITNESS MADERE:

7 A I can't answer that, sir. I don't know
8 what they would do.

9 Q Do you think there's a possibility that they
10 would refuse to drive in?

11 BY WITNESS MADERE:

12 A Oh, yes, sir.

13 Q Would they be told that there has been an
14 accident at the Waterford Nuclear Power Plant, and they
15 would -- they should be driving in?

16 BY WITNESS MADERE:

17 A This would have to come in through their own
18 support parish -- and agreement when the person was
19 contacted, but I'm sure they would say that "There has been
20 an accident at Waterford, and we would like you to drive
21 your school bus to a point."

22 Q Do you think they would drive in -- I'm
23 sorry. Scratch that. You've already answered that.

24 Do you have the names of these bus drivers
25 that would be required to drive into the ten-mile

8-3

1 radioactive plume from, let's say, Jefferson Parish?

2 BY WITNESS MADERE:

3 A No, sir. As I said, we are still in the
4 planning stages there as far as implementing procedures
5 go. But we will have the bus numbers and the bus
6 drivers. We will also have a training session with each
7 one of these bus drivers so they know exactly what they're
8 getting into.

9 And then after we've finished that type of
10 training, we will know whether they're committed to coming
11 into the area or not.

12 If they're committed to come into the area,
13 then St. John the Baptist Parish Civil Defense will not
14 have to worry about providing a bus driver for that bus.

15 If a bus is available, but the driver is
16 not available -- if they will drive it to a point outside
17 the ten-mile EPZ, we can put an emergency driver on that
18 bus.

19 All of this is at the talkative stage
20 because of insurance purposes, et cetera.

21 Q Suppose -- Let's see if I understand
22 correctly. The bus drivers who come into your parish will
23 be bus drivers -- they will be regular school bus drivers,
24 would they not?

25 Let's say that comes in from East Baton Rouge.

8-4

1 These are going to be school bus drivers?

2 BY WITNESS MADERE:

3 A Yes, sir, I'm sure they would be the
4 regular bus -- regular school bus drivers.

5 Q And these bus drivers, they own their own
6 bus, do they not?

7 BY WITNESS MADERE:

8 A Some of them do. I don't believe East Baton
9 Rouge does, but some parishes do and some of them don't.

10 Q And you're going to require some type of
11 commitment from these people to come into your parish.
12 I mean you're going to want to know if they're really going
13 to come in there or not, aren't you?

14 BY WITNESS MADERE:

15 A Oh, yes, sir.

16 Q And you need these buses from these surround-
17 ing parishes, don't you, Mr. Madere?

18 BY WITNESS MADERE:

19 A Yes, sir.

20 Q You need it for the lives, health, safety
21 and welfare of your people in your parish, don't you?

22 BY WITNESS MADERE:

23 A Yes, sir.

24 Q And you're depending on it, are you not?

25 /

1 BY WITNESS MADERE:

2 A. Yes, sir, I am.

3 Q. And you think it's essential, do you not?

4 BY WITNESS MADERE:

5 A. Yes, sir, I do.

6 Q. In order to have a reasonable evacuation
7 plan for your parish, these buses are required?

8 BY WITNESS MADERE:

9 A. Yes, sir, they are.

10 Q. And if for some reason you felt like the
11 health, safety and welfare of your people in your parish
12 was going to be seriously jeopardized, you'd let us know,
13 wouldn't you?

14 BY WITNESS MADERE:

15 A. We would oppose the licensing, yes, sir.

16 Q. Therefore, if the school bus drivers of
17 St. James, Ascension, East Baton Rouge and Jefferson
18 Parishes committed themselves in writing to refuse to
19 come into your parish in case of an accident at Waterford
20 Nuclear Power Plant, you'd let us know, wouldn't you?

21 BY WITNESS MADERE:

22 A. "Let us" --

23 Q. You would let this Nuclear Regulatory
24 Commission know, would you not?

25 /

BY WITNESS MADERE:

A. Can I answer that in this way, sir? Before LP&L is operating, we will have the number of buses we need and letters of agreement with the agencies from where those buses will come from.

If we do not have those letters of agreement in my hands or in our plans we do not have enough commitment of the buses, yes, the NRC will be the first to know of it.

Q. And if the school bus drivers commit themselves in writing that they're not going to come into your parish, you're going to let us know about those letters, are you not?

BY WITNESS MADERE:

A. Not necessarily, sir, because if a school bus driver does not drive, but there is an emergency person in that parish that would drive in the event of an accident, we will count that bus as having a driver.

Q. Will you provide the Board and us with the names of those emergency drivers?

MR. CHURCHILL: Objection, Your Honor. He is requesting information that is beyond the province of him to request.

What we are doing here today is presenting our evidence and our testimony to enable the Board to

8-7

1 provide reasonable assurance. The NRC -- and I might add,
2 FEMA -- are overlooking this process; and the NRC will
3 know whether or not the plans have been adequate within
4 the requirements of Section 50.57.

5 JUDGE WOLFE: And they're not available at
6 this time -- these names of drivers, for example, are not
7 available at this time? Isn't that correct?

8 MR. CHURCHILL: That is correct.

9 JUDGE WOLFE: I think you've gotten as much
10 out of this witness on that particular point as you're
11 going to get. Certainly, if we decide that an operating
12 license should be issued, then the case is out of our
13 hands. These matters are then turned over -- such
14 lists are turned over to the Nuclear Regulatory Commission
15 Staff and to FEMA.

16 The Board is no longer involved in that
17 portion of this process.

18 Objection sustained.

19 BY MR. FONTANA:

20 Q Mr. Madere, are you familiar that excessive
21 doses of radioactivity causes genetic defects?

22 MR. CHURCHILL: Objection. That, sir, is
23 irrelevant to the testimony and irrelevant to anything
24 that we have to meet in the planning standard, NUREG-
25 0654.

8-8

JUDGE WOLFE: Sustained.

BY MR. FONTANA:

Q Will there be an effort, Mr. Madere, to exclude bus drivers of child-producing ages from the other parishes that are supposed to come into your parish to evacuate?

BY WITNESS MADERE:

A Yes, sir. As I mentioned earlier, we have a training session with every one of the bus drivers in our parish and support parishes. This will be brought up.

Q So these people would be approximately what age?

BY WITNESS MADERE:

A I can't answer that, counsel.

Q They would then be beyond child-producing age; is that correct?

MR. CHURCHILL: No, sir, that is not what he testified.

MR. FONTANA: I have no further comments on my question. You can sustain it or overrule it.

MR. CHURCHILL: Your Honor, I object to the question because he mischaracterized the witness' previous testimony.

JUDGE WOLFE: May I have the question, please,

1 Ms. Bagby.

2 (The question was read by the reporter as
3 follows: "Question by Mr. Fontana: They would
4 then be beyond child-producing age; is that
5 correct?")

6 MR. CHURCHILL: Your Honor, I withdraw my
7 objection.

8 WITNESS MADERE: Would you repeat the
9 question, counselor?

10 JUDGE WOLFE: Would the proposed drivers be
11 beyond the child-bearing age? Was that your question?

12 MR. FONTANA: Yes.

13 WITNESS MADERE: I can't answer that.
14 This would be up to the support parishes whose buses
15 would be provided to us.

16 BY MR. FONTANA:

17 Q This training session that you mentioned
18 for these bus drivers -- I'd like to call them "super
19 bus drivers," but I won't.

20 Who is going to conduct this training
21 session?

22 BY WITNESS MADERE:

23 A The civil defense directors and Energy
24 Consultants.

25 Q Are you talking about Ebasco?

8-10

1 BY WITNESS PERRY:

2 A May I clarify a point?

3 Q Sure.

4 BY WITNESS PERRY:

5 A Is that okay?

6 Q Sure.

7 BY WITNESS PERRY:

8 A Energy Consultants is the firm that I work
9 for. We've -- I've explained this to you several times.

10 Ebasco is the firm that has done the
11 evacuation time estimate.

12 Q Okay.

13 BY WITNESS PERRY:

14 A -- for your clarification.

15 Q Who's going to conduct the training
16 session?

17 BY WITNESS PERRY:

18 A For the risk parishes, training sessions
19 will be done by Energy Consultants and the Civil Defense
20 Emergency Preparedness Agencies in the risk parishes. This
21 will be done in coordination with the school board.

22 The plans have been made to conduct these
23 sessions.

24 For the other parishes that we have re-
25 ferred to, the State Department of Education sponsors a

1 training session yearly for bus drivers.

2 LNED, I believe, is in the process at this
3 time of clarifying arrangements with the State Department
4 of Education in order that some training on this issue
5 be provided at this time.

6 Q Mr. Madere, do you believe a ten-mile
7 radius is sufficient to protect the residents of St. John's
8 Parish?

9 BY WITNESS MADERE:

10 A Counselor, all of our area is included within
11 that ten-mile area. We only have one section outside of
12 it, which has a few hundred people. But for planning
13 purposes, all of our parish is included in that ten-mile
14 concept. So it suffices our parish.

15 Q Mr. Lucas, do you believe that -- Well,
16 let's see if I can clarify this.

17 How far is St. Charles Parish from the
18 Waterford Nuclear Power Plant?

19 BY WITNESS LUCAS:

20 A Well, the power plant is in St. Charles
21 Parish overall.

22 All of the parish is not included in the
23 ten-mile concept. If you're familiar with the area, to
24 give you some idea, a town like Des Allemandes, for
25 instance, way down on the bayou is not; St. Rose is

8-12

1 not; Ama is not.

2 But basically for the purpose of our imple-
3 menting planning, we're including the whole parish,
4 including Des Allemandes and the rest.

5 And with that in mind, though the con-
6 sultants' study on the warning system said we were only to
7 have 17 sirens which would have covered us a hundred
8 percent -- well, not the siren in its entirety.

9 We were not really pleased with the fact
10 that that might have accomplished it, so we're adding
11 four more of our own to do just that.

12 Q Mr. Madere, as you well know, you're planning
13 on getting support from the surrounding parishes, are you
14 not?

15 BY WITNESS MADERE:

16 A Would you restate that, sir?

17 Q You are planning to get support
18 transportation from the surrounding parishes, are you
19 not?

20 BY WITNESS MADERE:

21 A Yes, sir, I am.

22 Q And are you satisfied with the ten-mile
23 radioactive plume regulations set by the NRC?

24 BY WITNESS MADERE:

25 A No, sir, I'm not satisfied with it.

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1 Q Do you believe it should be extended?

2 BY WITNESS MADERE:

3 A Yes, sir. I think before NUREG-0654 was
4 written, that more work should have been done on it, yes,
5 sir, I do.

6 Q Do you think, taking everything into con-
7 sideration, that this ten-mile plume regulation really
8 protects your people?

9 BY WITNESS MADERE:

10 A It protects our people, as I said, counselor,
11 because all of our parish is within the ten miles. And
12 all of the portions of the parish are planned.

13 As far as you asking me if I thought on an
14 individual basis whether ten miles was enough for protection
15 of a nuclear power plant in planning, United States-
16 wise, no.

17 But again we're governed by 0654. I don't
18 write the regulations; I just follow them.

19

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25

(_L 1 Q Are there any members of your community, Mr.
2 Madere, which are outside the ten miles?

3 BY WITNESS MADERE:

4 A Yes, sir. There is the Mt. Airy section of
5 St. John Parish which is. There's approximately between
6 150 and 300 people that live in the Mt. Airy section. That's
7 right out of Garyville.

8 But there are no schools there, and it's
9 a little settlement with a store and two sub-divisions and
10 for all practical purposes, they are considered as -- in
11 other words, if we were going to evacuate to ten miles out,
12 we were going to evacuate them, also, and take care of the
13 whole Parish and go up to the Parish line, St. James-
14 St. John Parish line.

15 Q The ten-mile plume limitation does affect you
16 in the sense that, to get your support, you're planning to
17 get your support beyond the ten miles; are you not?

18 BY WITNESS MADERE:

19 A Yes, sir.

20 Q Therefore, if you extended the ten mile plume
21 regulation, it would help you a little bit more in planning;
22 would it not?

23 MR. CHURCHILL: Objection, Your Honor.

24 It sound to me like he's challenging the
25 basic NRC FEMA Regulation here.

1 JUDGE WOLFE: I was awaiting that objection
2 and I sustain the objection.

3 BY MR. FONTANA:

4 Q Mr. Madere, I read from your NRC Commissioner's
5 Three-Mile Island Meetings Transcript, dated May 3rd, 1979.

6 MR. CHURCHILL: May we have a moment to inspect
7 the document that Mr. Fontana proposes to read from?

8 MR. FONTANA: I'd like to read it, then you
9 can --

10 JUDGE WOLFE: What are you reading from?

11 MR. FONTANA: Reading from a transcript dated
12 March 30, 1979, NRC Commissioner's Three Mile Island
13 Meetings Transcript, Nucleonics Week, Special Transcript
14 Issue, May 3rd, 1979 and the statement of Chairman Hendrie,
15 H-e-n-d-r-i-e, of the Nuclear Regulatory Commission,
16 stating:

17 "I think that if we suspected getting
18 a fairly husky release, you know, not
19 like the kinds of things we've seen,
20 which is fairly minimal, at least in
21 major accident terms, but a major
22 release, we ought to talk about getting
23 out twenty miles."

24 MR. TURK: I object to the question as
25 being outside the Regulations and challenge the Regulations

89-3

1 under 50.47(e).

2 JUDGE WOLFE: Did you ask a question about it
3 or what are you doing with that, what you read into the record

4 MR. FONTANA: I'm asking Mr. Madere if he
5 does not agree, as Director of Civil Defense of his Parish,
6 whether or not a consideration outside the ten-mile plume
7 should be given.

8 MR. CHURCHILL: Objection.

9 JUDGE WOLFE: On the same grounds?

10 MR. CHURCHILL: On the same grounds and I agree
11 with the grounds stated by the Staff.

12 MR. TURK: And I, for the record, note that
13 the Intervenor's Contention at one time did talk about a
14 20-mile evacuation zone and the Joint Intervenor's amended
15 their Contention so that it was limited to a ten-mile EPZ.

16 So, that, not only is it a challenge to the
17 Regulations, the Joint Intervenor's themselves had limited
18 the scope of their Contention to the ten-mile EPZ.

19 JUDGE WOLFE: I'll sustain the objection.

20 BY MR. FONTANA:

21 Q What special arrangements will you need to
22 notify persons such as hunters and fishermen in the wetlands
23 who may not have been alerted by the fixed siren system,
24 Mr. Madere?

25

1 BY WITNESS MADERE:

2 A Sir, we had a -- we're working on a fan-out
3 warning system. We've had it in effect for a number of
4 years but we're taking a look at that procedure and we're
5 redoing it at this time. We were going to use Wildlife
6 and Fisheries Agents in the area. We were going to use
7 Volunteer Fire Department members, that are also going to
8 listen for the sirens and tell us whether or not they were,
9 indeed, activated and we were also going to use State
10 Police Helicopters that will be provided for us and we are
11 taking the areas of the Parish now that has fishing
12 camps or are sparsely populated, we are identifying those
13 areas and marking a portion that has the responsibility,
14 or organization that has responsibility for contacting
15 these people.

16 We are also augmenting those with fixed tone
17 receivers, FM tone receivers that when the sirens are
18 activated, these tone receivers will also be activated.

19 Q By the way, if there are any of our Save Our
20 Wetlands members out there hunting or fishing, Mr. Madere,
21 you can just let them stay out there; okay?

22 I think they'll be happier.

23 Are you taking any special considerations for
24 our hurricane season, Mr. Madere, in your Parish?

25

1 BY WITNESS MADERE:

2 A Yes,sir, we are.

3 Q Can you tell us what they are?

4 BY WITNESS MADERE:

5 A Yes,sir, we are meeting the 17th of this
6 month, I believe it is, meeting with our staff and going
7 through the activation procedure. We're also covering
8 with our radio and TV stations broadcast of special messages,
9 this is hurricane season from June the 1st on and that
10 certain provisions should be taken and we are also making
11 sure that our residents have a map available to them of
12 the Gulf Coast, which also has the readily -- things that
13 should be readily done in case of a hurricane.

14 We do this every year. It's been going on
15 for about five or six years. So, it's our hurricane
16 awareness program which we conduct about two weeks before
17 June the 1st.

18 Our Parish Civil Defense Agency will also
19 participate with the State and other Southeast Louisiana
20 Parishes in a mock disaster of a hurricane, and I
21 believe this is scheduled sometime in May or the beginning
22 of June.

23 Q Are you taking into consideration the World's
24 Fair and the possible input of large amounts of traffic in
25 the area, transient people?

9-6
1 BY WITNESS MADERE:

2 A. No, sir. With all the time on planning, I have
3 not taken that into consideration.

4 Q. How about for the Mardi Gras season?

5 BY WITNESS MADERE:

6 A. Yes, sir.

7 Q. What have you done about the Mardi Gras crowds
8 and input of transient people and populations?

9 BY WITNESS MADERE:

10 A. Well, we fill up every available space in
11 St. John Parish during Mardi Gras season and also during
12 Sugar Bowl season and we're getting a program going to where
13 we can get these special brochures that we have talked
14 about, public information brochures, into these people,
15 such as restaurants, motels, trailer parks et cetera, so
16 we're making an ample supply available to these people.

17 All of those areas, I might add also, should be
18 within the distance of hearing the sirens, and siren
19 activation.

20 The only problem that we may have is,
21 actually telling these people what to do after the siren
22 goes off, so we are writing procedures now to give to these
23 hotel-motel et cetera, of you know, letting their people
24 know what's going on.

25 Transient workers, at most of the industrial

1 plants we have a mutual aid agreement with all industry in
2 our Parish, large industry and we're also meeting with them
3 in some formulation of a plan to notify the transient
4 workers, those people who are out of Parish and should get
5 stuck in the Parish should one of these emergencies occur,
6 as to what they should do.

7 Q Would it be safe to conclude for the Mardi
8 Gras, Sugar Bowl, World's Fair, tourist seasons, that you
9 would need more buses, more facilities and more support?

10 BY WITNESS MADERE:

11 A No, sir.

12 Q Would it be safe to conclude that during the
13 World's Fair it would be impossible to evacuate your area?

14 BY WITNESS MADERE:

15 A It would be impossible to evacuate my area?

16 Q Yes.

17 BY WITNESS MADERE:

18 A No, sir, it would not be impossible to
19 evacuate my area.

20 Q But you said you haven't done any studies of
21 the --

22 BY WITNESS MADERE:

23 A No. I said we had no written documentation
24 of any studies but we've conducted studies on how long
25 it would take us to evacuate sections of our Parish.

1 Q During the World's Fair and the projected
2 increase of people and crowds in your area and surrounding
3 Parishes?

4 BY WITNESS MADERE:

5 A No, not from the World's Fair, we couldn't
6 document that.

7 Q Would it be safe to conclude that its
8 going not to be reasonable, possible, to evacuate your
9 Parish during the World's Fair?

10 BY WITNESS MADERE:

11 A No, sir. Because we would block all ingress
12 into St. John Parish. That means that any vehicles
13 coming through to go to the World's Fair would be blocked
14 off. That's part of our plans. In case we have to
15 emergency and we evacuate a ten-mile concept that we
16 would set up road blocks with State Police and National
17 Guard and all traffic into the Parishes of St. John and
18 St. Charles would be halted.

19 Q And what about the people of the surrounding
20 Parishes, like Orleans Parish, that might be trying to get
21 out or Jefferson Parish that might be trying to get out
22 of the area?

23 BY WITNESS MADERE:

24 A All I can answer for is for the ten-mile concept
25 sir.

9-9

1 We would stop all traffic coming into
2 both Parishes.

3 Q Would it be safe to assume that's it going
4 to be impossible to evacuate your area during Mardi Gras?

5 BY WITNESS MADERE:

6 A No, sir.

7 Q You believe that your area could be evacuated
8 Mardi Gras day?

9 BY WITNESS MADERE:

10 A Yes, sir. More rightly so.

11 Q How's that?

12 BY WITNESS MADERE:

13 A I can evacuate St John Parish Mardi Gras day
14 faster than any other day of the year, because most of
15 the people are in New Orleans.

16 Q And what would happen if the people of New
17 Orleans were trying to get out --

18 BY WITNESS MADERE:

19 A I can't answer for New Orleans and Jefferson
20 Parish. Only within the ten-mile concept.

21 Q You stated you don't really agree with this
22 ten-mile concept.

23 MR. CHURCHILL: Objection.

24 Same grounds as before, Your Honor. We're
25 talking about beyond the ten-mile concept.

9-10

1 JUDGE WOLFE: I sustain the objection on
2 that ground.

3 MR. FONTANA: Could we have a five-minute
4 recess?

5 JUDGE WOLFE: A five-minute recess.

6 (Short recess.)
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1 JUDGE WOLFE: All right.

2 BY MR. FONTANA:

3 Q Mr. Twine --

4 BY WITNESS TWINE:

5 A Yes.

6 Q I see that you have an adverse weather
7 scenario in your ETE, do you not?

8 BY WITNESS TWINE:

9 A Yes, sir, that's correct.

10 Q What does that mean?

11 BY WITNESS TWINE:

12 A That means that we have to evaluate an
13 evacuation scenario in which the weather conditions would
14 be a factor in the time that it takes to evacuate the
15 area.

16 Q Does that mean rain?

17 BY WITNESS TWINE:

18 A That's what this scenario means, yes.

19 Q Possibly the hurricane season?

20 BY WITNESS TWINE:

21 A We did not include a hurricane as our
22 adverse weather scenario.

23 Q Are you familiar with the hurricane season
24 in this area?

25 /

10-2

1 BY WITNESS TWINE:

2 A Yes, to some degree. I'm not a meteorologist,
3 but I'm to some degree familiar with it.

4 Q Are you familiar with some of the rainfalls
5 that we have in this area?

6 BY WITNESS TWINE:

7 A Again, to some degree.

8 Q Do you know that we were flooded in this city
9 approximately eight, nine or ten days ago?

10 BY WITNESS TWINE:

11 A No, I didn't know that.

12 Q Are you familiar with our heavy rain?

13 BY WITNESS TWINE:

14 A Yes. I have looked at the meteorological
15 statistics on heavy rainfall, yes.

16 Q How heavy of a rain did you use in your
17 ETE adverse weather scenario?

18 BY WITNESS TWINE:

19 A Well, after discussions with our meteorolo-
20 gists at Ebasco, we concluded that a two-inch rainfall would
21 be the one that would be most representative of the kind
22 of storm we're talking about, which is a continuous
23 rainfall rather than a thunder storm, you know, that lasts
24 a half hour or so.

25 Q How would the -- Okay. I want to talk to

10-3
1 Mr. Madere now. Just scratch that last little utter
2 out.

3 Mr. Madere, how will the elderly people who
4 need rides walk to the embarkation points in adverse
5 weather conditions, such as used in Mr. Twine's ETE?

6 BY WITNESS MADERE:

7 A. As far as the ETE goes, Mr. Twine did not --
8 I don't think he specified in the ETE anything about
9 people moving. We still have the same amount of people
10 in adverse weather conditions as you do otherwise.

11 The only problem we might have that is
12 different here is how to get a person from their home to
13 a point at which they could be picked up.

14 If we're evacuating during that kind of condi-
15 tion, I'm sure our fan-out team and everything else would
16 have to pick up people. We'd have to do some kind of
17 shuffling, and there would have to be a different type
18 of arrangement than we now have.

19 But, of course, some people will walk in the
20 rain, counselor, to get out of the area.

21 Q. Do you think elderly people over 60 years
22 old would walk in the type of weather condition described
23 in Mr. Twine's ETE?

24 BY WITNESS MADERE:

25 A. They could.

10-4

1 Q How will the elderly who need rides get to
2 the embarkation points in an adverse weather condition?
3 You say it's a fan-out team?

4 BY WITNESS MADERE:

5 A Well, as I said, we have volunteer firemen
6 that are assigned -- preassigned an area of the parish,
7 in which they have to fan out.

8 Now, this is for two reasons. This is,
9 number one, to make sure that we have a verification
10 that the siren in that area has gone off.

11 And the second thing it gives us, if the
12 siren fails to go off for some electrical or any other
13 reason, that these people by loud speakers -- by use of
14 fire department trucks or by sheriff's office personnel --
15 okay -- would then start the fan-out team and by
16 mobile units notify these people.

17 Q Now these are volunteers?

18 BY WITNESS MADERE:

19 A The firemen are. The sheriff's office per-
20 sonnel are not.

21 Q And these volunteers are going to be noti-
22 fied and informed through various programs of the con-
23 sequences of a nuclear power plant accident?

24 BY WITNESS MADERE:

25 A They're within our training session, yes,

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10-5 1 sir.

2 They have gone through one training session
3 so far, and there are two others scheduled for them.

4 Q Can you point out to us -- Mr. Madere, in
5 your evacuation plans, can you show us where it discusses
6 this fan-out team that you just mentioned?

7 BY WITNESS MADERE:

8 A I can show it to you in our implementing
9 procedures.

10 Q Where is that implementing procedure?

11 BY WITNESS MADERE:

12 A I have them.

13 Q Do you have them on you?

14 BY WITNESS MADERE:

15 A Yes, I do.

16 Q Are they part of the record?

17 BY WITNESS MADERE:

18 A Are they part of the record? The implement-
19 ing procedures are really not part of the plan. It
20 tells you how you're going to go about doing it. It's
21 the type of interagency procedures.

22 Q Yes. I'd like to see them, if it's okay
23 with you.

24 MR. CHURCHILL: Your Honor, the implementing
25 procedures -- the testimony has been before -- are still

10-6

1 in draft stage. They're not part of the record. They have
2 not been offered, and they have not been finally approved
3 yet.

4 I object to having a draft implementing pro-
5 cedure which has not yet been finalized and, therefore,
6 can't properly be authorized as an implementing procedure
7 being brought into the record.

8 JUDGE JORDAN: Are implementing procedures
9 required before a license is granted?

10 MR. CHURCHILL: Yes, sir.

11 JUDGE WOLFE: What about the reasonable
12 assurance that this Board must have in order to arrive at
13 its decision, Mr. Churchill?

14 MR. CHURCHILL: I'm sorry, I didn't hear you,
15 Your Honor.

16 JUDGE WOLFE: I say, what about the reason-
17 able assurance that this Board must have before it can
18 reach its decision?

19 MR. CHURCHILL: Your Honor --

20 JUDGE WOLFE: How does this bear upon Mr.
21 Fontana's request?

22 MR. CHURCHILL: No, sir, I would not think
23 so, because we have the civil defense director and the
24 emergency preparedness director testifying as to the pro-
25 cedures that they will be using and what they will be

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10-7
1 doing.

2 We also have the testimony of the people
3 from ECI who are assisting the parishes and the state in
4 developing the implementing procedures.

5 Excuse me one minute.

6 (Pause.)

7 MR. CHURCHILL: Also, Your Honor, the fan-out
8 team concept that Mr. Madere has mentioned is in fact
9 mentioned in the plan. I think we can give you a
10 reference.

11 JUDGE WOLFE: Mr. Fontana, what exactly do
12 you wish to know that your question poses?

13 MR. FONTANA: Well, basically, I want to see
14 these implementation plans to see about the fan-out
15 system that he's talking about to accommodate people in
16 relationship to reasonable assurances.

17 You know, everything that I've asked for,
18 and I've pointed out ... you know, isn't finalized. This
19 is just another thing here.

20 I don't see how the Board is going to get
21 any reasonable assurances. There's no --

22 JUDGE WOLFE: Why don't you ask the witness
23 questions about it?

24 MR. FONTANA: About the fan-out system?

25 JUDGE WOLFE: Yes.

10-8

1 MR. FONTANA: Well, I want to see the imple-
2 mentation plan itself.

3 JUDGE WOLFE: You ask the witness about it.
4 He's here to advise you about it.

5 Go ahead and ask him the questions.

6 BY MR. FONTANA:

7 Q Mr. Madere, this implemer'ation system, is
8 it finalized?

9 BY WITNESS MADERE:

10 A No, sir, it is not.

11 MR. FONTANA: I had rather ask him when it's
12 finalized, Mr. Wolfe.

13 JUDGE WOLFE: I'm sorry -- Speak up.

14 MR. FONTANA: I want to see it when it's
15 finalized. I don't want to be asking him questions on
16 something that's a draft, that's not finalized, that's
17 halfway done.

18 I want to --

19 JUDGE WOLFE: You asked to see the draft,
20 did you not?

21 MR. FONTANA: I asked to see the draft --

22 JUDGE WOLFE: Why did you want to see the
23 draft then if you're complaining now that it's not
24 finalized? I don't -- You can't take a two-headed coin
25 position on this.

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1 Do you want to ask him questions about it
2 or not? Or do you take the position that since the plans
3 are not finalized, there's no point in even discussing
4 it? What's your position on this?

5 I don't know what it is.

6 MR. FONTANA: My position is that until
7 it's finalized, I don't want to question the witness.
8 When it's finalized, I'll be happy to question the
9 witness. That's my position.

10 JUDGE WOLFE: Well, if that's your position,
11 you maintain it if you so desire.

12 I don't think there's any point then in
13 ruling on your objection, because the counsel doesn't want
14 to make inquiry about preliminary or draft plans at this
15 point.

16 MR. CHURCHILL: Yes, sir.

17 JUDGE WOLFE: All right.

18 BY MR. FONTANA:

19 Q Would you, Mr. Madere, officially give us
20 the title of this draft implementation plan?

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1 WITNESS MADERE: If counsel would be
2 interested, page 252 of the plan, Tab 5, this specifies
3 the duties and responsibilities of the fire department,
4 and this is likewise for the sheriff's office.

5 BY MR. FONTANA:

6 Q And what's the title of the implementation
7 plan again?

8 BY WITNESS MADERE:

9 A This is Attachment 1 to the Waterford 3
10 Steam Electric Station, State of Louisiana, Peacetime
11 Radiological Response Plan, Revision 3, September 1981,
12 MXJ, Appendix 7, to the Louisiana Preparedness Plan for
13 Emergency Operations.

14 Q How long do you think it would be before
15 this plan is finalized?

16 MR. CHURCHILL: Your Honor --

17 WITNESS MADERE: The plan is --

18 MR. CHURCHILL: -- if I may interrupt.
19 He is reading the plan. He answered, in terms of the
20 plan this is Exhibit 3, page 252.

21 JUDGE WOLFE: Yes.

22 BY MR. FONTANA:

23 Q Is the plan finalized?

24 BY WITNESS MADERE:

25 A The plan is finalized except for a few

11-2

1 typographical errors, et cetera.

2 What we're writing now are implementing pro-
3 cedures. Those are the procedures that tell us how we're
4 going to go about the notification of people, et cetera.

5 The way I understand it, this part of
6 the plan that will be up to FEMA to review, is the imple-
7 menting procedures to see definitely that we can do those
8 things, according to our procedures.

9 Q And when will the implementing procedures be
10 finalized?

11 BY WITNESS MADERE:

12 A Probably never finalized because they're
13 always undergoing changes.

14 Telephone numbers are added; fire trucks are
15 added and deleted. Radios are added and deleted. This
16 is a resource list. This is a how-to and what-to-do
17 list.

18 This is a list of mapping requirements, hot-
19 line procedures, notification, message flow, diagrams,
20 et cetera.

21 Q In other words, the draft will never be a
22 final document; is that correct?

23 BY WITNESS MADERE:

24 A Well, I didn't say that. You asked me
25 when it will be final. This draft, which is a draft now,

11-3

1 will probably never be finalized as far as what we say
2 is the true Bible, because it will continue to undergo
3 changes.

4 Q Mr. Perry, the names, addresses and phone
5 numbers that you gave us after lunch today, I'd like to
6 get some type of time factor when this information was given
7 to you by your subordinates from contacting these people
8 in regard to when you finalized your supplemental testi-
9 mony which was filed yesterday.

10 When was this information given to you?

11 MR. CHURCHILL: Your Honor, may I inquire
12 the purpose of this question?

13 MR. FONTANA: The purpose of this question
14 is for us to get some idea when Mr. Perry knew about
15 this, and why he waited until the morning of the hearing
16 to submit it.

17 MR. CHURCHILL: I don't understand that.
18 We developed this testimony in a hurry -- in a rapid
19 rush during this last week after we had seen the FEMA
20 testimony. It was in response to that.

21 Sunday night we finally got it together, and
22 I tried to serve you with a copy. You asked some very
23 detailed questions this morning about names and phone
24 numbers.

25 We went out over the noon hour and we compiled

11-4

1 that information, and he has given it to you. You
2 know when he got that information.

3 BY MR. FONTANA:

4 Q So if I understand correctly, Mr. Perry
5 and Mr. Churchill, the information obtained by Mr. Perry
6 for his supplemental testimony which was filed yesterday
7 was something that he obtained after the FEMA response
8 and something that was done very recently? Is that
9 correct?

10 MR. CHURCHILL: Yes. I guess it would depend
11 on precisely what information you were looking for. I was
12 telling you the time frame in which we developed that
13 testimony.

14 My problem, Mr. Fontana, is that I don't
15 know why it is relevant as to precisely when he came up
16 and learned about the phone numbers and the names. That's
17 what you asked for.

18 MR. FONTANA: No, no, I'm not asking about
19 the phone numbers and names.

20 My question was in regard to the testimony --
21 the supplemental testimony itself, the document that you
22 filed yesterday.

23 JUDGE WOLFE: Well, I'm going to cut through
24 it. Objection overruled.

25 Answer the question.

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1 WITNESS PERRY: I'd like to point out that
2 Mr. Byers, Mr. Winters and I are in daily contact. We
3 speak of these matters on a daily basis.

4 The process of gathering names and the
5 information which I attested to in my supplemental testi-
6 mony, that process has been ongoing for months.

7 As I indicated in my testimony today, the
8 number for the elderly people has been final and has
9 been in our possession for a matter of weeks.

10 The other numbers -- the ones which we are
11 approximating -- those numbers are changing. Okay.
12 We're getting more information, so that it is -- I would
13 say -- daily that we get more information on that parti-
14 cular topic.

15 MR. FONTANA: I have no further questions
16 of the panel. Mr. Tsaggaris can be excused.

17 I would just like to reserve my right
18 tomorrow to possibly ask Mr. Madere maybe no more than 30
19 minutes of questions.

20 My understanding is that my right is re-
21 served to have the panel back, except for Mr. Tsaggaris,
22 possibly Wednesday. The Board and the Staff would have
23 tomorrow morning to question the panel.

24 The only change that has occurred pro-
25 cedurally is that my clients have asked me to withdraw the

1 stipulation of our consent to the FEMA attorney being
2 able to cross-examine.

3 I think everything is on "go" except for
4 that.

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1 MR. CHURCHILL: May I comment?

2 There were two points raised.

3 In our discussions this morning about
4 scheduling the panel, the objective was to try to finish
5 the panel this week, if we could.

6 Now, if there is more time tomorrow, it's
7 almost 5:00 o'clock now, but if there is more time for
8 cross-examination tomorrow of the panel that is not taken
9 up by Board questions or cross-examination or redirect,
10 or the amount of time needed by Mr. Turk for presenting
11 Mr. Urbanik, I would like to have the panel available for
12 further cross-examination tomorrow by Mr. Luke, in lieu of
13 returning next week. The object was to try to avoid
14 returning next week.

15 JUDGE WOLFE: You understood that, Mr. Fontana?

16 MR. FONTANA: My understanding is that I tried
17 to --

18 JUDGE WOLFE: You understood that, that which
19 Mr. Churchill said? He said that this morning. You
20 understood that?

21 (No response.)

22 JUDGE WOLFE: That which Mr. Churchill just
23 said, you had understood that?

24 MR. FONTANA: No. My understanding was to try
25 to accomodate everyone and to have this panel available

12-2

1 tomorrow for the Board to question, the NRC Staff to
2 question, for me to cut off this afternoon and to reserve
3 my rights to have these people Wednesday. I stated that
4 in the record and that's my understanding.

5 MR. CHURCHILL: That isn't exactly my
6 understanding. My understanding is that this Board would
7 be available all morning tomorrow for whoever wanted to do
8 it and I presume the correct order would be for Mr. Fontana
9 to finish.

10 It's just that if there wasn't time for
11 everything to finish, then the Board may have to return next
12 week.

13 I'm sorry. The panel might have to return
14 next week.

15 JUDGE WOLFE: That's right.

16 Well, we'll just have to see how things go. If
17 we can complete with this panel tomorrow, the panel will
18 be completed with tomorrow or, if not, then we'll try to
19 sandwich it in next week.

20 MR. CHURCHILL: Well, the reason I raise this
21 now is because otherwise, this panel would appear tomorrow
22 and, based on what Mr. Fontana said, Mr. Turk would cross-
23 examine and, depending on the outcome of the stipulation,
24 Mr. Cassidy would cross-examine and the Board would have
25 questions and then I may have some redirect and I would not,

12-3

1 at that point, not like to bring the Board back next week
2 for further cross.

3 The panel back next week for further cross.

4 I would like a statement right now from Mr.
5 Fontana whether or not he is done cross-examining the
6 panel.

7 MR. FONTANA: No, I'm not through cross-
8 examining the panel and I stated it early this morning
9 exactly what I'm stating now, we're --

10 MR. CHURCHILL: This afternoon you said you
11 would be completed with the panel --

12 MR. FONTANA: No. No. That's not what I
13 said, and the lady can read the record back on what I said
14 this morning.

15 MR. TURK: I have a third voice to add.

16 My understanding is that Mr. Fontana was to
17 have tried to finish with the panel today. He was not sure
18 if he would be able to and it's my understanding that he
19 will continue tomorrow with the panel, hopefully to finish
20 by noon.

21 But it's also my understanding that the Board
22 was to have been given the opportunity to ask questions of
23 the panel. Also, that the Staff was to have cross -- to
24 cross-examine.

25 I do not wish to do redirect or cross before

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1 Mr. Fontana has completed his cross-examination, so I will
2 wait until he is done with the panel.

3 JUDGE WOLFE: If you are not completed
4 tonight, then you will proceed tomorrow morning.

5 Now, what's this about this stipulation?

6 MR. FONTANA: My clients asked me to withdraw
7 the stipulation.

8 JUDGE WOLFE: Who did?

9 MR. FONTANA: My clients.

10 (Bench conference.)

11 MR. TURK: May the Staff respond?

12 JUDGE WOLFE: Yes.

13 MR. TURK: I'd like to respond very briefly.

14 First, I'm not sure that this stipulation can
15 be withdrawn or should be allowed to be withdrawn at this
16 time. Counsel for FEMA and Counsel for Staff have proceeded
17 under the understanding that each would conduct cross-
18 examination as they felt necessary.

19 JUDGE WOLFE: In light of the stipulation?

20 NR, TURK: In light of the stipulation.

21 To withdraw the stipulation at this time
22 requires some reordering and some extensive consultation
23 between Counsel for FEMA and the Staff, in order to best
24 prepare for cross-examination.

25 JUDGE WOLFE: Say no more, Mr. Turk. I agree

1 that there has been a stipulation. It was found acceptable
2 by the Board. I understand the change of position by the
3 two Counsel involved, namely yourself and Mr. Cassidy.

4 Further, even if we were to allow Joint
5 Intervenor's Counsel to withdraw from the stipulation,
6 we think it advisable to hear any cross-examination conducted
7 by the FEMA Attorney, representing that Agency. We think
8 it's vital to the conduct and to these proceedings to have
9 that type of input into these proceedings.

10 We will not allow withdrawal of the
11 stipulation and, Mr. Cassidy, you certainly have the right
12 to cross-examine, as I have indicated to the Board, if you
13 so desire to do so.

14 MR. CASSIDY: Thank you, Your Honor.

15 MR. FONTANA: And I would ask the Court
16 Reporter to read back my understanding of the cross-
17 examination, because I've tried to accomodate Mr. Urbanik,
18 supposedly tomorrow afternoon, Mr. Grimes and all the other
19 people that Mr. Turk has asked me to accomodate and I've
20 done that by stating into the record that I would attempt
21 to finish cross-examination of these witnesses. Probably
22 I wouldn't. That the record would indicate that I would
23 reserve the right to call this panel back, except for
24 Mr. Tsaggaris, Wednesday.

25 The record should indicate that I would submit

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1 the panel to the Board and to the Staff tomorrow morning.

2 I would call Mr. Urbanik tomorrow afternoon
3 and if this isn't going to be the case, if the Board is
4 going to withdraw what I've already stated in the record and
5 if Mr. Turk is going to withdraw what is stated in the
6 record, then --

7 JUDGE WOLFE: We have not withdrawn anything
8 you've stated for the record -- we misunderstood what you had
9 stated. Certainly I did. I thought you were closing your
10 cross-examination of this panel tonight at 5:00.

11 Apparently you're not. You are entitled not
12 to. You may proceed to cross-examine tomorrow. That's
13 what I just said.

14 MR. FONTANA: That's what I'm trying to point
15 out to you, Mr. Wolfe, is that I made those things and
16 stated very clearly in the record, in order to accomodate
17 Mr. Urbanik, and I think Mr. Grimes, and everyone else,
18 Mr. Tsaggaris and you name it.

19 NOW if what I've stated very clearly in the
20 record isn't going to hold up, my point is, I'm not going to
21 be able to accomodate people that these people have asked
22 me to accomodate.

23 What I've stated is in the record.

24 MR. TURK: Mr. Chairman, it's my understanding
25 that Mr. Fontana will be permitted to call this panel again

12-7
1 next week, to complete cross-examination of them.

2 JUDGE WOLFE: If we don't complete --

3 MR. TURK: If they're not completed by
4 roughly noon-time tomorrow.

5 JUDGE WOLFE: Yes.

6 If we don't complete by noon, well, the panel
7 will be recalled next week. This was your understanding,
8 too, Mr. Churchill.

9 MR. CHURCHILL: That was my understanding, yes.

10 JUDGE WOLFE: All right.

11 MR. TURK: Perhaps the only difference among us
12 now is Mr. Fontana was assuming he would not be doing any
13 cross-examination of the panel tomorrow morning and I
14 believe that he should be prepared to do that.

15 JUDGE WOLFE: Yes, Mr. Fontana.

16 All right.

17 Now, about the witness that wishes to leave
18 tonight and that's Mr. Tsaggaris?

19 MR. CHURCHILL: Yes, sir.

20 JUDGE WOLFE: Now, is he going to return or not?
21 Because the Board -- you've completed your cross-examination
22 of Mr. Tsaggaris; is that right?

23 MR. FONTANA: That's correct.
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1 MR. CHURCHILL: Mr. Tsaggaris is not avail-
2 able tomorrow or the next day, but he's available Friday
3 and then, of course, next week.

4 JUDGE JORDAN: The Board has no questions
5 of Mr. Tsaggaris, so it will only be up to the Staff.

6 MR. TURK: The Staff has no questions of
7 Mr. Tsaggaris.

8 JUDGE WOLFE: Please --

9 MR. FONTANA: I would prefer that he come
10 back next Wednesday --

11 JUDGE WOLFE: -- be advised then that the
12 Board has no questions for Mr. Tsaggaris, so as far as
13 we're concerned, he can be excused permanently. Is that
14 agreeable to all parties?

15 MR. FONTANA: I'd like Mr. Tsaggaris to be
16 here next Wednesday.

17 MR. CASSIDY: For the record, Your Honor,
18 FEMA would have no cross-examination of Mr. Tsaggaris.

19 MR. CHURCHILL: Well, I think that until
20 we know whether the panel is coming back next Wednesday,
21 that might be premature.

22 But, in any event, I did think that Mr.
23 Fontana said that he had finished cross-examining Mr.
24 Tsaggaris.

25 Therefore, I don't understand why he is

13-2 1 requesting that he come back next Wednesday.

2 MR. FONTANA: It's my understanding that he
3 was not going to be available at all next week, so ob-
4 viously I misunderstood you like you misunderstood me.

5 MR. CHURCHILL: Well, I was very careful --
6 In fact, at the very outset of the hearing ... I repeated
7 it yesterday. I told you exactly what his availability
8 was.

9 MR. FONTANA: I thought I was very clear,
10 too.

11 JUDGE WOLFE: In any event, let's get down
12 to tacks here. Is he -- Are you or are you not finished
13 with cross-examination?

14 If you are -- and the Board has no
15 questions, and neither Staff nor FEMA have cross -- why
16 would you want to have Mr. Tsaggaris to return?

17 MR. FONTANA: I'm not through cross-
18 examining him yet now.

19 JUDGE WOLFE: You said you were.

20 MR. FONTANA: I might have said it this
21 morning, thinking that the man could not return --

22 JUDGE WOLFE: You said it five minutes
23 ago, you said it three minutes ago.

24 MR. FONTANA: I've changed my mind.

25 JUDGE WOLFE: Would all counsel come to the

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1 table, please.

2 (Bench conference with counsel.)

3 JUDGE WOLFE: Mr. Fontana states that he has
4 two or three more questions to ask of Mr. Tsaggaris.

5 All right, Mr. Fontana.

6 BY MR. FONTANA:

7 Q Mr. Tsaggaris, what did you contribute
8 exactly to the affidavit or testimony that you submitted
9 here?

10 BY WITNESS TSAGGARIS:

11 A As I indicated in previous testimony yester-
12 day, the testimony was initially drafted by members of my
13 staff and then reviewed by Mr. Azzarello and myself and
14 members of my staff for correction and finalization.

15 In that respect, I did review and am testify-
16 ing to everything in that document.

17 I was involved in several review sessions,
18 which resulted in the final testimony.

19 Q In regard to Mr. Perry's supplemental
20 testimony, were you involved in that in any way?

21 BY WITNESS TSAGGARIS:

22 A No, sir.

23 Q So you have no knowledge of exactly when
24 Mr. Perry received this information, do you?

25 /

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1 BY WITNESS TSAGGARIS:

2 A. No, I have no direct knowledge.

3 Q Does Mr. Perry's supplemental testimony
4 change your testimony in any way?

5 BY WITNESS TSAGGARIS:

6 A As I read Mr. Perry's testimony, Mr.
7 Perry's testimony is specifying numbers of buses and
8 numbers of people. The testimony that was prepared by
9 Mr. Azzarello, Mr. Perry and myself jointly does not
10 specify such numbers.

11 In that respect, Mr. Perry's testimony is
12 supplemental and provides additional details on buses.

13 MR. FONTANA: No further questions, Mr.
14 Tsaggaris. Have a nice time on your airplane, and have
15 a drink on me.

16 WITNESS TSAGGARIS: Thank you.

17 JUDGE WOLFE: All right. The witness is to
18 be excused permanently, Mr. Churchill?

19 MR. CHURCHILL: Yes, sir. I understand none
20 of the parties have other questions for him.

21 JUDGE WOLFE: None of the other parties?

22 MR. CHURCHILL: Yes, sir.

23 JUDGE WOLFE: And the Board does not. All
24 right.

25 The witness is excused permanently.

13-5

(Witness Tsaggaris was excused
permanently.)

JUDGE WOLFE: We will recess until 9:00

a.m.

(Whereupon, at 5:10 p.m. the hearing was
recessed, to reconvene at 9:00 a.m., Wednesday, May 5,
1982 in the same place.)

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NUCLEAR REGULATORY COMMISSION

This is to certify that the attached proceedings
before the _____

in the matter of: LOUISIANA POWER & LIGHT COMPANY(WATERFORD)

DATE OF PROCEEDING: May 4, 1982

DOCKET NUMBER: 50-382-OL

PLACE OF PROCEEDING: New Orleans, Louisiana

were held as herin appears, an' that this is the original
transcript thereof for the file of the Commission.

Mary L. Bagby

Official Reporter(Typed)

Mary L. Bagby

Official Reporter(Signature)