

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETED  
UNITED STATES

*227*

In the Matter of )  
 )  
CONSOLIDATED EDISON COMPANY OF NEW YORK )  
(Indian Point Unit 2) )  
 )  
POWER AUTHORITY OF THE STATE OF NEW YORK )  
(Indian Point Unit 3) )

'82 JUN 10 P2:49

Docket Nos. 50-247 SP  
50-286 SP

June 7, 1982

RCSE'S THIRD RESPONSE TO LICENSEES' INTERROGATORIES

To compensate insofar as possible for our brief reply of May 31 to Licensees' Interrogatories, and to comply with the Board Order of June 4, we submit this additional response. Preparation of witnesses' testimony and the inordinately short time in which to perform such tasks hamper our efforts to provide a more thorough response, but we shall do what we can at this time.

RE Contention 3.1 (with reference to communications and information) : It is common knowledge that sirens' operation is inadequate at this point in time. Tests and repairs are on-going, according to Donald McGuire, Deputy Director of Emergency Services for Rockland County. At this time, specific data on status of sirens cannot be provided since tests are being conducted every day, approximately. We will supply information as we obtain it.

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On many occasions over the last year, meetings and phone conversations with Chief James Kralik of the Rockland County Sheriff's Patrol have established that the communications system in Rockland County is greatly inadequate with regard to emergency/evacuation plans for Indian Point. Chief Kralik's testimony, available from Rockland County Attorney Eric Thorsen and

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due to be filed on this date (June 7), provides necessary specificity in many areas, from the local phone system to the need for additional emergency channel frequencies. Again, common sense must prevail, since there may be nearly as many communications difficulties and inadequacies as there are individuals with whom to be communicated.

RE Contention 3.1, (information available on periodic basis,...): Personal experience of residents of Rockland County, some of which will be available as testimony to be filed today, should be adequate. It is a fact that there is no periodic supply of information on notification and courses of action the public should follow in the event of an emergency at Indian Point. The only "official" information supplied has been through the brochure supplied by the Four County Nuclear Safety Committee. Its inadequacies (especially with respect to non-English speaking populations) are addressed under Contention 4.7, to be addressed by RCSE witness Luis del Pilar, resident of Haverstraw. No information on a periodic basis is apparently available through the local media (see testimony of RCSE witness Betty Ramey, owner, WRKL radio, Pomona). Prior arrangements with news media for dissemination of information are largely lacking with regard to completeness of messages, etc. (Cf, testimony of Betty Ramey). Messages are in English and do not take into account the many non-English-speaking residents of Rockland County.

RE Contention 3.3 ( Evacuation time estimates...are unreliable...): We must assume that UCS/NYPIRG's response to this will also be our own to a large degree. We have not had the time to properly review those responses and can, at this

time, add that our own experience as residents of a heavily populated area with little egress routes can only emphasize this point. Testimony of Rockland County Emergency Service heads will provide specificity as will examples provided in RCSE Supplement to Petition: Contentions (12-1-81, page 2).

RE Contention 3.4 (Licensees cannot be depended upon to notify authorities...promptly and accurately enough to assure effective response): Two recent incidents (Fan Cooler leak accident of October 1981 and the radiation release of March 26, 1982, form the most current basis of this contention (see NRC Sequence of Events report, Indian Point 2, Water Leakage into Containment, signed by Theodore Rebelowski, Resident Inspector, no date, and findings for October 1980 accident, plus reports other than press accounts of events and sequences which are on file with the NRC). Regardless of the outcome of the March 1982 incident, Licensee Consolidated Edison had no way of knowing at the outset of leak that it would not escalate. They did not notify Rockland County officials of the leak until it was closed off approximately two hours later. "...Promptly and accurately enough to assure effective response" relies upon (1) Time Factors Associated with Releases, NUREG-0654; (2) Memorandum and Order (CLI-80-40) of NRC Commissioners, in response to Duke Power Company and Texas Utilities Generating Company's petition for stay of the 15-minute notification capability (12-5-80. Such stay was denied on the basis that major releases could occur within as little time as 30 minutes from onset of accident conditions. In addition, an accident potential might not be recognized immediately, thus leaving too short a time for protective action; (3) Working Papers of the 1964-65 Revision of Wash 740, The Brookhaven

Report, for which no final version was published (such papers available from NRC Public Document Room), wherein time available for evasive action is discussed.

What is also of serious question here is "what is" promptly and accurately enough" to assure effective response, even if effective response could be assured. In neither of the two incidents cited above were Rockland County officials notified at the outset, yet they have been notified of seemingly inconsequential occurrences which had no bearing on radiation releases or potential accidents involving the reactor. It is the opinion of planning people, generally, as well as of the population in general, from our experience, that notification of serious events may be delayed by efforts to head-off or remedy a threatening situation or by non-recognition of seriousness of events and inability to control them. Numerous conversations, dates unknown, have confirmed this, as have accident reports from both Indian Point and elsewhere, notably Three Mile Island (Cf. Rogovin Report on Accident at Three Mile Island, Kemeny Commission Report on Accident at Three Mile Island). Other bases exist, but present time constraints limit us.

RE Contention 4.2 (adequacy of sheltering as a protective action): Our bases for this contention are (1) EPA 520/1-78-001 A, Protective Action Evaluation, Part I, Effects of Sheltering as a Protective Action against Nuclear Accidents Involving Gaseous Releases, and B, op. cit. Evacuation and Sheltering as Protective Actions against Nuclear Accidents Involving Gaseous Releases; (2) previously cited Brookhaven Report update working papers, page 92-7 and elsewhere. Rockland County buildings fall within all categories referred to in the above reports and attenuation factors/air turnover rates dictate little

or no protective action available in the event of a major release.

RE Contention 4.7 (brochure): a substantial number of non-English-speaking persons reside in Rockland County, many within less than 5 miles of Indian Point. Rockland County Planning Board figures are already being supplied by others specifying exact numbers and related documents are available at that office. RCSE witness Luis del Pilar will outline specific difficulties encountered by one such group.

This completes our replies to interrogatories at this time. Other documents provide the basis for our work, such as the Reactor Safety Study, Wash 1400, especially Appendices V and VI, as well as its 1978 evaluation, "The Lewis Report", Risk Assessment Review Group Report to the U.S. Nuclear Regulatory Commission, NUREG/CR-0400. There is no end of material on which to base our contentions, material of which Licensees are well aware, we are sure.

Regarding our witnesses: Linda Co will replace Joyce Lawrence of Rockland County Girl Scout Council, Inc., and will deal with large numbers of children in camping situations, etc. Jane Capon and Phyllis Helbraun will deal with children and their care in nursery school, day-care situations. Betty Ramey, owner of WRKL radio, Pomona, N.Y., will deal with provision of information to the public and the need for prompt notification in the event of an emergency. Joseph Pirone, Sharon Pirone, and Norman Szmanski will not be presented by RCSE.

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CERTIFICATE OF SERVICE

I hereby certify that I have served copies of RCSE THIRD RESPONSE TO LICENSEE INTERROGATORIES on the following parties by deposit in first class mail, postage paid, on this 7th day of June, 1982. Response to Licensees will be delivered by Consolidated courier on the following morning by pre-arrangement with Indian Point courier into New York City, and by an RCSE member to PASNY in New York City.

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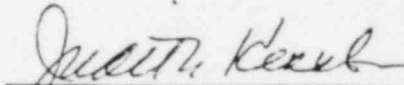
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