

RELATED CORRESPONDENCE

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD  
Before Administrative Judges:  
Louis J. Carter, Chairman  
Frederick J. Shon  
Dr. Oscar H. Paris

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In the Matter of : Docket Nos.  
CONSOLIDATED EDISON COMPANY OF NEW YORK, : 50-247 SP  
INC. (Indian Point, Unit No. 2) : 50-286 SP  
:   
POWER AUTHORITY OF THE STATE OF NEW YORK : June 16, 1982  
(Indian Point, Unit No. 3) :   
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LICENSEES' RESPONSE TO WEST BRANCH CONSERVATION  
ASSOCIATION'S SUPPLEMENTARY INTERROGATORIES

ATTORNEYS FILING THIS DOCUMENT:

Brent L. Brandenburg, Esq.  
CONSOLIDATED EDISON COMPANY  
OF NEW YORK, INC.  
4 Irving Place  
New York, New York 10003  
(212) 460-4600

Charles Morgan, Jr.  
MORGAN ASSOCIATES, CHARTERED  
1899 L Street, N.W.  
Washington, D.C. 20036  
(202) 466-7000

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## PRELIMINARY STATEMENT

Consolidated Edison Company of New York, Inc. ("Con Edison"), licensee of Indian Point Station, Unit No. 2, and Power Authority of the State of New York (the "Power Authority"), licensee of Indian Point 3 Nuclear Power Plant (collectively the "licensees"), submit these responses to supplementary interrogatories served by West Branch Conservation Association ("WBCA").

The WBCA interrogatories continue to reflect a fundamental misapprehension as to the various responsibilities for radiological emergency planning both generically and at Indian Point in particular. As noted in licensees' response to WBCA's first set of interrogatories (at pp. 1-3), the State of New York maintains primary responsibility for offsite radiological emergency planning (see N.Y. Executive Law, Art. 2-B). Radiological emergency response plans and procedures ("RERP's" or "plans") for the four counties surrounding Indian Point are annexed to the State plan.

Accordingly, many of the interrogatories relating to off-site emergency planning were again misdirected to the licensees. Nevertheless, we have again attempted to respond to the interrogatories concerning those plans, on the basis of the plans or other documents with which licensees are familiar. We continue to note, however, that the off-site

authorities are the more appropriate sources for this type of information.

RESPONSES TO INTERROGATORIES:

X-1. INTERROGATORY:

Judge Carter in the Order of April 23 suggested that questions of use might be asked.

Licensee's response of May 18 to UCS/NYPIRG #88, p. 77, shows a probability higher than anything in WASH-1400. The Preliminary Report "Review and Evaluation of Zion Probabilistic Safety Study" by Sandia Lab., letter of transmittal of March 5, 1982 to the NRC, in Section 5, page 5-1 shows a chart of many various possible accidents. No meltdown accident has the probability of  $10^{-16}$  or any number close to it. A meltdown on that chart might be  $4.2 \times 10^{-5}$  and the total for the critique at the bottom of the columns is  $1.3 \times 10^{-4}$ . Please explain the methodology used to arrive at any higher figure and also for the one in Licensees reply 88.

RESPONSE:

The accident scenario chosen for the Indian Point exercise consisted of highly unlikely selective failures of equipment and systems, as well as adverse meteorological conditions that changed at various time intervals.

The purpose of this scenario was to test as many aspects of the emergency plans as possible in a given time period. The methodology used in arriving at the probability for this practice accident scenario is the same methodology which is described in Section O of the Indian Point Probabalistic Safety Study.

X-2. INTERROGATORY:

Please advise how many of the 77 sites surveyed by the Yankelovich organization described by Licensees are in Rockland and details of the results of each siren, referred to in Licensees reply #91, p. 80, to UCS/NYPIRG.

RESPONSE:

Of the 77 sites surveyed by the Yankelovich organization, 21 were located in Rockland County. Of these, 19 sirens were reported to have sounded, one was reported to have not sounded, and one was reported as having a weak signal. Three sites were in remote areas and were not checked. Subsequent to the exercise, all 24 Rockland County sites were inspected and retested. Three sites required repairs. All 24 sites are working and in an operational mode.

4.4-12. INTERROGATORY:

If a hospital has been advised to shelter its patients rather than move them, and a radioactive plume has passed over it, who will take over the clean-up, the monitoring and the responsibility of aiding the occupants of a State hospital?

RESPONSE:

See Section III.H.4 of the Rockland County RERP, and Part I, Section IV of the New York State RERP.

4.4-13. INTERROGATORY:

The removal of the sick and incapacitated in State hospitals by other than State personnel requires letters of agreement. Are there any such for Rockland Psychiatric Hospital and Helen Hayes Rehabilitation Hospital?

RESPONSE:

Licenseses understand that in order for a State hospital to receive accreditation, there must be an approved evacuation plan for all of the hospital's patients. These evacuation plans are required to address arrangements with supporting hospitals and, therefore, these arrangements would obviate the need for letters of agreement.

4.4-14. INTERROGATORY:

Critics of the RERP have stated that the RERP for a General Emergency as described in Appendix of NUREG-0654, has written into it a necessity to make triage type decisions as to who receives consideration for safety and in what order. Please comment on the ability of the Plan to assure the safety of all citizens of Rockland County with equal opportunities for their safety and protection.

RESPONSE:

Licenseses note that this interrogatory appears to fall outside the scope of Commission Questions 3 and 4. Nevertheless, Licenseses believe that the emergency plans provide reasonable assurance that appropriate measures can and will be taken to protect the citizens of Rockland County in the event of a radiological emergency.

4.4-15. INTERROGATORY:

Considering the breakdowns in communications and the lack of suitable equipment in Rockland County as described in FEMA's evaluation draft of the March 3 drill, when do you expect remedies to those defects? Who will pay for them? How will the people unable to move themselves be assured their safety can be served in Rockland County?

RESPONSE:

The State of New York has assumed responsibility for maintaining the off-site emergency plans, including responsibility for addressing alleged deficiencies in planning and response identified in exercises. Funds for radiological emergency planning are allocated pursuant to Article 2-B of the New York State Executive Law.

See licensees' response to WBCA Interrogatory 4.4-5 regarding persons needing special transportation arrangements.

4.4-16. INTERROGATORY:

In what time frame might the citizens of Rockland County expect to have in place the type of evacuation plan as envisaged in NUREG-0654 and 50CFR [sic]?

RESPONSE:

See licensees' response to UCS/NYPIRG Interrogatory

6.

As to Answers:

CONSOLIDATED EDISON COMPANY  
OF NEW YORK, INC.

By Richard P. Remshaw  
Richard P. Remshaw  
Project Manager - Indian Point Hearings

POWER AUTHORITY OF THE STATE OF NEW YORK

By Herschel Specter  
Herschel Specter  
Project Manager - Indian Point Hearings

As to Objections:

CONSOLIDATED EDISON COMPANY OF NEW YORK INC.

By Brent L. Brandenburg  
Brent L. Brandenburg  
Assistant General Counsel

POWER AUTHORITY OF THE STATE OF NEW YORK

MORGAN ASSOCIATES, CHARTERED

By Joseph J. Levin, Jr.  
Joseph J. Levin, Jr..

SHEA & GOULD

By David H. Pikus  
David H. Pikus

Attorneys for Power Authority of  
the State of New York

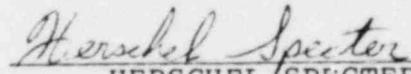


VERIFICATION

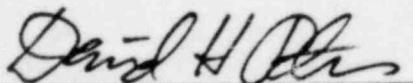
STATE OF NEW YORK )  
                          : SS.:  
COUNTY OF NEW YORK )

HERSCHEL SPECTER, being duly sworn, deposes and  
says:

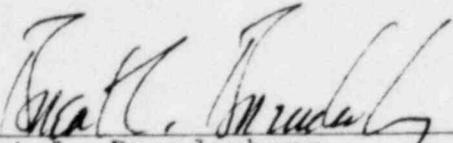
That he is the Manager, Indian Point 3 Hearings,  
Technical Support for Power Authority of the State of New  
York, licensee of Indian Point 3 Nuclear Power Plant; that  
he is authorized to make this verification on behalf of said  
Authority; and that the foregoing answers to interrogatories  
were prepared under his direction and supervision and are  
true and correct to the best of his knowledge, information  
and belief.

  
HERSCHEL SPECTER

Sworn to before me this  
16th day of June, 1982.

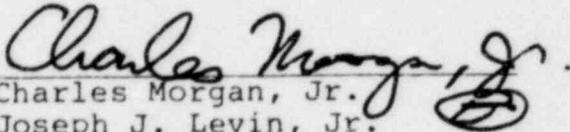
  
Notary Public

DAVID H. [unclear]  
Notary Public, State of New York  
No. 31-47207  
Qualified in New York County  
Commission Expires March 29, 1983

  
Brent L. Brandenburg

CONSOLIDATED EDISON COMPANY  
OF NEW YORK, INC.  
Licensee of Indian Point  
Unit 2  
4 Irving Place  
New York, New York 10003  
(212) 460-4600

Respectfully submitted,

  
Charles Morgan, Jr.  
Joseph J. Levin, Jr.  
Paul Colarulli  
1899 L Street, N.W.  
Washington, D.C. 20036  
(202) 466-7000

Thomas R. Frey  
General Counsel  
Charles M. Pratt  
Assistant General Counsel  
10 Columbus Circle  
New York, New York 10019  
(212) 397-6200

MORGAN ASSOCIATES, CHARTERED  
1899 L Street, N.W.  
Washington, D.C. 20036

SHEA & GOULD  
330 Madison Avenue  
New York, New York 10017  
(212) 370-8000

POWER AUTHORITY OF THE STATE  
OF NEW YORK  
Licensee of Indian Point Unit 3  
10 Columbus Circle  
New York, New York 10019

Dated: June 16, 1982