

UNION OF CONCERNED SCIENTISTS

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4 August 1982

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Victor Gilinsky, Commissioner
John F. Ahearne, Commissioner
Thomas M. Roberts, Commissioner
James K. Asselstine, Commissioner

U.S. Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, D.C. 20555

HAND DELIVERED

Gentlemen:

The Union of Concerned Scientists and the New York Public Interest Research Group, Inc., are in receipt of the FEMA "Interim Findings on the Adequacy of Radiological Emergency Response Preparation of State and Local Governments at the Indian Point Nuclear Power Station", dated July 30, 1982. Based upon our reading of this report, there can no longer be any pretense regarding the documented and significant inadequacies regarding the plans and preparedness for a radiological emergency at Indian Point Units 2 and 3. The FEMA Interim Finding report specifically concludes that both the plans and the level of preparedness are inadequate.

Consolidated Edison Company and the Power Authority of the State of New York have had nearly two years to devise adequate emergency plans. A continuing series of FEMA reviews of those plans beginning in April 1981 has found inadequacies in those plans, and FEMA continues to this day to find basically the same problems following seemingly endless rounds of "comment" and "correction". Notwithstanding the conclusion of NRC Region I Headquarters in August 1981 that the emergency planning problems at Indian Point had been "resolved satisfactorily", the same deficiencies were again apparent in reviews of the plans in September and December, 1981, and in the review of the full-scale emergency plan exercise held at Indian Point on March 3, 1982.

We understand that it is the NRC Staff's intention to once again institute the so-called "120-day clock", thus giving the Licensees another four months to correct the deficiencies. Such a course of action misrepresents the seriousness of the present situation and ignores the fact that the deficiencies which have been most recently noted have existed ever since the plans were first submitted. In short, the Licensees have had two years to correct the problem. Given the lack of adequate funding to support further plan development, training of emergency response personnel, and purchase of necessary emergency equipment, it is obvious that the recognized deficiencies cannot be corrected in the near term,

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and certainly not within four months as provided by the "120-day clock" mechanism.

Moreover, it is clear now that the last time this clock ran nothing of substance happened. The same deficiencies which were allegedly "resolved satisfactorily" last August are still present.

When the Commission adopted its revised emergency planning regulations in August 1980, you concluded that "onsite and offsite emergency preparedness as well as proper siting and engineered design features are needed to protect the health and safety of the public". That conclusion is especially significant for Indian Point. First, it is widely acknowledged that the Indian Point site is among the poorest, if not the worst, sites for a nuclear reactor in the country. Indeed, an internal evaluation of reactor sites against the siting criteria proposed in NUREG-0625 demonstrated that Indian Point was the only operating site to fail five of the six proposed siting criteria. As the Commission itself has noted, the population surrounding the Indian Point site is larger at 10, 30, and 50 miles than for any other site in the U.S.

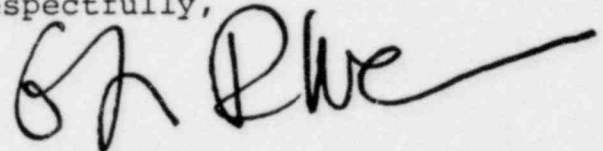
Second, the Commission concluded in adopting the emergency planning regulations that planning within the Plume Exposure Pathway Emergency Planning Zone would be sufficient to support a response for areas outside this zone should this ever be required. Given the very large population in the area surrounding Indian Point (and the implications that this population has in terms of the numbers of special facilities in areas outside the Plume EPZ), it is clear that if planning within the Plume EPZ is inadequate there can be little confidence that ad hoc actions for areas outside the Plume EPZ will be adequate.

It is unthinkable to UCS and NYPIRG that the Commission would permit continued operation of Indian Point Units 2 and 3 when emergency planning for those reactors is so demonstrably inadequate. A serious accident at one of these reactors, involving severe core damage or core melt with loss of containment integrity, could result in a catastrophe of proportions unprecedented in U.S. history. If NRC's emergency planning regulations are to have any meaning at all for the members of the public at risk from the operation of nuclear power plants, the public must know that those regulations will be enforced. The situation at Indian Point has gone on far beyond the bounds of reasonableness. The Licensees have had every chance to conform the emergency plans to NRC's regulations, and they have failed to do so.

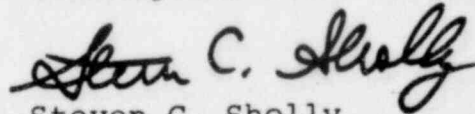
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UCS and NYPIRG respectfully call upon the Commission to immediately suspend the operating licenses for Indian Point Units 2 and 3 until it can be determined that adequate emergency plans are in place and are capable of adequately protecting the public in the event of a serious accident. To reinstate the "120-day clock" at this juncture is to simply hide behind a wall of administrative process and postpone a difficult decision on a problem for which the Commission already knows cannot be resolved within that time frame. UCS and NYPIRG urge the Commission to take swift and effective action in alleviating the present risk to the population residing near Indian Point by suspending the operating licenses for Indian Point Units 2 and 3.

Respectfully,



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cc: Mr. Leonard Bickwit, Esq.,
General Counsel

Service List for Special
Investigation Proceeding