

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of
LONG ISLAND LIGHTING COMPANY }
(Shoreham Nuclear Power Station,
Unit 1) }
 }
 Docket No. 50-322 OL

STAFF OBJECTIONS TO FIRST AMENDED
CONSOLIDATED EMERGENCY PLANNING CONTENTIONS

Pursuant to the Board's request, the Staff submits the following responses and objections to the amended emergency planning contentions filed by Suffolk County, the Shoreham Opponents Coalition (SOC), and the North Shore Committee Against Nuclear and Thermal Pollution (NSC) on July 6, 1982. These contentions are limited to emergency preparedness provisions for "LILCO's actions, where those actions are not dependent upon coordination with the County." (Tr. 799).

EP 1: Overall LILCO Plan Inadequacy (pg. 4)

Staff objects to this contention because it is overly broad and has not clearly defined those aspects of the LILCO emergency plan which are inadequate. Thus, the contention fails to satisfy the basis and specificity requirements of 10 C.F.R. § 2.714. In essence, the contention asserts that certain local conditions in Long Island have not been identified and evaluated in connection with arrangements regarding the public notification system, public education program, accident assessment and monitoring systems, protective action measures and

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Certified By *D. L. Scott*
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evacuation time estimates. Particularly, it asserts that (1) local demographic and socio-economic characteristics of the population, (2) social and behavioral characteristics, and (3) local topographical and geographical characteristics have not been adequately accounted for. These broad-sweeping allegations provide no basis or particularity as to how or why the range of planning standards provided by the regulations as addressed in the LILCO emergency plans do not adequately encompass local conditions which might present a problem to the required protective action.

In addition, this contention asserts that (4) emergency evacuation alternatives, routes, and transportation facilities, and (5) local building materials have not been adequately identified and evaluated. These assertions also lack basis and specificity in that they fail to identify the specific portions of the LILCO plan which are allegedly deficient. Moreover, we believe that these matters appear to more closely relate to coordination with the County's plan and thus should be deferred.

EP 2: Prompt Notification System (pg. 5)

Staff has no objection.

EP 3: Medical and Public Health Support (pg. 9)

This contention is unclear as written. In accordance with 10 C.F.R. § 50.47(b)(12) and Appendix E, Items IV.E.5 through 7, it is the Staff's position that the emergency facilities to be described must have adequate provisions for handling on-site contaminated injured individuals. But

see, Southern California Edison Co., et al. (San Onofre Nuclear Generating Station, Units 2 and 3) LPP-82-39, ____ NRC ____ (Initial Decision, May 14, 1982). This contention appears to allege, however, that the described Central Suffolk Hospital and University Hospital are inadequate to handle the members of the offsite general public who may become contaminated in the event of a radiological emergency. Accordingly, the Staff objects to this contention. In any event, to the extent that this contention may be alleging that local and backup hospital and medical services have not been adequately described and evaluated for off-site contaminated individuals (See NUREG-0654, Item L), it may be more appropriate to defer such consideration until state and local emergency plans are subject to evaluation. Consideration of such matters at this point in time is premature, and the Staff accordingly objects.

EP 4: Federal Resources (pg. 11)

The Staff has no objection to this contention so long as it is limited to the two examples of specific resources listed in the contention. If the contention is not so limited, the Staff objects to the contention on the grounds of lack of specificity.

EP 5: Protective Actions (pg. 12)

No objection.

EP 6: Offsite Response Organizations (pg. 15)

No objection.

EP 7: Training (pg. 16)

No objection.

EP 8: Public Education (pg. 17)

Contention EP 8(A) - no objection.

Contention EP 8(B) is objectionable to the extent that it asserts that a social and psychological profile of County residents should be made and integrated into the LILCO public education program. No basis is provided for the proposition that such a profile is required to determine the adequacy of an educational program. 10 C.F.R. § 50.47(b)(7) and NUREG-0654, Item G require an assurance that accurate and timely information will be provided to members of the public and that they will have an adequate opportunity to become aware of this information annually. This contention is objectionable, therefore, as completely lacking a basis.

EP 9: Onsite Response Organization and Augmentation (pg. 1b,

No objection.

EP 10: Public Information (pg. 20)

No objection.

EP 11: Communications (pg. 20)

No objection.

EP 12: Emergency Response Facility (pg. 21)

No objection.

EP 13: Notification of Response Organizations and Emergency Personnel (pg. 21)

Staff objects to this contention because it lacks specificity. It does not assert how the notification procedures are inconsistent with the emergency classification and action level scheme set forth in NUREG-0654, Appendix 1.^{1/}

EP 14: Public Messages (pg. 22)

No objection.

EP 15: Offsite Planning Coordination (pg. 23)

No objection.

EP 16: Radiological Exposure (pg. 23)

No objection.

^{1/} It should be noted that NUREG-0654 is not a Commission regulation. It is merely a guidance and information document similar to a Regulatory Guide. Accordingly, strict compliance with the guidance or recommendations is not required; however, it does provide guidance as to acceptable modes of conforming to specific regulatory requirements. See Gulf States Utilities Co. (River Bend Station, Units 1 and 2), ALAB-444, 6 NRC 760 (1977); Petition for Emergency and Remedial Action, CLI-78-6, 7 NRC 400, 406 (1978).

EP 17: Exercises (pg. 24)

The provisions of 10 C.F.R. Part 50, Appendix E, Item IV.F. require a "full-scale exercise which tests as much of the . . . plans as is reasonably achievable . . . ", "at least once every five years and at a frequency which will enable each State and local government within the plume exposure pathway EPZ to participate in at least one full-scale exercise per year . . ." The Applicant's statement that the scenarios for annual exercises "will be rotated each year to ensure all major elements of the plan are tested over a five-year period" is consistent with NUREG-0654, Item II.N.1.b. Accordingly, the contention appears to be without basis and should be rejected.

EP 18: Emergency Classification System (pg. 24)

No objection.

EP 19: Accident Assessment and Monitoring (pg. 25)

No objection.

EP 20: Failure of Shoreham/LILCO's Emergency Plans
To Comply with NRC/FEMA Regulations (pg. 26)

EP 20(a) and (b): Notification/Communications Procedures
With State and Local Response Organizations

The Staff has no objection to this contention limited to the adequacy of equipment, procedures, and personnel concerned with (1) the dedicated and commercial telephone lines, and (2) the low-powered UHF notification/communications network in the event of an onsite radiological emergency.

EP 20(c): Arrangements For Assistance Resources Needed Onsite

The Staff has no objection to this contention limited to the adequacy of facilities and resources for the treatment of on-site contaminated injured individuals. See EP 3, supra.

EP 21: Recovery and Reentry (pg. 31)

The Staff has no objection to this contention if it is limited to the general planning objectives set forth in NUREG-0654, Item II.M. As stated, the contention is overly broad because it asserts that procedures are needed to describe reentry under all possible conditions. Clearly, the requirement of 10 C.F.R. § 50.47(b)(13) that "general plans" be developed for recovery and reentry does not entail the detailed procedures apparently contemplated in this contention.

EP 22: Interim Safety Parameter Display System (SPDS) (pg. 31)

The Staff has no objection to this contention in accordance with the stipulation dated July 7, 1982, reached between the parties.

EP 23: Permanent Safety Parameter Display System (pg. 32)

This contention baldly asserts failure of the SPDS to meet certain regulatory requirements without any basis or specificity. Accordingly, it should be rejected.

EP 24: Emergency Operating Procedures (pg. 33)

This contention is objectionable because it lacks basis and specificity.

EP 25: Accident Assessment Equipment (pg. 46)

No objection.

EP 26: Human Factors (pg. 33)

This contention is objectionable because it lacks basis and specificity.

EP 27: PRA/Consequences Analysis (pg. 34)

This contention is objectionable because it fails to provide a basis for considering a PRA consequence analysis in the framework of the accident and dose assessment and monitoring requirements for emergency preparedness pursuant to 10 C.F.R. § 50.47 and Appendix E. In addition, the contention is lacking in specificity. Accordingly, it should be rejected.

Respectfully submitted,

Bernard M. Bardeach
For: Richard L. Black
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 9th day of July, 1982.

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CERTIFICATE OF SERVICE

I hereby certify that copies of STAFF OBJECTIONS TO FIRST AMENDED CONSOLIDATED EMERGENCY PLANNING CONTENTIONS in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 9th day of July, 1982.

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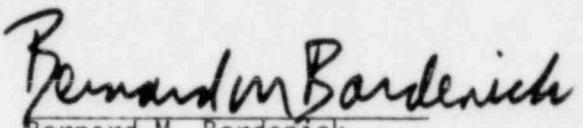
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