

WEST BRANCH CONSERVATION ASSOCIATION

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NEW CITY N Y 10956

September 10, 1982
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Hon. Nunzio Balladino, Chairman
Hon. Victor Gilinsky
Hon. John F. Ahearne
Hon. Thomas Roberts
Hon. James K. Asselstine
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Dear Commissioners: Re: Dockets #50-247-SP, #50-286-SP

I understand that you had as guests to your September 9 meeting FEMA personnel to discuss the state of the evacuation plans surrounding the Indian Point stations.

We have written you on August 27 some about the failings of FEMA but due to the limbo in which we now find ourselves we took our time to write enclosed critique which lists where FEMA has failed to conform to 44 CFR 350. We have not made a critique of where the plans fail NUREG-0654 Rev. 1 because we have at present no forum.

We hope you will read the enclosed and understand the basic two problems.

1. The State cannot substitute for the County unless it moves into the County. No New York State law provides the State with the powers it would need to take over the functions. They are to be found in Executive Law of New York State under sections 22 through 29.

2. The County of Rockland cannot suit the plans as offered by the utilities or the State. There are insufficient buses, volunteers and roadways, among other failures. Especially has it no way to tax the citizens for the money to spend on equipment needed. Answers FEMA gives are all on-paper possibilities. They shocked, and that is no exaggeration, the Fink sub-committee with Mr. Kowieski's testimony. See attached.

We hope you will allow the County of Rockland to speak for itself, or to read the transcript of the September 1 hearing before the Committee on Nuclear Power of the New York State Assembly, hearing in White Plains, N.Y.

Sincerely yours,

J. S. Fleisher
J. S. Fleisher
Secretary

xc: County Attorney
Rockland County

WEST BRANCH CONSERVATION ASSOCIATION

443 BUENA VISTA ROAD
NEW CITY N Y 10956

WEST BRANCH CONSERVATION ASSOCIATION's September 8, 1982

Critique of

INTERIM FINDINGS ON THE ADEQUACY
OF
RADIOLOGICAL EMERGENCY RESPONSE PREPARATION
OF
STATE AND LOCAL GOVERNEMENTS
AT THE
INDIAN POINT NUCLEAR POWER STATION

Prepared by FEMA and dated July 30, 1982

Page 16 of the Interim Findings, subsections 2 and 3, is no answer to the monitoring problem and certainly does not satisfy the Rockland County Health Department, which does not want to depend on the licensees of the State whose response time would be too long, for the health and safety of Rockland County residents. In fact, FEMA loses face in accepting it. See 350.5 (a) (9) below. It is not a "minor deficiency" that we want 12 monitoring teams. In May, 1982 Mr. Davidoff offered three and now, in September he has brought the figure up to four. Where would four teams be to satisfactorily cover a plume's path?

The Interim Findings then go on to page 17 with continued references to "minor deficiencies" regarding field monitoring, instructions, standard operating procedures, etc. The whole monitoring program is a disaster, a "significant" one, not a "minor" one.

Page 17, Section 2. "Silver zeolite filters will be furnished to the counties by the State or utility when funds become available." Mr. Donald Davidoff testified on September 1 that of the \$1,250,000 which should be available via 708, \$470,000 would be divided by the eight counties surrounding nuclear plants and the rest would be retained by his office. When might we expect any money to be disbursed? When would zeolite filters be available? How many dosimeters will be available? Enough for every emergency worker? Why wasn't the failure to have in place sufficient and equipped monitoring teams considered a "significant deficiency" and listed in the Executive Summary on page 2?

Page 17 writes off the problem by stating that when funds become available all will be corrected. Page 17 is a litany of serious defects which are only noted. These should be upgraded as vital to the success of the Accident Assessment. If as stated on page 18 "the deficiencies noted cannot be considered resolved until remedial actions are completed." When will that be? Before November 1? Before December 3? If not, what then?

Page 18 details many operations that cannot possibly be met by any schedule or calendar suggested by Mr. Davidoff and Mr. Kowieski. Evacuation time estimates, even if correct, allow that persons wishing to walk out of the EPZ could do so faster than waiting for a bus in many cases. We know there are insufficient buses with wheel chair ties and that, if they will, it will take several trips for each. Mr. DelBello has repeatedly stated the same problem as we have in Rockland, there are insufficient buses to meet the plans. In Rockland we are worse off because the County does not own a bus system of any proportions. Nor has anyone the assurance that volunteers will be willing to drive or that they will even be in the County during an emergency. It is imperative that FEMA demand a survey of the total number of volunteers, not duplicates, that would be needed to effect even a single segment evacuation, let alone one that would cope with "self evacuees" as well. Why has no number of volunteers been assayed? In fact, why has this whole subject been neglected?

What tests of evacuation times has FEMA found adequate as stated on page 19 in subsection 3? At the ASLB/NRC hearings the FEMA witnesses fell far short of proving such a statement. Refer to the transcript of June 23.

Will you rely on the word of the State that remedial actions will be taken? Will FEMA require any proof that they have? Top of page 20 implies FEMA takes this seriously yet we are told that certification to the NRC is now paramount. Will the public have an opportunity to report directly to FEMA regardless of any claims made by the State before FEMA declares that a plan is in place and implementable?

The language all through 44 CFR 350 refers to "adequate and capable of being implemented." FEMA has not addressed the road network surrounding Indian Point, and in particular, that in Rockland County.

The following subsections have not been met by any plan offered Rockland County, in 44 CFR 350:

Page B-3, that NUREG-0654 is the guidance and accepted criteria.

Page B-4..."the NRC now will base its findings on a review of FEMA findings and determination as to whether State or local plans are adequate and capable of being implemented..."

350.5 (a)(5) Telephone system can readily be overloaded and other deficiencies in the notification system.

350.5 (a)(8) Support facilities are inadequate.

350.5 (a)(9) Rockland County Health Department does not feel it is prudent to depend on automatic equipment for monitoring. A State monitoring team might arrive too late. There are no radios with which to communicate findings from the field, nor are there telephone booths dotted all over the rural countryside. Even if there were, would lines be open? We need twelve monitoring teams. The four offered are insufficient.

350.5 (a)(10) "...protective actions during an emergency...appropriate to the locale have [NOT] been developed."

350.5 (a)(11) Means have not been established for controlling exposure of emergency workers.

350.5 (a)(12) Just listing the two local hospitals does not assure that they have the means to treat exposed persons. The State answered an interrogatory from Friends Of The Earth by listing the two local hospitals and the number of beds they have. Are they prepared to empty out all their patients and offer their full number of beds? Good Samaritan Hospital has a four-bed decontamination unit and Nyack is building one. Neither hospital has taken part in an exercise or drill. Section 12 is fully deficient in Rockland's plan whether it be the State plan or Parson's Brinckerhoff's.

350.5 (b) Can it be said that any plan offered to Rockland residents "adequately protect(s) the public health and safety providing reasonable assurance that appropriate protective measures can and will be taken off-site in the event of a radiological emergency"? 0654 and other criteria have not been met.

FEMA tells us this is a "dynamic process." Is time no consideration? Has FEMA made a judgement regarding risk? If so, what is it? On what is it based?

The plans Rockland has been offered are not implementable. FEMA states that money will buy the way to implementation. To date none has been received nor is there enough in the foreseeable future, if that were true.