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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
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Before Administrative Judges:  
James P. Gleason, Chairman  
Frederick J. Shon  
Dr. Oscar H. Paris

In the Matter of	)	
	)	
CONSOLIDATED EDISON COMPANY OF	)	Docket Nos.
NEW YORK, INC.	)	50-247 SP
(Indian Point, Unit No. 2)	)	50-286 SP
	)	
POWER AUTHORITY OF THE STATE OF	)	
NEW YORK	)	February 9, 1983
(Indian Point, Unit No. 3)	)	
	)	

POWER AUTHORITY'S OPPOSITION TO  
UCS/NYPIRG'S MOTION TO STRIKE  
TESTIMONY OF ROBERT L. DUPONT, M.D.  
ON COMMISSION QUESTION 1

The testimony of Dr. Robert L. DuPont, presented by the Power Authority of the State of New York (Power Authority), addresses from a qualitative perspective Commission Question 1, which requires an examination of the risk of the Indian Point units. The relevance of this testimony to this proceeding has already been recognized by this Atomic and Safety Licensing Board (Board). Memorandum and Order (Formulating Final Contentions on Commission Questions 3 and 4) at 5 (Feb. 7, 1983) (February 7 Memorandum Order).

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Dr. DuPont's testimony provides an analysis, by a widely known psychiatrist and expert on the way people perceive and react to risk, of the way in which the risk of the Indian Point units is perceived by some residents of the area surrounding the plants. Dr. DuPont's testimony uses his experience with phobic fears as a basis to explain why the perception of the risk by these residents has led to a fear of nuclear power. The fear of nuclear power parallels phobic fears because both reflect the paradox of fear in the presence of relative safety.

UCS/NYPIRG mistakenly claims that Dr. DuPont's testimony addresses psychological stress issues which are precluded from consideration in this proceeding. Rather, in addition to addressing Commission Question 1 issues, Dr. DuPont's testimony addresses issues raised in the Commission Question 1 testimony of other witnesses. For example, in their testimony, FOE/Audubon witnesses Dr. H. Jack Geiger and Dr. Victor W. Sidel call "panic and social disorganization" "likely" following a major accident at Indian Point. Direct Testimony of Dr. H. Jack Geiger and Dr. Victor W. Sidel on Behalf of Friends of the Earth, Inc. and the New York City Audubon Society at 6 (Jan. 31, 1983). Using an analogy to phobic fears, Dr. DuPont addresses human response to a radiological emergency:

[I]n an actual emergency, when even the phobic person must face his fear to ensure his own personal safety or to

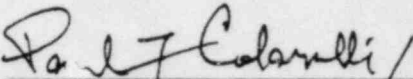
help another person in distress, the phobic person . . . will behave rationally and effectively. It is a commonplace observation in the treatment of phobic people that they will, in a crisis, do what needs to be done, even if that means temporarily overcoming their fear. The mother who does not drive because of a phobia will not hesitate to drive an injured child to a hospital.

Power Authority's Testimony of Robert L. DuPont, M.D., On Commission Question 1, at 9-10 (Jan. 24, 1983) (emphasis added); see id. at 22. Thus, Dr. DuPont responds to claims raised in the testimony of the intervenors.

Because the Commission's Questions overlap to some extent, Dr. DuPont's testimony relates in part to issues under Commission Questions 3 and 4. See February 7 Memorandum Order at 5. The Power Authority, however, presents this testimony under Commission Question 1 because its focus is on the perception of the risk posed by the Indian Point plants.

Finally, Dr. DuPont's testimony contains relevant information to which this Board and the Commission should have access. It should, therefore, be admitted as part of this investigative/adjudicatory proceeding, and UCS/NYPIRG's motion should be denied.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of February, 1983,  
I caused a copy of Power Authority's Opposition to  
UCS/NYPIRG'S Motion to Strike Testimony of Robert L. DuPont,  
M.D. on Commission Question 1 to be served by first class  
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