

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judge:

Morton B. Margulies, Chairman  
Dr. George A. Ferguson  
Dr. Jerry R. Kline

In the Matter of

Long Island Lighting Co.,  
Shoreham Nuclear Power Station;  
Confirmatory Order Modifying  
License (Effective Immediately)  
(55 Fed. Reg. 12758, April 5, 1990)

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)  
) Docket No. 50-322-OLA

) ASLBP No.  
) 91-621-01-OLA  
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)

AFFIDAVIT OF JOSEPH SCRANDIS

Joseph Scrandis, being duly sworn, says as follows:

1. I, Joseph Scrandis, have owned my present residence at 10 Walnut Street, Westbury, New York 11590 for twenty-two years, located some 43 miles from the Shoreham Nuclear Power Station ("Shoreham Plant"). Thus, I live within the fifty mile geographical zone utilized by the U.S. Nuclear Regulatory Commission ("NRC") to determine whether a party is sufficiently threatened by the radiological hazard and other environmental impacts of the proposal to establish the requisite interest and standing for intervention as of right.

2. I have been employed for the past five years at Aikido Computer Systems, Ltd., 150 Broad Hollow Road, Melville, New York 11747, located thirty miles from Shoreham. My job titles are

Director of Maintenance and Installations, and Computer Systems Engineer. I am responsible for developing new computer systems, the duties of a Chief Mechanical Engineer and Senior Electrical Engineer, and maintaining several computer systems for public service agencies. I hold degrees in Electrical Engineering and Physics, and have been an active proponent of science and technology for 30 years via personal efforts and debate, letters to the editor, and organizational affiliations. I am familiar with both the benefits and risks of nuclear power plants and strongly support the use of nuclear power to meet our nation's energy needs in a safe, economical, and environmentally benign manner.

3. I have been a member of Scientists and Engineers for Secure Energy, Inc. ("SE<sub>2</sub>") since before 1980. I authorize SE<sub>2</sub> to represent my interests, as described herein, in any proceedings to be held in connection with the Immediately Effective Confirmatory Order, issued by the NRC on March 29, 1990, prohibiting the Long Island Lighting Company ("LILCO"), licensee of the Shoreham plant from placing fuel into the reactor vessel without prior NRC approval.

4. I am concerned that the Confirmatory Order constitutes another step in the decommissioning process presently underway at Shoreham in violation of my rights under the National Environmental Policy Act ("NEPA"). The Order reaffirms the

previous NRC decisions allowing LILCO to reduce staffing and maintenance to a level clearly inconsistent with the terms of the full power operating license and several NRC regulations. These very actions which the NRC explicitly allowed are now being advanced as presenting a health and safety threat of such a magnitude that an immediately effective Order was issued to effectively prohibit operation. SE<sub>2</sub> submitted a Section 2.206 request in conjunction with the Shoreham-Wading River Central School District in July of 1989 when the destaffing and plant disassembly activities had only just been announced and were yet to be implemented. The Request asserted that these actions should not be allowed to go forward before publication of a Final Environmental Impact Statement ("FEIS") pursuant to the dictates of NEPA and because they were inimical to the public health and safety due to their inconsistency with LILCO's license obligations as a full-power licensee. Despite the fact that the Commission denied the request for immediate relief and continues to ignore the issues raised in the original Section 2.206 request and the supplements thereto, it now relies on the results of the challenged actions to justify issuance of the immediately effective Order without ordering remedial measures or proposing fines.

5. I do not believe that any steps in furtherance of the Shoreham Plant's decommissioning should be implemented until a FEIS evaluating the impacts of, and alternatives to, the entire

decommissioning proposal has been completed in compliance with the terms of NEPA and the NRC's own regulations in a single proceeding. If the NRC allows steps which are clearly in furtherance of decommissioning, and have no necessary independent utility, to be implemented at the Shoreham Plant prior to the necessary NEPA review, my rights, and the rights of those similarly situated, to have an opportunity for meaningful comment on the environmental consideration of the decommissioning proposal will be prejudiced, if not completely denied. Besides reaffirming past actions aimed at removing the Shoreham Plant from service and, therefore, in furtherance of decommissioning, the Confirmatory Order also sets the stage for yet other actions in furtherance of decommissioning. LILCO has applied for a license amendment to recognize the defueled state of the plant which will in turn facilitate the transfer of the plant to the Long Island Power Authority. The Confirmatory Order, which prohibits operation of the plant, is a first link in a chain of actions directed towards the issuance of a license amendment authorizing "possession and use, but not operation." The issuance of a possession only license would be, in turn, a further step in removing the plant from service which is the first part of "decommissioning" as defined by the NRC regulations.

6. The Confirmatory Order also represents a threat to my personal radiological health and safety and to my real and

personal property in violation of my rights under the Atomic Energy Act of 1954, as amended. In direct violation of its own stated enforcement policy, the NRC has failed, in that Order, to require LILCO to undertake remedial actions to bring the Shoreham Plant into compliance with the terms of its full-power operating license. Thus, should a determination later be made to operate the Shoreham Plant, deterioration allowed by LILCO and by that incomplete Order will at the least move operation further away in time, and at the worst, increase the likelihood and risk of a radiological accident.

7. As a Long Island resident, I am also interested in actions which will have a direct effect on the availability of reliable, inexpensive, and environmentally benign electric generation to meet my needs and those of my family and the community as a whole. As for reliability, it has been my observation that the quality of electricity supply has seriously degraded on Long Island over the last five years. The office in which I work has recently suffered several brownouts and outages during times of peak electricity usage. Previously these occurrences were quite rare, occurring at a rate of an incident every few years. Although this problem is endemic to the section of Long Island where I live and work, it is not limited to it. Being responsible for numerous computer systems in the New York City area has made me aware that the whole region is dangerously close to being caught without sufficient electrical power

reserves. As a computer engineer, I can testify that these power outages, brownouts and sags can wreak havoc with the continuous and proper operation of computer systems. They have damaged and interrupted computers and can leave them in a chaotic state requiring (brute force) power resets which may result in a loss of data or a more serious loss of control. These conditions are damaging to the economic well being of the people of Long Island and would be greatly alleviated by the operation of the Shoreham plant. As for the consequences of Shoreham's decommissioning on the physical environment, I understand that Long Island is presently at the full capacity of the existing natural gas pipelines which supply this area and that there is inadequate reserve capacity for the growing electric energy demand of the area. Thus, either the Shoreham Plant must be operated or alternative generating facilities will have to be built and operated. Because natural gas supplies cannot easily be increased, oil-burning plants will inevitably be needed to replace the Shoreham Plant thereby increasing our reliance on foreign oil and thus reducing the security of our energy supply, among other things. These plants, in turn, will emit pollution lowering air quality in the region and contributing to global warming and acid rain. These effects of the Shoreham Plant's decommissioning will have detrimental effects on my health and on the quality of the natural environment in which I live day-to-day. Finally, as for the economic implications of Shoreham's decommissioning, by acceding to the would-be dismantlers of the

Shoreham plant, the NRC is wreaking havoc upon the economic well-being of Long Island and, in turn, upon myself. The huge debt incurred in the construction of Shoreham will fall upon the residents and consumers of electricity on Long Island. Just as we are involved in the burden of servicing the debt, so will we have to pay it off, and suffer the indignity of not being able to reap any of the benefits of its use through the generation of much needed electricity. Further, besides suffering the consequences of electricity shortage that Shoreham's non-use shall create, we residents will have to further pay for the construction of new power plants to replace Shoreham's electricity. This will throttle normal growth and expansion, and will make any normal every-day operations involving electricity sporadic and problematic. The value of my home and those of my neighbors will plummet. My property on Long Island will be likened to that of many third world countries: illiquid, devalued and very difficult to sell, radically different from the rest of the United States. All of these negative effects of the decommissioning proposal emphasize the need for serious consideration of the alternatives to decommissioning.

8. And if the scope of this proceeding is narrowed to its relationship to the choice among the alternatives for decommissioning modes, I believe my health, safety and environmental interests would be harmed by any actions inconsistent with mothballing the plant ("SAFSTOR").

9. I understand that SE<sub>2</sub> has been joined by the Shoreham-Wading River Central School District ("School District") in seeking to intervene in a hearing to be held not only on the Confirmatory Order, but also in hearings to consider the implications of LILCO's license amendment requests affecting both Physical Security and Offsite Emergency Preparedness. I also understand that the issues raised by all of these actions significantly overlap due to the fact that each of the actions constitute another step in the decommissioning process underway at the Shoreham Plant. I would favor the consolidation of these three proceedings to consider the issues raised by the School District and SE<sub>2</sub>. Consolidation would be the most efficient and expeditious way to proceed for all concerned. I also submit that such consolidation is demanded by NEPA because all of these segmented proposals and actions are, in fact, part of a single proposal, are cumulatively significant, and have no utility independent of the decommissioning proposal.

Joseph Scrandis  
Joseph Scrandis

SUBSCRIBED AND SWORN BEFORE ME, on this 1<sup>st</sup> day of February, 1991.  
1991.

Blanche J. Bausbacher  
Notary Public  
My Commission expires: 12/31/91

BLANCHE J. BAUSDACHER  
Notary Public, State of New York  
No. 0842807 - Suffolk County  
Commission Expires 12/31, 1991