

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
CONSOLIDATED EDISON COMPANY OF NEW YORK)	Docket Nos. 50-247 SP
(Indian Point Unit 2))	50-286 SP
POWER AUTHORITY OF THE STATE OF NEW YORK)	March 18, 1983
(Indian Point Unit 3))	

UCS/NYPIRG AND PARENTS CONCERNED ABOUT INDIAN POINT
MOTION FOR TIME TO PRESENT EVIDENCE RELATING TO THE
RADIOLOGICAL EMERGENCY RESPONSE PLANNING EXERCISES

Intervenors observed the planning exercise of March 9, 1983, as they did in March, 1982, and are prepared to present testimony of the observers about those exercises. Parents and UCS/NYPIRG summarize the points to be made in that testimony as an offer of proof, in three documents attached to this motion: Preliminary Intervenor Observation Report, Radiological Emergency Response Plan Exercise, March 9, 1983 (Attachment A); Offer of Proof; Summary of Evidence on the RERP Exercise (Attachment B); and The Exercise Proves Nothing About Actual Emergency Preparedness (Attachment C).

Our experience with the exercise of March 3, 1982, at Indian Point Unit 3 was that the participating local officials, who were most familiar with offsite conditions, differed sharply in their evaluations of the exercise from state and federal observers. Specifically, the local officials were far less optimistic. Such discrepancies demonstrate that substantial issues of fact may exist

that require litigation of the exercise and official evaluations of it. What is tested in an emergency planning exercise is not a physical component or an engineering process, but the functioning of a complex system of communications involving the cooperation of a good many people. Such a process does not lend itself to straightforward findings of fact about which there can be no difference of evaluation and judgement. Differences did exist in 1982, and there is every reason to believe that differences exist again in 1983.

Indeed, at Indian Point, it is the ongoing adjudicatory proceeding and the Commission's explicit mandate that the status of emergency planning and preparedness be litigated that created a vehicle for the revelation of essential facts about the exercise of 1982 -- facts that otherwise would have remained unpublicized, unlitigated, and uncorrected. But for the ASLB hearings and the participation by representatives of the public, in interested states, and the intervenors, the grossly inadequate emergency plans and state of preparedness around Indian Point may have long since received the stamp of approval from FEMA and NRC.

FEMA and the NRC staff have repeatedly ignored, minimized, or denied the existence of intractable problems relating to emergency preparedness at Indian Point, even after the deficiencies were pointed out by local officials. The ASLB hearings forced these problems into the light of day. Without the opportunity to present formal testimony at the hearings, officials and others involved in the 1982 exercise would have run the well-known risks of public criticism and possible loss of job if they had furnished information about the exercise.

The same opportunity must be made available regarding the facts observed by intervenors during the 1983 exercise -- facts rebutting the position FEMA has already outlined in the public meeting it held at the Verplanck Fire Station on March 10, 1983. In order for the state of emergency preparedness at Indian Point to be assessed in meaningful terms, hearing days must be allotted to the presentation of the intervenors' separate, substantial case on the 1983 exercise.

The Licensees' emergency planning witnesses, Parsons, Brinckerhoff, et al., have submitted "supplemental" testimony which is essentially rebuttal of evidence presented by Westchester County officials. Under the present orders, only FEMA is scheduled to present evidence on the 1983 exercise. The Board is certainly aware that the 1983 exercise included a new element -- the "go home first" plan for school children. Intervenors have a due process right to be heard on these events which have taken place since the deadline for filing of intervenor testimony and supplemental testimony. To refuse, in light of the information presented in the attached documents, would be to sanction an incomplete and worse -- one sided -- record on the serious question whether the emergency response plans for Indian Point provide reasonable assurance that adequate protective measures can and will be taken to protect the health and safety of residents in case of a radiological emergency.

According to 10 C.F.R. 50.47 (a)(2), "In any NRC licensing proceeding, a FEMA finding will constitute a rebuttable presumption on a question of adequacy." 10 C.F.R. 50.54 (a)(3) provides that "the NRC will base its findings on a review of the FEMA findings and determinations as to whether State and local emergency plans are adequate and capable of being implemented, and on the NRC assessment as to whether the licensee's emergency plans are adequate and capable of being implemented." The NRC must make an independent finding of the adequacy of the plans for a radiological emergency at Indian Point, and the record on which that independent review is based will be grossly inadequate without the rebuttal information provided by the intervenor observation reports.

Wherefore, UCS/NYPIRG and Parents Concerned About Indian Point move this Board for an Order allocating time for the Intervenors to present evidence based on observation of the March 9, 1983, emergency planning exercise for Indian Point Unit 2.

Dated: March 18, 1983
New York, New York

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PRELIMINARY INTERVENOR OBSERVATION REPORT

RADIOLOGICAL EMERGENCY RESPONSE PLAN EXERCISE

MARCH 9, 1983

INTRODUCTION

Croton Parents Concerned About Indian Point, the Westchester People's Action Coalition (WESPAC), the New York Public Interest Research Group (NYPIRG), Rockland Citizens for Safe Energy (RCSE) and the West Branch Conservation Association (WBCA), as intervenors in the special NRC hearings on safety issues at Indian Point, co-ordinated an "Intervenor Observation" of the March 9 emergency planning exercise in case of a major nuclear accident at Indian Point. Observers staffed a roster of observation locations including the police stations in the Towns of Yorktown, Ossining, Putnam Valley, the Village of Croton-on-Hudson, the City of Peekskill, and the Emergency Operations Centers of Westchester County, Rockland County and the Town of Cortlandt. Observers were dispatched to hospitals, schools, bus garages, and traffic control points and observers at Intervenor Headquarters made phone calls to emergency response organizations in an attempt to verify activities. This preliminary report does not include information from the observers in Rockland County.

PLANNING STANDARDS

From the perspective of observers in the field, problems were obvious in every NRC/FEMA planning standard, including training, communications, equipment, responsibility for the planning effort, protective response, public notification and information, public education, radiation exposure control, medical and public health support, and emergency response support.

At many of the locations where intervenor observers were stationed, no state or federal evaluators were on hand. The exercise did not use the opportunity to incorporate actuality into a simulated response. Once again the pre-set scenario included simulated weather conditions rather than actual weather, temperature, wind speed and wind direction.

Actual traffic conditions included a three-mile backup on Route 9A in Ossining, caused by tree-cutting operations at a construction site. The order to desist construction activities was simulated rather than actually given. Movements of ambulances, buses, police cars, rescue trucks, fire engines, not to mention private cars, were simulated with minimal actual deployment. Many observers report little exercise-related activity occurring at their location, with a general acknowledgement by local officials that "if this were a real emergency, everything would be happening at once."

TRAINING

Municipal employees were called in from their usual work-assignments, handed a dosimeter kit, shown by a police officer how to read a dosimeter, and assigned emergency tasks such as clearing and closing parks or staffing traffic barricades. These people had not had previous radiation disaster training by the state or the utilities.

EQUIPMENT

At the Fox Lane High School decontamination center, two out of three radiation monitoring devices ran out of battery power within one hour. A box of spare batteries was not usable. After an hour, another device was located at the site and produced. Similarly, at the Fire Training Center, two out of four radiation monitoring devices were not in working order.

RESPONSIBILITY FOR THE PLANNING EFFORT

The Town of Putnam Valley has prepared its own evacuation plan, designed to facilitate response in an emergency, not a disaster. There was an expectation that representatives of Putnam County would observe at the Town Police Station, to see the differences between using the Town plan or the County plan.

COMMUNICATIONS

By far the majority of emergency communication took place on the telephone. A police officer who was ordered to use the radio responded that he did not know how. Another officer requested change from a nobserver so that he could use a pay phone.

RADIATION EXPOSURE CONTROL

Decontamination workers at the Fire Training Center decontamination center wore paper coveralls but had no booties, hoods, or face masks. One of the decontamination team went into the control room to make a phone call, bringing the simulated radioactive particles with him.

PROTECTIVE RESPONSE

No test was made of any system of notifying parents as to what was happening to school children after the Westchester County Executive ordered children in the school districts within the 10 mile Emergency Planning Zone to be sent home. A spot check by one teacher revealed that of 17 students in her class at the time of the announcement, only four had a parent or grandparent at home at the time, and of the four, only two were able to drive and had a car at his or her disposal. Many non-working mothers have been listed by friends and neighbors as the "emergency contact" in school files. Some women are listed by as many as 10 neighborhood children. They have not been informed of their responsibilities in case children are sent home early in the face of a disaster at Indian Point, and they are very concerned. Parent-Teacher Association members who are experienced in snow-day cancellation of school telephone chains report that communication in the event of a radiological emergency requiring early dismissal would be impossible.

PUBLIC INFORMATION AND NOTIFICATION

Emergency Broadcast System Bulletin #9, released at 1:34 pm, advised "Commuters who live within the 10 mile radius of Indian Point Nuclear Power Plant, and who work outside the 10 mile radius, will not be able to use public transportation to get back into those areas when returning home. In addition, persons currently outside the evacuated areas should not attempt to return home by any means. Families in these areas are being cared for." This kind of information is not adequate to reassure the separated families and will not reduce the panic and stress of a real emergency.

This report is preliminary and illustrative. More details and conclusions of the "Intervenors Observation" will be available at a later date.

OFFER OF PROOF: SUMMARY OF EVIDENCE ON THE
RERP EXERCISE

EMERGENCY OPERATIONS FACILITIES AND MANAGEMENT

At the Westchester County Emergency Operations Center (EOC) facilities, resources, displays, and security was generally good, although there were a few traffic jams in front of the media table.

The noise level was high. Periodic briefings were too infrequent and barely audible. Participants did not give attention to the speaker making an announcement but continued talking and creating a general hubbub that obscured messages. Efforts by EOC commanders to call the participants to order were unsuccessful.

Very good display maps were rarely consulted by participants in the Westchester EOC. The status board was hard to read from the back of the room and lacked room for frequent updates. Local EOCs lacked adequate maps and status boards.

Food was served at Westchester EOC, Peekskill Police Station, and the Joint Media Center.

Putnam Valley called the Westchester County EOC to learn whether the call out list from the August 1982 version of the Westchester County Radiological Emergency Response Plan was still in effect. A copy of the WCRERP was not produced in the Yorktown Police Department until 1 pm. An officer at the Croton Police Department pointed out that the pages of the WCRERP are not numbered.

ALERTING AND MOBILIZATION OF OFFICIALS AND STAFF

Participants in the Westchester County EOC had all taken part in a day-long pre-exercise mini-drill on February 24, 1983. Most of the participants were aware of the mini-drill and showed up at the EOC early, before being called. They were admonished to wait, on the day of the actual exercise, until they were called into the EOC. Officials and staff who expected to report to the Westchester County EOC were standing by their phones, waiting to be notified, and co-operatively did not anticipate a phone call by arriving at the EOC before it had been officially activated by the Westchester County Executive.

Local response agencies generally did not call in off-duty personnel but simply carried out routine shift changes. Most ambulance corps had been notified of the exercise and told to stand by. Most were not given any more specific instructions and were not called upon during the exercise.

COMMUNICATIONS

At two separate local EOCs reports were submitted by three different observers to the effect that less information was flowing to the local emergency response agencies during the March 1983 exercise compared to the March 1982 exercise: "We're doing better this year, we're getting less information." "We had a lot more information last year and still that wasn't enough." "Locally we had less to do this year than last year."

Ossining received no emergency communications from 12:05 until 4:00, when it was announced that soon the exercise would be over. At 4:50 an announcement came over the police radio that "police involvement is no longer needed." Similarly, little activity noted in Croton, Putnam Valley, Yorktown.

Motorola radios had been distributed on loan from Westchester County to the Village of Croton and the Town of Ossining on the evening of March 8, the night before the exercise.

The Peekskill Fire Department radio did not work.

The Yorktown Police Department could not reach Somers by radio.

Local response agencies have no ability to receive "hard copy" of emergency messages. The practice of receiving and relaying oral messages generates ample opportunity to make mistakes. This was evident in several garbled messages.

Several police officers in different jurisdictions noted that they had not been informed before the sirens were set off.

Several local EOCs including Putnam Valley and Yorktown were confused as to when the simulated accident was declared a "site area emergency."

In the Westchester EOC, the announcement that a General Emergency was declared at 11:54 was not made until almost an hour later, at 12:40 pm.

Emergency Broadcast Messages were announced in the Westchester EOC, but they were not read in full and were not numbered. News Releases by government response agencies and by the utilities were not announced.

Three attempts by the Yorktown Police Department to get weather information from the Westchester County Warning Point at County Police Headquarters in Hawthorne met with the response that no weather information was available.

PUBLIC EMERGENCY INFORMATION

For the most part, sirens sounded, but some failures were noted in Croton. Many calls were received in Croton and Ossining from the public inquiring about sirens, fewer than expected in Putnam Valley, possibly because "so many tests have occurred lately," according to a police officer there.

Tone alert radios in nursery schools have met with mixed responses. At least one Director unplugged the device because she could not control the excessively loud volume. Two other nursery schools reported that the radios have been "going off about once a week" or "have been going off fairly often."

Similarly, at the Yorktown Police Station, the volume control for the radio tuned to station WABC was too loud, and the officers shut it off.

Intervenor observers who were monitoring the Emergency Broadcast System stations did not hear any EBS messages, but did hear news reports about the drill. The best information concerning the exercise scenario was available over the rumor control phone, but the announcement of this number was simulated rather than actual. In answer to a specific question by an intervenor observer, rumor control personnel advised listening to WRKL or WLNA for announcements of evacuation routes. Neither of these stations could be tuned in on the radios available to the observer. The rumor control recorded message was the same at 3:20 pm, 3:40, 4:20, and 5:10 pm.

No EBS messages were prepared in any language other than English. No EBS message contained environmental data, including radiation monitoring data. One news release by the New York State Disaster Preparedness Commission announced radiation dose projections.

Revised emergency planning booklets have not been distributed in Westchester County or Rockland County. Booklets meant for Putnam County residents were sent to homes in Yorktown, in Westchester.

ACTIONS TO PROTECT THE PUBLIC

Putnam Valley Police Station responded to a call from Peekskill Community Hospital inquiring about vehicles to transport patients from PCH to St. Lukes: "We have only two vehicles and we're committed." Officers did not know that St. Lukes is in Newburgh, NY. Mohegan Ambulance refused to send a vehicle to the West Ledge Nursing Home in Peekskill; Dispatcher at Fire Control Center was not sure whether an actual response was required, but settled for a "simulated" response, about 12:20 pm. Mohegan Ambulance also committed 2 ambulances to be

dispatched (simulated) to Peekskill Community Hospital at 12 noon, and another one for the VA Hospital at 2 pm. There is some question as to whether the Mohegan Corps could fulfill all these commitments in a real radiological emergency. When the Yorktown Police Department contacted the Yorktown Ambulance Corps to determine the status of ambulances at 12:11, they were told that neither Yorktown ambulance vehicle was available.

The situation regarding the evacuation of school children is chaos. School officials have not received any plan revisions incorporating the change proposed by the Westchester County Executive that children should be sent home first, before a radiological incident has escalated to a general emergency. Class mothers are the backbone of the early-closing communication network, and they have not been notified. No exercise of this communication system was attempted. Parents have not been informed of the new plan. Each school district has its own notification policy regarding early-closing. At least one district will notify parents of children in middle school only if the parents request notification.

Evacuation of mobility impaired persons will be on an ad hoc basis.

The mobilization of Liberty Lines buses was severely complicated by the MetroNorth conductors strike. When the bus from Vanguard left the Ossining garage for an actual emergency run, the dispatcher did not know the route that the bus driver would follow because the driver had taken the map.

HEALTH, MEDICAL AND EXPOSURE CONTROL

Decontamination workers at both the Westchester Fire Control personnel monitoring and decontamination center and the Fox Lane High School reception center monitoring and decontamination station indicated that 4-8 persons could be processed per hour. To waiting volunteer "victims" at Fox Lane, this seemed too slow.

Emergency workers from local departments of parks, highways and public works were given very brief instruction in dosimetry. After such instruction which

included the advice to wear the dosimeter on the outside of his jacket, at least one police officer put the dosimeter inside his jacket pocket.

Monitoring equipment at both Westchester County decontamination locations were faulty. Civil defense officers at the Putnam Valley Police Station had a hard time determining whether or not one of the dosimeters was working properly.

There was no demonstration of capability to treat a radiation casualty in the field off-site, and subsequent transport and treatment of an off-site victim at a hospital.

No extra clothing was available for potentially contaminated persons to put on if they had to remove contaminated clothing. Persons being monitored for radiation were told to shake or brush off clothing, possibly stirring up radioactive particles in the decontamination area. Decontamination teams had no hoods or respiratory protection.

Reports from intervenor observers at Croton and at Yorktown indicate that around 11:35 am Croton police were ordered to place barricades at "Green Point A1, A2, and A3." The Croton police objected that these points "are up in Buchanan, that's out of our jurisdiction." 11:45 - "C8 is not in our jurisdiction, that's Ossining. They must have a different color map." 12:00 noon - "Montrose exit, we don't go that far. Are you looking at the blue map? That's the state police. Do you want us to do out of our jurisdiction? I have to clear it with my chief." "We cover the Croton Point exit. We don't have manpower. We'll do traffic spot check but not barricades. Call the state police. We have only two men on. This is Croton, not the county." "They keep talking about a red map. Do we have one?" Ans: "No, only the blue one and it's not updated."

Of all local EOCs, only Peekskill seemed to keep logs of environmental data. Peekskill asked for such data frequently. Other locations did not.

One policeman characterized the effect of the training he had received from the state Department of Health on the effect of radiation at five miles: "It scared the hell out of everybody."

Potassium Iodide tablets distributed in Ossining had an expiration date of "June, 1981."

RECOVERY AND RE-ENTRY OPERATIONS

The re-entry phase of the scenario was not at all evident to observers in the field. Emergency communications reached a peak in local EOCs just after noon and then just slacked off, finally ceased. There was a good deal of uncertainty about just when the exercise was considered to be "over."

RELEVANCE OF THE EXERCISE EXPERIENCE

Although the local response organizations played their parts with interest and good humor, there was a widespread attitude among the local officials and emergency workers that the exercise scenario did not simulate actual emergency conditions. When the Westchester County Fire Control Center dispatchers began a call out to each town separately that a general emergency had been declared with an evacuation "of the entire area," the response from one town was, "Why call here? I wouldn't be here to get this call if it were real." Other comments: "Nobody knows what the real thing would be like." "If this were real, it is difficult to determine what would happen." "Too bad something isn't going on so we can see how useful those radios are going to be." "How can you move an army of 80,000? Look at the logistics involved: medics, transportation, quartermaster, food. To deploy men in Lebanon took two weeks." "This plan is ridiculous. The whole thing is a joke."

The Putnam Valley Police Department has developed its own evacuation plan for an emergency at Indian Point because the Putnam County plan was developed

without local input. "The county plan doesn't take into account difficult cross roads. We'll be responding to panic if there's a real accident at Indian Point." The introduction to the Putnam Valley plan acknowledges that in a time of panic and fear, it would be impossible to know whether or not personnel would remain at their stations or would leave the area.

Intervenor observers reported that police personnel responded with professional competence. "They were informed but there was an air of skepticism pervading." Emergency response personnel voiced many questions heard by intervenor observers.

Intervenor observers reported that Fire Control Center dispatchers were not well enough prepared or adequately trained about what communities were affected by the plume and what resources and personnel should be available. Training appears to have been limited to information on the effects of radiation with little or nothing concerning the actual emergency response procedures for which the emergency workers are responsible.



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THE EXERCISE PROVES NOTHING ABOUT ACTUAL EMERGENCY PREPAREDNESS

- *** ROADS - The roads can never handle a large volume of evacuation traffic. These narrow, winding, hilly roads -- a valued feature of picturesque suburban life -- will soon be grid-locked during even a limited evacuation.
- *** SELF-EVACUATION - Emergency planners assume that only those who are told to evacuate will try to leave the area when a general emergency is announced. But at Three Mile Island, more than 50 times the number of people advised to evacuate did so, and a recent survey has shown that 34% of all Long Island residents would self-evacuate if pregnant women and pre-school children living within 5 miles of Shoreham were advised to leave during an accident at that nuclear power plant.
- *** SCHOOLS - Today, two conflicting plans exist for the evacuation of school children. One provides for busing the children to "reception centers" outside the EPZ, the other for dismissing them and sending them home. Neither plan provides adequate protection for our children; both are considered irresponsible by parents. One need only listen to some of the accounts of what happened to children during the days following the TMI accident to know that the welfare of children is not being seriously addressed by the emergency planners.
- *** HUMAN RESPONSE - The first response of every person who hears of a nuclear accident will be to attempt to reunite with family members. This will take precious time and quickly lead to road and telephone congestion.
- *** WORKER PARTICIPATION - Emergency workers will have the same human need to care for their families first. Right now county employees are being drafted for radiation disaster training -- on County time. Many of these workers are extremely reluctant to participate in a nuclear emergency response, at least until they have gotten their families to safety.

*** TRAINING AND PRACTICE - Top County officials practiced for weeks to get a passing grade in the exercise, which will have very few elements of surprise. Emergency workers have had only limited training in brief, hastily arranged training sessions in which radiation has been compared with the dangers of peanut butter and charcoal broiled steak. These workers do not feel adequately prepared to deal with a major nuclear disaster. The public has had no training or rehearsals, and surveys show that many residents of the 10-mile EPZ have not even read their information booklets.

*** PUBLIC PREPAREDNESS - Without practice for emergency procedures, the public cannot be considered prepared. Yet a practice evacuation would be dangerous and traumatic. Thus no plan on paper can assure appropriate public response. People are beginning to question why they should have to live with a source of electricity which requires that they be ready to abandon their homes and risk radiation injury.

*** MEDICAL SUPPORT - Public health and medical support facilities, including hospitals and ambulance corps, are not capable of monitoring, diagnosing, and treating a large number of victims of radiation exposure. The plain fact is that if a significant number of people are over-exposed to radiation, medical capabilities will quickly be overwhelmed.

*** EVACUATION BY TRIAGE - Children, the handicapped, the bedridden, the frail elderly, emotionally disturbed, non-English speaking, and people without transportation will have the greatest difficulty evacuating. To date the County has provided no special instructions to a thousand people who have returned postcards indicating their need for special assistance, and these are only a small percentage of the "special needs" population. In an emergency, Westchester County plans to deal with these people on an ad hoc basis. Planning concepts that expose the most vulnerable members of our communities to additional risk are wholly unacceptable.

*** COSTS OF PREPAREDNESS - Any effort to maintain even a minimum level of preparedness will be extremely expensive. Emergency workers must be trained and re-trained frequently. Equipment will have to be purchased and maintained in perfect working order. Every resident and visitor to the EPZ must be provided regularly with information and instructions about emergency procedures. County and municipal employees will have to devote many days of work time -- at public expense -- preparing for an accident at Indian Point.

THESE ARE FACTORS WHICH ARE NOT ASSESSED BY EMERGENCY PLANNING EXERCISES