



DOCKETED
USNRC

Alliance to CLOSE Indian Point

DEC 21 1982

PO Box 192, Croton-on-Hudson, N.Y. 10520 (914) 271-4074 or 271-5324

Present Members: Artists for a Safe World, Briarcliff Citizens Concerned About Indian Point, Croton Parents Concerned About Indian Point, Greater Ossining Neighborhood Action Group, Lakeland Citizens Concerned About Indian Point, Mt. Pleasant Citizens Concerned About Indian Point, Neighborhood Action Group, Neighbors of Indian Point to Close Indian Point, North Rockland Alliance on Nuclear Danger, Peekskill Residents Against Indian Point, Putnam Valley Neighbors to Close Indian Point Now, Rockland Citizens for Safe Energy, Rockland Families to Close Indian Point, West Branch Conservation Association, Westchester Peoples Action Coalition, Women's International League for Peace and Freedom, Yorktown Parents Concerned About Indian Point ... and growing!

December 22, 1982



Chairman Nunzio Palladino
Commissioner John Ahearne
Commissioner James Asselstine
Commissioner Victor Gilinsky
Commissioner Thomas Roberts
United States Nuclear Regulatory Commission
1717 "H" Street, N.W.
Washington, D.C. 20555

DOCKET NUMBER
PROD. & UTIL FAC. 50-242 SP
50-286 SP

Dear Commissioners:

The Alliance to Close Indian Point consists of 18 grassroots groups which have sprung up in the area around the reactors in Buchanan, New York. Four of the groups, Parents Concerned About Indian Point, WECNYC, West Branch Conservation Association, and Rockland Citizens for Safe Energy, are intervenors in the current Atomic Safety and Licensing Board investigation into the "risk to individuals living in the vicinity of the Indian Point site, including that resulting from the difficulty of evacuation in an emergency." (emphasis added, NRC Memorandum and Order, January 8, 1981, p. 8)

The Alliance acknowledges that the two areas of significant deficiency noted by FEMA in its Update Report dated December 16 would indeed hamper any emergency response in case of an accident at Indian Point, but we cannot accept the Update Report as a definitive analysis of emergency planning and preparedness for the nuclear reactor sited in the most densely populated area of the United States.

The Alliance to Close Indian Point is very close to the emergency planning situation: we all live within 50 miles of the nuclear reactors, most within the ten mile Emergency Planning Zone. Members of the Alliance have repeatedly pointed out deficiencies in the plan which have been glossed over by the FEMA evaluators. Furthermore, defects noted by FEMA have been ignored by the state agency responsible for planning, namely the Radiological Emergency Preparedness Agency (REPAG.)

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For example, the only provision for identifying and providing help for people with special needs is a tear-off post card on the back page of the public information brochure. Many handicapped people who received the brochure did not understand the post card concept; others dismissed the idea of evacuation of several hundred thousand people -- or even the tens of thousands within a few Emergency Response Planning Areas (ERPAs) -- and refused to seek special help. Many who sent in the post card have heard nothing from the planners as to what special help will be provided. The Alliance cannot accept a planning concept that exposes the weakest and most vulnerable members of society to the greatest harm in case of an accident at Indian Point.

FEMA has repeatedly pointed out that no letters of agreement are on file from response agencies such as fire departments, tow truck operators, bus companies, ambulance services, and school districts which are to act as hosts for the evacuees. The National Red Cross has submitted a general letter agreeing to offer help in a disaster, but local Red Cross workers have pointed out that local resources are strained when one family is burned out of its house. If Red Cross aid must come in from other areas, this will add unacceptable time to the evacuation effort. The Alliance demands a demonstrated ability and commitment to respond from the local emergency workers themselves, in the form of letters of agreement from each response agency with assigned responsibility, signed by the workers, not by the boss. FEMA has allowed the REPA to ignore the requirement of letters of agreement. This shows up particularly in Planning Standard J, Protective Response. FEMA states in the Update Report, "Procedures have been revised to give additional information on means for clearing impediments on evacuation routes. The Counties will use county, town or village equipment or local private contractors to provide necessary resources." In fact, there are no contracts with private tow truck operators; they have not been assigned to pre-designated locations so that tow trucks are stationed at regular, frequent intervals along evacuation routes. Mr. William Bohlander, Westchester County Commissioner of Public Works has said, regarding "county resources," that "Personnel participating from the Division of Road Maintenance have never been given adequate training by the consultant. Their response in an actual event remains questionable."

It is inconceivable that Planning Standard F, Emergency Communications, should be considered as having only "minor" deficiencies, when police chiefs, fire chiefs, county health and social service officials, school administrators, and elected representatives have repeatedly emphasized the severe communications problems they will have in case of an actual emergency. By far the most important means of communication to most emergency workers will be the telephone, and telephone company representatives have confirmed what common sense would lead one to expect: telephone lines are likely to be overloaded.

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The serious problems of evacuating children in school have not been addressed in any revisions because they were not noted as significant deficiencies by FEMA and are not covered by NRC/FEMA guidelines. The plan requires students to be evacuated by the school administration while parents go in a different direction. This contradicts our strongest parental instinct, to be with and care for our children in danger, and many parents will not obey this order.

The "assumption that sufficient funds will be available to cure the cited deficiencies," is no more than an assumption. The Interim Findings of July 30, 1982, are full of statements such as, "if projected funding is provided;" "additional funding was needed;" "based on the availability of additional funds;" "funding is not available at this time;" "will require funds not currently available;" "pending additional funding;" "when funds become available;" "funds are being sought;" "depend on availability of funds;" "assuming funding is available;" "contingent on future funding."

There is no mention of funding in the Update Report, except a brief remark about Rockland County. The question of money is by no means resolved. A workable emergency response plan would cost millions of dollars. It is obscene to spend mega-dollars in pursuit of this elusive means to insure the health and safety of the people of New York, when the alternative, shutting down the reactors, is available.

Of particular concern to the Alliance in the matter of funding, are silver-zeolite filters, dosimeters, potassium iodide, sufficient equipment for monitoring teams, disposal of liquid radioactive wastes, and protective clothing and compensation for the emergency workers.

The Alliance does not believe that the "revisions in decontamination procedures" will be effective to control radiological exposure among emergency workers. Dosimeters have not been provided for every worker who is called on to play a role in the plan. We are very mindful of the fact that personal exposure cannot be inferred or extrapolated from the dosimeter of another worker. Present procedures call for personnel and vehicle decontamination at a central location just outside the EPZ. This is making a dangerous, unwarranted assumption about the passability of roads during an evacuation. The tragic experience of people who live in the area leads the Alliance to believe that road will be jammed and gridlock will be frequent, especially if an accident at Indian Point occurs during rain or snow.

The present plan allows disposal of liquid radioactive waste by dumping it on the ground.

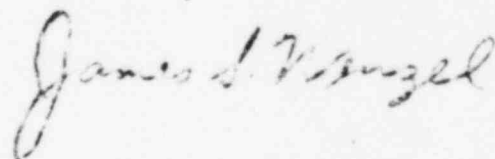
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Medical and Public Health Support, Planning Standard L, is significantly deficient. If early death due to radiation exposure is to be kept to a minimum, each person who has been exposed must receive decontamination, blood counts, nasal smears, and other diagnostic and supportive treatment. Each person has a right to the best appropriate care for his or her exposure. The facilities around Indian Point will be overwhelmed if even 100 people need immediate, emergency treatment for radiation exposure.

Finally, and probably most important, there is no justification for the optimistic assumptions about a smooth, efficient, co-operative human response in case of a major accident at Indian Point. Certainly until the residents and workers are better informed about the plan, and have rehearsed it thoroughly, and have agreed to the need for subjecting themselves to such a nightmarish concept, a more realistic assumption about human response would envision panic, confusion, frustration, delay, mishaps, and hostility. In fact, many emergency workers, parents, and teachers are already on record as refusing to co-operate with the roles which have been assigned them under the plan. Many supervisors have expressed doubts about whether the workers will carry out their responsibilities under the plan, or will obey the first law of survival and human feeling by caring for their own dependent families.

The Alliance to Close Indian Point urges you to consider these remarks, as well as the Update Report, in making your decision on the restart of Indian Point Unit 2. We hope you will conform to your own regulations and prohibit these plants from operating because a workable, acceptable emergency plan is not in place.

Sincerely,



Spokesperson
Alliance to Close
Indian Point



NEW YORK PUBLIC INTEREST RESEARCH GROUP, INC.

9 Murray St. • New York, N.Y. 10007
(212) 349-6460

Offices in: Albany, Binghamton, Buffalo, Fredonia, Long Island, New Paltz, New York City, Niagara Falls, Syracuse, Utica

DOCKETED

News Release

'82 DEC 21 P2:23

For Immediate Release:
Tuesday, December 21, 1982

OFFICE OF SECRETARY
DOCKETING & SERVICE
For Information Contact:
Joan Holt (NYPIRG)
(212) 349-6460
Ellyn Weiss (UCS)
(202) 833-9070

NYPIRG AND UCS URGENTLY REQUEST NRC TO SUSPEND INDIAN POINT LICENSES
CITING FAILURE TO IMPLEMENT A WORKABLE EMERGENCY PLAN
21 MONTHS BEYOND NRC DEADLINE

COMMEND NUMEROUS ELECTED REPRESENTATIVES FOR EXPRESSING
CONCERN OVER RE-START OF INDIAN POINT REACTORS

The New York Public Interest Research Group, Inc. (NYPIRG) and the Union of Concerned Scientists (UCS) today requested the Nuclear Regulatory Commission to order the immediate suspension of the operating licenses of the Indian Point nuclear power plants located in Buchanan, New York. The Commission meets today and tomorrow to decide whether to permit the Indian Point plants to re-start. Both Indian Point reactors are presently shut down for repairs and refuelling. Con Edison's Unit 2 is ready to re-start this week, while PASNY's Unit 3 will not be ready to return to service for some months.

"It is incredible," said Joan Holt of NYPIRG, "that the NRC has permitted the Indian Point plants to operate for 21 months without required emergency plans. The second 120-day clock has run out and FEMA says the plans still have significant deficiencies. If the Commission, at this point, decides to allow the plants to go back on line, the public must conclude that its safety is of little concern to the NRC."

Indian Point is the nation's most densely populated reactor site, and as such has been singled out by the NRC for a special Atomic Safety and Licensing

Board investigation to determine whether the plants should be permitted to operate in the future. That investigation, the subject of numerous delays and interruptions, is scheduled to begin again with hearings in Westchester County on January 10, 1983. It is not expected to be concluded until the summer.

On Friday, December 17, 1982, the Federal Emergency Management Agency (FEMA) reported to the Commission that off-site emergency plans to protect the public in the event of an accident at Indian Point are still significantly deficient in two major planning areas: Protective Response and Responsibility for the Planning Effort. In the event of an evacuation, bus transportation for Westchester residents cannot be assured. Furthermore, Rockland County has rejected the emergency plan submitted for that county by New York State, and has not yet completed a plan of its own for submission.

FEMA Regional Director, Frank P. Petrone, stated Friday that until corrective actions are taken in these planning areas, the Indian Point emergency plans are not "feasible." Further, Mr. Petrone said that FEMA will be able to make no determination about the adequacy of actual preparedness until after another exercise of the emergency plans has been conducted in March, 1983. The FEMA "Update Report" is an evaluation of corrections made in the State and Local emergency plans by the New York State Radiological Emergency Preparedness Group and the Indian Point utilities (Con Edison and PASNY) during the 120-day grace period provided by the NRC for that purpose. The "120-day clock," which expired on December 2nd, is the second granted to the State and utilities for correcting defects in their emergency plans, which according to NRC regulations were supposed to have been in place on April 1st, 1981.

"No more delays can be tolerated," said Ellyn Weiss, General Counsel for UCS. "It is long past time for the NRC to enforce its rule requiring workable emergency plans as a condition for operation."

UCS and NYPIRG expressed their appreciation for the many communications of concern over the possible re-start of the Indian Point plants sent to the NRC Commissioners by elected representatives from all levels of government:

U.S. Senator Daniel P. Moynihan

Members of Congress:	Hamilton Fish, Jr.	Jonathan B. Bingham
	Ted Weiss	Matthew F. McHugh
	Benjamin A. Gilman	Toby Moffett
	James H. Scheuer	Thomas J. Downey
	Robert Garcia	Peter W. Rodino, Jr.
	Charles E. Schumer	William R. Ratchford
	Charles B. Rangel	Claudine Schneider
	Joseph P. Addabbo	Stewart B. McKinney
	Benjamin S. Rosenthal	Edward J. Markey
	Geraldine A. Ferraro	
	Peter A. Peyser	Morris K. Udall

Westchester County Executive Alfred DelBello

Office of New York State Attorney General Robert Abrams

Speaker of the New York State Assembly Stanley Fink

Members of the New York State Assembly (16 members)

Members of the New York State Senate (number of signers not known at this time)

Members of the New York City Council (18 members)

Members of the Westchester Board of Legislators (4 members)

Rockland Board of Legislators (a resolution to the Commission)

In addition to the above, NYPIRG and UCS note that numerous local boards, councils, and committees in Westchester, Rockland and New York City have passed resolutions rejecting the Indian Point emergency plans as unworkable and calling on the NRC to close the plants.



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82 DEC 21 P2:23

THE NRC AND EMERGENCY PLANNING FOR INDIAN POINT

A Chronicle of Regulatory Laxness for the Nation's
Most Densely Populated Reactor Site

- * August 19, 1980 - the Nuclear Regulatory Commission (NRC) publishes its Emergency Planning Rule setting April 1, 1981 as deadline for implementation of off-site emergency plans for all U.S. nuclear power plants.
- * April 1, 1981 - Indian Point does not meet implementation deadline. The Federal Emergency Management Agency (FEMA) reviews draft emergency plans for Indian Point and finds numerous "deficiencies."
- * April 24, 1981 - NRC starts a "120-day clock" giving the Indian Point operators, Con Edison and PASNY, four months to correct their emergency plans.
- * August 17, 1981 - revised emergency plans are submitted to FEMA. Without actually reviewing the new plans, FEMA notifies NRC that "planning" is "adequate" at Indian Point. On August 24, 1981 NRC declares that deficiencies have been "resolved satisfactorily."
- * October 9, 1981 - the New York Public Interest Research Group (NYPIRG) and the Union of Concerned Scientists (UCS), with the support of Westchester County Executive Alfred DelBello and the Rockland County Legislature, appeals the NRC decision to the U.S. Circuit Court, Second District. NYPIRG and UCS argue that the Indian Point emergency plans are neither adequate nor implemented. NRC argues that its decision is not a final one (and thus not appealable) and that its Atomic Safety and Licensing Board (ASLB) will investigate emergency planning and other safety matters at Indian Point. The court dismisses the NYPIRG/UCS appeal.
- * September 18, 1981 - NRC appoints an ASLB to conduct the Indian Point Special Investigation. On June 6, 1982 testimony of almost 200 witnesses on emergency planning problems is prefiled by intervenor groups and by Rockland and Westchester Counties. Evidentiary hearings begin June 22, 1982. Testimony of local officials is highly critical of emergency planning. NRC Commissioners, in a 3 to 2 decision, interrupt the hearings and instruct the ASLB to narrow the scope of its investigation, impose restrictions on intervenors, and postpone taking further testimony on emergency planning. Presiding Judge, Louis Carter, resigns in protest. Congressman Richard Ottinger convenes hearings of the House Subcommittee on Energy, Conservation and Power to investigate the Commission action. A new ASLB order postpones further emergency planning hearings until spring, 1983.

- * March 3, 1982 - an "exercise" (drill) of the Indian Point emergency plans is conducted. Many warning sirens fail to sound. Citizen and media observers point out that the drill does little more than test communications among utility, state, and local officials; response measures that would involve the public in an actual emergency are not tested.
- * May 27, 1982 - FEMA releases its "Post-Exercise Assessment" and on July 30, 1982 -- four and a half months after the drill -- its "Interim Findings" on emergency planning at Indian Point. FEMA identifies deficiencies in all but one of 15 off-site emergency planning areas; five of these areas are deemed "significantly deficient."
- * August 3, 1982 - NRC starts a second 120-day clock, giving Con Edison and PASNY yet another four month grace period for correcting off-site planning deficiencies.
- * September-November, 1982 - NRC Commissioners hold monthly meetings with FEMA and are briefed on Indian Point emergency planning progress. The Commissioners inform FEMA that after the 120-day clock ends on December 3rd, they want an evaluation not only of the adequacy of "planning" (what's on paper), but also of "preparedness" (the actual state of readiness and ability to implement the plans in the event of an accident).

FEMA states that it will only be able to assess the plans; it will not be able to assess actual preparedness until some time after another exercise is conducted. The Commissioners ask for a drill before the end of the 120-day period or immediately thereafter. FEMA tells NRC that a drill cannot be conducted until March 8, 1983. This presents a problem for the Commission, which must decide whether or not to permit Indian Point 2 (currently shut down for refuelling and repairs) to re-start on or around December 22, 1982. (Indian Point 3, out of service since March 1982 and undergoing extensive steam generator repairs, will not be ready to re-start until the spring of 1983.)

- * December 3, 1982 - the 120-day clock expires. FEMA is expected to issue its evaluation of corrections to the Indian Point emergency plans some time between December 10th and 17th. The Commission is expected to announce its decision about the re-start of Unit 2 on or around December 21st.
- * Meanwhile, Westchester and Rockland County officials remain dissatisfied with the emergency plans, which they say are still not implementable. Funding, personnel, and equipment are still insufficient, training in emergency procedures has just begun, and many of the thorniest problems, such as inadequate road systems and lack of buses and drivers, remain unresolved. Rockland County, having called for the permanent closing of Indian Point and having formally withdrawn from participation in the Radiological Emergency Response Plan (RERP) currently under review by FEMA, has begun an attempt to develop its own plan. Nobody is claiming that "preparedness" is adequate at this time.

* A survey of candidates and officeholders in the New York metropolitan area, conducted by NYPIRG and released prior to the 1982 elections, yields the following results:

--Do you favor an interim closing of the Indian Point nuclear power station pending the outcome of the Nuclear Regulatory Commission investigation, which is currently taking place?

Yes	64%	Undecided	7%
No	24%	No Response	5%

--Do you believe that the New York metropolitan region is adequately protected from an accident at Indian Point, at this time?

Yes	8%	Undecided	6%
No	79%	No Response	7%

November, 1982

The Legislature of Rockland County

County Office Building
New City, New York 10956

82 DEC 21 P2:21

HERBERT REISMAN
Town of Ramapo
VICE CHAIRMAN

December 20, 1982
SECRETARY
ACCOUNTING & SERVICE
BRANCH

(914) 425-5122
354-7606

U. S. Nuclear Regulatory Commission
1717 H. Street, N.W.
Washington, D.C

Attention:

DOCKET NUMBER 50-242 SP
PROD. & UTIL. FAC.

Nunzio J. Palladino, Chairman
John Ahearne, Commissioner
Victor Gilinsky, Commissioner
Thomas M. Roberts, Commissioner
James K. Asselstine, Commissioner
Samuel J. Chilk, Secretary

50-286 SP

Gentlemen:

On behalf of the Legislature of Rockland County, I would like to reaffirm our position regarding emergency planning for Indian Point.

As you are aware, we have set up an advisory committee whose responsibility it is to review all emergency plans before they are sent on to the Rockland County Legislature for approval. It is clear at this point that we will not have a plan by December 31, 1982. Any plans and procedures or drafts thereof can not be considered Rockland's plans unless they have undergone the review and/or revision process by the advisory committee and passage by the full Legislature. Our letter to you from John Grant, Chairman of the Legislature, dated November 18, 1982, included a listing of the committee membership. All potential responders to an emergency are represented on the committee, and we consider it in the best interests of the population of Rockland County that these individuals be the ones to contribute to any plan's development and review. We also consider it in the best interests of Rockland's residents if Indian Point Units 2 and 3 remain closed until a workable plan is developed, as our latest resolution of December 7 affirms. (copy enclosed)

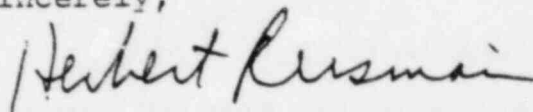
U.S. Nuclear Regulatory Commission

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December 20, 1982

If there is any question as to our status regarding emergency planning, I hope that you will contact us directly.

Sincerely,



Herbert Reisman, Vice Chairman
Rockland County Legislature

HR/dt

cc: All Legislators
Eric Thorsen, County Attorney
Judith Kessler
Media

New Business
 Introduced by:
 Hon. S. Gdanski
 Hon. E. Gorman
 Hon. H. Reisman
 Hon. I. Ingenito

Referral No.
 December 7, 1982
 USNDC

'82 DEC 21 P2:21

RESOLUTION NO. 796 OF 1982
 CALLING FOR THE CLOSING OF THE INDIAN POINT
 NUCLEAR POWER PLANTS FOR FAILURE TO
 REMEDY DEFICIENCIES - "120 DAY CLOCK."

OFFICE OF SECRETARY
 DOCKETING & SERVICE
 BRANCH

Mr. Gdanski offered the following resolution which was seconded by Mr. Ingenito:

WHEREAS, by Resolutions No. 320 of 1982, No. 430 of 1982, and No. 473 of 1982, the Legislature of Rockland County has expressed its concern for the threats to the health, safety and welfare of the citizens of Rockland County which are posed by the nuclear electrical generating facilities at Indian Point, Buchanan, New York, and

WHEREAS, there have been and remain substantial inherent risks in the operation of nuclear electrical generating facilities and numerous violations of the safety requirements of the Nuclear Regulatory Commission at the Indian Point power facilities, and

WHEREAS, the Federal Emergency Management Agency caused a 120-day clock to begin running, during which time the Indian Point nuclear electrical generating facilities were to remedy deficiencies in planning, education and training dealing with the protection of residents, and

WHEREAS, at the expiration of the 120-day clock, the substantial majority of deficiencies as found by the Federal Emergency Management Agency, will not have been remedied, and

WHEREAS, at the expiration of the 120-day clock, the concerns of the Legislature of Rockland County for the health, safety and welfare of the citizens of Rockland County will not have been satisfied in that sirens have proven ineffective, training is far behind standards, equipment needs have not been met, sufficient education of the public has not taken place, and Rockland County still lacks an effective and approved radiological emergency response plan, now, therefore, be it

RESOLVED, that the Legislature of Rockland County hereby calls for the complete closure of the nuclear electrical generating facilities at Indian Point, Buchanan, New York, operated by Consolidated Edison of New York and the Power Authority of the State of New York, and be it further

RESOLVED, that the Legislature of Rockland County demands that the Indian Point nuclear electrical generating facilities be kept closed until such time as the Legislature of Rockland County is assured that the health, safety and welfare of the citizens of Rockland County is adequately protected, and be it further

(continued)

RESOLVED, that the Legislature of Rockland County hereby authorizes the Rockland County Attorney to commence legal proceedings against the Nuclear Regulatory Commission, Con Edison and the Power Authority of the State of New York, in conjunction with any legal action undertaken by the County of Westchester to enjoin, restrain, and prevent the resumption of operation of the nuclear electrical generating facilities at Indian Point, Buchanan, New York, at the expiration of the 120 day clock, and be it further

RESOLVED, that the Clerk to the Legislature of Rockland County be and she hereby is directed to send a copy of this resolution to Senators Alphonse D'Amato and Daniel Patrick Moynihan; Congressman Gilman; the Majority and Minority Leaders of the United States Senate and House of Representatives; Hon. Hugh L. Carey, Governor of the State of New York; Hon. Linda Winikow and Hon. Richard Schermerhorn, New York State Senators; Hon. Thomas Morahan and Hon. Eugene Levy, New York State Assemblymen; the Majority and Minority Leaders of the New York State Senate and the New York State Assembly; the chief executive officers of the Counties of Westchester, Orange and Putnam; the officials of PASNY, FEMA, NRC and Con Edison; Mr. Nunzio Palladino, Chairman, NRC, and to each of the following Commissioners of the NRC: James T. Ahern, Thomas Roberts, James Asselsteine, Victor Gilinsky, and to such other persons as the Clerk, in her discretion, may feel proper in order to effectuate the purpose of this resolution.

The resolution was adopted by the following vote:

AYES:	303
NAYS:	59 (Legislators Beljean, McDougall, and Wagner)
Abstention:	19 (Legislator Murphy, based on the fact that he does business with State Regulatory Agencies.)
Absent:	25 (Chairman Grant)

New Business
Introduced by:

Hon. S. Gdanski
Hon. H. Reisman

Referral No. 100
December 7, 1982

RESOLUTION NO. 796 OF 1982 '82 DEC 21 P2:30
CALLING FOR THE CLOSING OF THE INDIAN POINT
NUCLEAR POWER PLANTS FOR FAILURE TO
REMEDY DEFICIENCIES - "120 DAY CLOCK"
SECRETARY
OF THE
LEGISLATURE
& SERVICE
BRANCH

WHEREAS, by Resolutions No. 320 of 1982, No. 430 of 1982, and No. 473 of 1982, the Legislature of Rockland County has expressed its concern for the threats to the health, safety and welfare of the citizens of Rockland County which are posed by the nuclear electrical generating facilities at Indian Point, Buchanan, New York, and

WHEREAS, there have been and remain substantial inherent risks in the operation of nuclear electrical generating facilities and numerous violations of the safety requirements of the Nuclear Regulatory Commission at the Indian Point power facilities, and

WHEREAS, the Federal Emergency Management Agency caused a 120-day clock to begin running, during which time the Indian Point nuclear electrical generating facilities were to remedy deficiencies in planning, education and training dealing with the protection of residents, and

WHEREAS, at the expiration of the 120-day clock, the substantial majority of deficiencies as found by the Federal Emergency Management Agency, will not have been remedied, and

WHEREAS, at the expiration of the 120-day clock, the concerns of the Legislature of Rockland County for the health, safety and welfare of the citizens of Rockland County will not have been satisfied in that sirens have proven ineffective, training is far behind standards, equipment needs have not been met, sufficient education of the public has not taken place, and Rockland County still lacks an effective and approved radiological emergency response plan, now, therefore, be it

RESOLVED, that the Legislature of Rockland County hereby calls for the complete closure of the nuclear electrical generating facilities at Indian Point, Buchanan, New York, operated by Consolidated Edison of New York and the Power Authority of the State of New York, and be it further

RESOLVED, that the Legislature of Rockland County demands that the Indian Point nuclear electrical generating facilities be kept closed until such time as the Legislature of Rockland County is assured that the health, safety and welfare of the citizens of Rockland County is adequately protected, and be it further

RESOLVED, that the Clerk to the Legislature of Rockland County be and she hereby is directed to send a copy of this resolution to Senators Alphonse D'Amato and Daniel Patrick Moynihan; Congressman Gilman; the Majority and Minority Leaders of the United States Senate and House of Representatives: Hon. Hugh L. Carey, Governor of the State of New York; Hon. Linda Winikow and Hon. Richard Schermerhorn, New York State Senators; Hon. Thomas Morahan and Hon. Eugene Levy, New York State Assemblymen; the Majority and Minority Leaders of the New York State Senate and the New York State Assembly; the chief executive officers of the Counties of Westchester, Orange and Putnam; the officials of PASNY, FEMA, NRC and Con Edison; Mr. Nunzio Pelladino, Chairman, NRC, and to each of the following Commissioners of the NRC: James T. Ahearne, Thomas Roberts, James Asselsteine, Victor Gilinsky, and to such other persons as the Clerk, in her discretion, may feel proper in order to effectuate the purpose of this resolution.

EOT/bcm
M-33

Passed December 7, 1982, with the following amendment:

RESOLVED, that the Legislature of Rockland County hereby authorizes the Rockland County Attorney to commence legal proceedings against the Nuclear Regulatory Commission, Con Edison, and the Power Authority of the State of New York, in conjunction with any legal action undertaken by the County of Westchester, to enjoin, restrain, and prevent the resumption of operation of the nuclear electrical generating facilities at Indian Point, Buchanan, New York, at the expiration of the 120 day clock.