

ORIGINAL
UNITED STATES
NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF:

PHILADELPHIA ELECTRIC COMPANY

(Limerick Generating Station,
Units 1 and 2)

DOCKET NO:

50-352-OL

50-353-OL

LOCATION: PHILADELPHIA, PENNSYLVANIA

PAGES: 14,498 - 14,722

DATE: WEDNESDAY, DECEMBER 5, 1984.

TR-01/1

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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 In the Matter of: :
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 PHILADELPHIA ELECTRIC COMPANY : Docket Nos. 50-352-OL
 : 50-353-OL
 (Limerick Generating Station, :
 Units 1 and 2) :
 :
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Old Customs Courtroom
U.S. Customs House
2nd and Chestnut Streets
Philadelphia, Pennsylvania

Wednesday, December 5, 1984

The hearing in the above-entitled matter
convened, pursuant to recess, at 9:00 a.m.

BEFORE:

HELEN F. HOYT, ESQ., Chairwoman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

DR. RICHARD F. COLE, Member
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

DR. JERRY HARBOUR, Member
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

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APPEARANCES:

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On behalf of the NRC Staff:

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P R O C E E D I N G S

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2 JUDGE HOYT: The hearing will please come to
3 order.

4 Let the record reflect that all the parties to
5 the hearing are again present in the hearing room; that
6 the witness, Mr. Vutz, has again taken his place on the
7 witness stand.

8 Sir, I recall to you that you took the oath here
9 with us. You are still under oath.

10 Whereupon,

11 NORMAN VUTZ

12 resumed the stand as a witness on behalf of Limerick Ecology
13 Action, and having been previously duly sworn, was examined
14 and testified further as follows:

15 JUDGE HOYT: At the conclusion of the testimony
16 yesterday I believe, Ms. Ferkin, you indicated you were
17 ready to begin, as I understand, a very brief cross examination.

18 MS. FERKIN: Yes. My cross examination remains very
19 brief.

20 Could I ask someone to provide Mr. Vutz with a
21 copy of LEA-16, the Evacuation Plan Map.

22 (Document handed to witness.)

23 MR. CONNER: While that is transpiring, may I
24 note on the record that I frequently, I found, by error,
25 referred to LEA-16 as Applicant's 16, yesterday. So that

mm2 1 correction should be noted.

2 JUDGE HOYT: Yes, sir, thank you.

3 The Board did understand that you had misquoted
4 an exhibit number.

5 CROSS-EXAMINATION (Resumed)

6 BY MS. FERKIN:

7 Q Do you have that in front of you now, Mr. Vutz?

8 A Yes, I do.

9 Q Mr. Vutz, just one point of clarification.

10 Would you examine the little red circles on the
11 map. Can you tell me what those circles signify?

12 A They are labeled on the map legend as traffic
13 flow consolidation points.

14 Q Those are not the same as traffic control points
15 outlined in your township plan, are they?

16 A No, they are not. We have seven traffic control
17 points, and on this map there is only one consolidation point
18 shown.

19 Q Just one more question.

20 Mr. Vutz, yesterday you mentioned that you have
21 had several areas of concern regarding the development of
22 your township plan. Have you communicated those concerns to
23 the Chester County -- either the Department of Emergency
24 Services, or Chester County Government in general?

25 A Not in a formal way. I did have a debriefing

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1 session with Mr. Campbell after the July 25 exercise. As I
2 recall that was several hours. Just Mr. Campbell and myself.
3 He took copious notes, I took some notes. But I have not
4 put them in the form of a letter action item.

5 Q Are you aware that the Chester County Department
6 of Emergency Services holds periodic meetings with the
7 township planners?

8 A Basically, no, I have not been to any one of
9 those.

10 Q All right, thank you.

11 MS. FERKIN: I have no further questions.

12 JUDGE HOYT: Very well.

13 NRC Staff?

14 BY MR. MC GURREN:

15 Q Dr. Vutz, my name is J. McGurren. I am with the
16 NRC Staff. I just have a couple of questions for you.

17 I think yesterday during cross examination you
18 mentioned several traffic control points in your township.

19 Is that correct?

20 A Yes, I did.

21 Q I don't see that you have yesterday's transcript,
22 but on page --

23 JUDGE HOYT: Would counsel like a copy of the
24 transcript?

25 MR. MC GURREN: I will give the witness a copy of

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1 the transcript. I have one handy.

2 JUDGE HOYT: Very well. You may use this copy if
3 you wish.

4 (Document handed to witness.)

5 BY MR. MC GURREN:

6 Q If you will please turn to page 14,449, line 16.
7 There you indicated that there were the seven traffic control
8 points and you gave a description, sort of a shorthand
9 description of where those points were.

10 I would like you to turn to your township plan
11 itself, which is Applicant's Exhibit 34, and again, if you
12 don't have that handy I can show you a copy of mine.

13 A I do not have a copy.

14 (Document handed to witness.)

15 JUDGE HOYT: The record will reflect that the
16 witness has been handed two documents; one a transcript of
17 the proceedings of yesterday's hearing, and a copy of the
18 Evacuation Plan of the Township of --

19 THE WITNESS: Schuylkill Township. It is a
20 Radiological Emergency Response Plan Draft No. 6 dated
21 September 1984.

22 JUDGE HOYT: Very well. That has also been
23 identified in this record as Applicant's Exhibit 34.

24 BY MR. MC GURREN:

25 Q First, Dr. Vutz, I would like to ask you: What

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1 page did I refer you to?

2 A You referred me to page D-1.

3 JUDGE HOYT: May I interrupt, counsel, a moment.
4 I apologize.

5 MR. MC GURREN: Certainly.

6 JUDGE HOYT: The document that the Board has
7 marked Applicant's Exhibit E-34, and received in this record
8 as Applicant's Exhibit E-34, has a date of September 1984
9 and is Draft 6.

10 I think we have had this problem in the past with
11 various documents, various drafts of documents being
12 distributed. Let's have everyone on the same wavelength
13 and get the same documents before this witness.

14 MR. MC GURREN: I think, why don't we just ask
15 the witness if he is looking at Draft 6 at that date, that
16 date and document.

17 THE WITNESS: Yes, I have Draft 6 which is
18 dated September 1984.

19 JUDGE HOYT: All right. Thank you.

20 BY MR. MC GURREN:

21 Q Again referring to page -- I think you said D-1?

22 A D-1, correct.

23 Q Are those indeed the seven traffic control
24 points that you were making reference to?

25 A Yes, they are. They are the seven points that

1 have been in our plans. And I believe the same seven have
2 been in the plans from Draft 2 on through.

3 Q Let me ask you this: Have you, in your job as a
4 supervisor, had any input into the location designating these
5 particular locations?

6 A I did not have input into designating these
7 locations. These were assigned prior to my being elected as
8 supervisor.

9 It was my understanding, confirmed verbally with
10 our Chief of Police, that his input was solicited by
11 Energy Consultants and went into drawing up this list.

12 Q Have you had an opportunity, since you have been
13 a supervisor, to comment on these particular traffic control
14 points?

15 A An opportunity to comment to whom, I guess would
16 be the --

17 Q To anybody, either EC or the state?

18 A I have had no opportunity to comment to the state.
19 And some of the discussions with the EC personnel at our
20 drill and our training session. I don't recall which one.

21 I think at one time I mentioned the possibility
22 of needing traffic controls at the Valley Park Road, Valley
23 Forge Road intersection, which is the red circle previously
24 mentioned this morning on the map.

25 Q Let's just make sure that we are clear on, if you

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1 did have an opportunity now to comment or make an additional --
2 I think what you are talking about is an additional traffic
3 control point?

4 A Yes.

5 Q Precisely where would that be?

6 A I would suggest and seriously consider adding a
7 traffic control point at Valley Park Road and Valley Forge
8 Road that I referred to yesterday is the vicinity of the
9 Valley Forge Post Office.

10 Q Are there any other points that you would like
11 to designate as traffic control points?

12 A I guess I have none in mind right now that I would
13 specifically add -- the Jug Hollow Road, Valley Park Road --
14 just another bad intersection.

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1 Q By bad, I take it to mean that in situations of
2 rush hour or if there were an evacuation you believe that
3 those might be congested areas, is that right?

4 A Yes. Those are areas of potential congestion and
5 in the case of aggitated driving, potential accidents due
6 to the poor visibility and the road geometry. Now Jug Hollow
7 Road is not shown as an evacuation route. It is a
8 tributary route feeding Valley Park Road and enters it
9 just to the west of Valley Park and Valley Forge Road
10 intersection.

11 Q Can I stop you there? You do have LEA Exhibit E-16
12 before you, do you not?

13 A Yes, I do.

14 Q Is that particular road designated on LEA E-16?

15 A (Perusing document.)

16 Yes, it is. It is designated T-445.

17 Q Let me just take a moment and see if I can find
18 that.

19 (PAUSE.)

20 A You could find it by looking at the arrow with the
21 figure "1000" immediately below it and the head of the arrow
22 points almost at the T-445 designation.

23 Q Just looking at that particular road, I take it
24 the traffic evacuating would be going in a southerly direction,
25 is that correct?

1 A. On that road my concern would be for traffic going
2 in an easterly direction.

3 Q. I see.

4 A. There are some residential areas there which we
5 refer to as being on the mountain and the two routes we
6 discussed yesterday which were not identified as evacuation
7 routes, Diamond Rock Road and Welch Valley Road, would be
8 alternate ways for persons in that area to get out of the
9 township. But all the providing that has been provided to
10 us and the basis for our evacuation planning and exercises
11 has been to evacuate towards route 23 and then going east
12 out of the township.

13 Q. Are there any other traffic control points that
14 you would recommend based upon your experience?

15 A. Again, I don't feel that I am ready to make a
16 recommendation. What I would do is ask our police chief on
17 his feelings whether you would like to reconsider route 23
18 and where some of the residential districts come in and that
19 would be Spring Lane, north and south Spring Lane into
20 Route 23.

21 Q. I am really just interested in your opinions.

22 A. I have none right at this time.

23 Q. I take it from the fact that you would like to
24 designate certain areas as further traffic control point
25 areas that you feel that traffic control points do serve a

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1 purpose and just so I am clear in understanding what purpose
2 that might be, would you say that traffic control would help
3 eliminate congestion and move traffic along?

4 A. I think traffic control would tend to make an
5 orderly flow of traffic, the difference say between turbulent
6 flow of fluids or laminer flow, smooth flow, where you have
7 residential districts coming into a main evacuation route
8 the presence of a traffic control officer could serve to
9 meter the tributary flow into the mainstream and without
10 that, again depending on the psychology of the particular
11 evacuation, you could have some panic action and fender
12 bender type action.

13 But I think the traffic control point staff would
14 be a smoothing process which would probably enhance the
15 total throughout of the road system.

16 Q. I think earlier this morning you used the word
17 agitated. Do you think that traffic control points might
18 eliminate what you spoke of as agitation?

19 A. I think they could help. In an evacuation scenario
20 I believe a presence of municipal persons, firemen and so
21 on, who appear to know what they are doing would serve to
22 put a lot of peace of mind in people and establish an
23 atmospheric situation that is under control rather than
24 every man for himself.

25 Q. On this point of traffic control points, the two

1 traffic control points that you just now recommended looking
2 at LEA E-16, it is my understanding that these are both outside
3 of the EPZ, is that correct?

4 A. They are outside the ten mile circle but my understand-
5 ing of the EPZ is that it is the white area on E-16.

6 Q. All right. The seven traffic control points that
7 are mentioned in the township plan, where are those located
8 with respect to the ten mile boundary?

9 A. They are all within the twn mile boundary.

10 Q. I would like to move away from this point to the
11 subject of the 30 percent reduction in capacity that you
12 testified to yesterday. I believe you expressed concern
13 about it and I just want to make sure that I understand
14 what your concern was.

15 Is it your belief that that 30 percent represents
16 a worst case weather situation?

17 A. That was the inference I had in reading the HMM
18 Study, that in doing the calculations for the worst case
19 snowstorm evacuation, they assumed a 30 percent reduction in
20 the capacity of the links and nodes.

21 Q. All right. There was some discussion yesterday
22 about a suit wherein there would be a changing of zoning,
23 do you recall that testimony?

24 A. Yes, I do.

25 Q. I am just trying to get an understanding of what

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1 time period you believe that there would be a doubling of the
2 population and I think what we are speaking of is the
3 population within the township?

4 A. Yes. The population of the township could double
5 if the Supreme Court finds for the owner of the property.

6 Q. Just so I understand what your opinion is, what
7 time frame were you thinking that this doubling could occur?

8 A. I believe it would take place over several years
9 perhaps three or four. The developer has been actively
10 surveying the area. He has had crews out this summer surveying
11 to run sewer lines in the area and he has approached the
12 township informally on sort of a out-of-court settlement
13 which would have reduced the growth considerably but we
14 took the chance since it was in litigation that it was not
15 timely to talk and the outcome of the litigation is that
16 if he gets his curative zoning, he could put in excess of
17 1,500 dwelling units on this track of ground he owns and
18 that is the basis for saying approximately doubles the
19 population of the township.

20 Q. It is your belief that this quantity of new
21 residents as could be constructed within a three or four
22 year period, is that correct?

23 A. I believe so. I think this has the potential
24 of going about as fast as Chesterbrook in its development.

25 MR. MCGURREN: May I have a minute, Your Honor?

1 JUDGE HOYT: Yes.

2 (Counsel for NRC conferring off the record.)

3 MR. MCGURREN: I have no further questions, Your
4 Honor.

5 JUDGE HOYT: Very well. Mr. Hirsch, do you have
6 any questions?

7 MR. HIRSCH: I have no questions.

8 JUDGE HOYT: Any redirect, Mr. Stone?

9 MR. STONE: Yes, Your Honor.

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10 REDIRECT EXAMINATION

11 BY MR. STONE:

12 Q Mr. Vutz, in your last answer to PEMA with respect
13 to a question as to whether or not you communicated any
14 problems that you had with the plan to the county, you
15 stated you had not stated in writing to them. Is that
16 correct?

17 A Not since the July 25th drill. In 1983 I made a
18 critique of draft two which was prior to my being elected
19 but the township supervisors anticipating my election
20 gave me a draft. That was disseminated to Energy Consultants
21 and PECO I know from the transmittal letter. I don't know
22 if that went to the county or not.

23 Q With respect to those critiques, what percentage
24 of them were satisfied and what wasn't?

25 A I haven't been keeping score on it. The nature of

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1 the satisfactions are the inclusion of missing maps and
2 the inclusion of missing of phone numbers. There has been
3 no structural change in the plans from draft two to draft
4 six.

5 Q In addition to those written comments, have you
6 had other occasions to discuss with EC personnel or other
7 individuals problems you had with the plan?

8 A Just during the course of the drills and the
9 little recap sessions we have had after the drills. Basically
10 that is it.

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1 Q And have EC personnel or county personnel
2 contacted you in the intervening time between the July '83
3 letter and the July 25, 1984 test drill to solicit your
4 input into any aspect of this plan?

5 A In every instance where the EC personnel, you
6 know, in a discussion, such as with the police training
7 thing, they have made a general statement that, you know,
8 we would be pleased to change the plan. And it is such
9 a general one that it is hard to pick up and run with
10 it other than my rewriting the plan and then telling
11 them to reissue it.

12 In the case of the county, there have been a
13 number of letters coming in, I guess the most recent
14 one I reall is transmitting the FEMA review of the 25th
15 exercise. And I believe Mr. Campbell had a general closing
16 sentence in there, you know, appreciate comments on any
17 and all things. But there have been no specific agenda-driven
18 discussions relating to training, relating to traffic,
19 relating to resources, like that.

20 Q What is your level of satisfaction then with
21 your opportunities and occasions to have input into the
22 plan to make the kinds of changes you would want and to
23 otherwise organize things the way that you would feel
24 would be workable for your township?

25 A At this point I have to say I am not satisfied.

1 To make a generalization, we haven't really gotten down
2 to brass tacks yet on a lot of these detailed areas.

3 Q Thank you.

4 In response to the NRC Staff, you discussed
5 a couple of extra traffic control points which you mentioned
6 would be perhaps helpful in eliminating some of the
7 agitation, I believe was your word, that might otherwise
8 occur.

9 Do these modifications eliminate your traffic
10 concerns that you have expressed in the previous testimony?

11 A No. I wouldn't say they eliminate it. They
12 may make the system slightly less critical. There is no
13 one magic solution, one extra man to add to our traffic
14 situation to make it suddenly flow very smoothly.

15 As far as adding traffic control points, I feel
16 that is within our capability to do, you know, if I
17 decide or the supervisors decide to do it, we have had
18 indications from the fire department that they have
19 sufficient auxiliary fire police people to staff it.

20 I am not concerned in that area.

21 Q Do these traffic control modificaitons in any
22 way lessen your concerns with some of the basic methodology
23 problems that you discussed with respect to the HMM
24 study and the Valley Forge Park and so forth?

25 A No, they don't. My concerns there are rooted in

1 how the number of cars are estimated and how the flow of
2 cars through the township is modeled in the simulation
3 and the concern I expressed yesterday was whether that
4 simulation was a realistic modeling. And from the HMM
5 report, I wasn't able to convince myself that it was totally
6 realistic and also there wasn't sufficient detail to make
7 specific questions other than the very basic ones like,
8 how do you read the input data to the computer model.

9 Q You were also asked a question with respect to
10 a 30 percent reduction in capacity for an adverse snow
11 storm condition. And you, did you not, didn't you just
12 express the opinion that it had been your impression that
13 that was a snow storm or adverse condition --

14 A It is my impression that that was to reflect the
15 worst-case condition, and that impression is based on
16 the four-hour good condition, six-plus-hour bad conditions
17 estimates given which correlate with figures that had
18 come out in the Philadelphia Inquirer article prior to
19 my seeing the HMM article.

20 And I believe the Inquirer used the terms
21 "worst case" or "most adverse conditions" in their article.

22 Q And is a 30 percent reduction in capacity a
23 figure which you would use to model an adverse snow storm
24 condition in your township?

25 A No, I would not. I would consider sort of a time

1 histogram in capacity reflecting the time it takes to
2 clear our township roads. And that runs on the order of
3 several hours.

4 Part of our situation in normal snow storms is
5 aggravated by the fact that the main roads are done by
6 PennDOT, and PennDOT typically will come in a day after the
7 snow storm. And we get a lot of complaints from township
8 residents, why isn't Valley Park Road plowed, why isn't
9 Country Club Road plowed, all the tributaries are in good
10 shape but the main roads aren't. PennDOT is plowing
11 elsewhere before they get around to us.

12 Q And you -- finally, you were asked a question
13 with respect to the Fernley case, a zoning matter, in
14 which the township is before the state supreme court.

15 Is traffic problems generic or inherent road
16 conditions a part of that case from the township's point
17 of view?

18 A Yes. It is. That is part of our reason for
19 defending our long-term township development plan.

20 And Fernley's contention was that it was discriminatory
21 zoning. And we referenced in our filing specifically
22 the fact that this area of ground is nestled up against
23 Valley Forge Park and the mountain, and that traffic
24 flow through the park is limited by the nature of the
25 roads being narrow and few through the park. And traffic

1 flow over the mountain is limited by the topography
2 going up and down either side.

3 So to summarize or characterize the township's
4 pleadings in this case, it was that this is not the
5 area that lends itself to high density development,
6 specifically because it is hard to get people in and
7 out of there in a normal situation. We had no idea of
8 any evacuation needs at the time that the litigation came
9 up.

10 Q And as assistant road master and township
11 supervisor, do you see the kinds of road modifications
12 that perhaps the developer might seek, if that zoning
13 were to be changed, as something that is feasible
14 to do in the township, or is there some limitation there
15 that presents a problem?

16 A My concern would be that PennDOT would have to
17 get into a lot of these improvements and modifications,
18 and the township would have to be pushing the developer
19 through PennDOT to make road improvements or get commitments
20 for road improvements. And it is certainly not a sure
21 thing.

22 So my concerns, as far as the Fernley development
23 getting started, are that the development would go in,
24 would be developed. The roads would be congested, and
25 the road improvements would come only many years later in

1 response to the very obvious traffic conditions.
2 And that has been historically what has happened in any
3 number of cases.

4 MR. STONE: Thank you. That ends my redirect.

5 MR. ANTHONY: I have one question for the
6 witness.

7 JUDGE HOYT: I don't believe this witness
8 testified on your contention, did he, sir?

9 Is that correct?

10 Very well. If he did testify, and he indicates
11 that he did, if you have a question, Mr. Anthony --

12 REDIRECT EXAMINATION

13 BY MR. ANTHONY:

14 Q Mr. Vutz, you mentioned worst case, and do you
15 think the emergency planning should include a worst-case
16 scenario?

17 A Yes, I think it should. If the worst case is
18 bad, we should know how bad it is.

19 Thinking on a much broader scale than just
20 Schuylkill Township, if the traffic and evacuation plans
21 show that snow conditions extend double or triple
22 the evacuation times, I believe that should be reflected
23 in how the weather conditions are used in assessing
24 an unusual event going on to site emergency, general
25 emergency, if perhaps the decision points moved up in time

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1 to reflect the reduced capability to get people out and
2 keep those things in balance. So if you are in a
3 winter snow storm condition and have a long evacuation
4 ahead of you, you may be a bit more conservative in
5 deciding to call an evacuation than a nice summer day
6 when everything will go fairly quickly.

7 Because, you know, the people watching the plant
8 when things are beginning to go wrong are always torn
9 between thoughts of "can we get things under control or
10 do we have to move out?" and I don't know from what has
11 been shown to me as far as the Schuylkill Township plan
12 how that would be reflected back into the site personnel.

13 But, yes, I believe the worst case should be
14 considered in the overall picture.

15 Q And you mentioned a 30 percent reduction for
16 snow conditions that is written into the HMM report.
17 Mr. Klimm testified that that didn't reflect conditions
18 such as the blizzard of '78.

19 So would the blizzard of '78 then come near
20 approaching what you might call a worst case?

21 A I think it would. There have been several
22 blizzards since I have lived in the township where
23 snow drifts have blocked roads for periods of hours.
24 And in the case where PennDOT doesn't come through for
25 a day, the blockage borders on a day; sometimes the township

1 or farmers with their own equipment will go through and
2 at least punch one track through on the PennDOT roads just
3 to get things moving.

4 Q And could route 23 be blocked for a whole day?

5 A Not route 23, not to my recollection. It is
6 the nonnumbered PennDOT roads, Valley Park and Country Club
7 Road being typically the ones left later. 29 and 23 tend
8 to get attention a little earlier in the township.

9 Q And are you aware of lineups of traffic at the
10 intersection of 23 and 202 daily and how long would those
11 lineups be?

12 A I am having difficulty placing an intersection
13 of 23 and 202.

14 Q Not 202, 252.

15 A Oh, yes, 23 and 252.

16 Q In the Valley Forge Park --

17 A Yes. There are lineups there. It is in the
18 vicinity of the George Washington Headquarters. The
19 traffic light ther will block up traffic on route 23,
20 eastbound traffic in the morning and westbound traffic in
21 the afternoon.

22 Q And how long would those lineups be?

23 MR. CONNER: We object to this line of
24 questioning as being repetitious. This is not
25 cross-examination. Mr. Anthony is a proponent of this

1 contention. This question has already been asked and
2 answered.

3 JUDGE HOYT: I believe this is redirect,
4 Mr. Conner.

5 MR. CONNER: In that case, it would be beyond
6 cross.

7 JUDGE HOYT: It has been asked and answered,
8 however, Mr. Anthony, in that phase the objection is
9 sustained, sir.

10 MR. ANTHONY: Well, that is all right with me.
11 That is my last question.

12 JUDGE HOYT: Now, Mr. Stone, I guess we can
13 say this is reredirect. Mr. Anthony was not here yesterday
14 and did not ask any question on the original direct.
15 I will afford you an opportunity for your redirect.

16 MR. CONNER: If the Board please, we have some
17 recross.

18 JUDGE HOYT: I've got my system out of order here.
19 You are right, Mr. Conner. Sorry about that.

20 MR. CONNER: No problem.

21 JUDGE HOYT: If you have got the recross ready --

22 MR. CONNER: I will make this, I hope, very
23 short.

24 RE-CROSS-EXAMINATION

25 BY MR. CONNER:

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1 Q Sir, you referred to the Jug Hollow Road and
2 T445. Is that the road you identified, a part of the
3 roads leading to that intersection at the south border of
4 Schuylkill Township that you have referred to as the road
5 to Paoli or the way you might move out of the EPZ, if
6 necessary?

7 A Well, T445 intersects with Country Club Road
8 which, on this map, is identified as 1510. And at
9 that intersection would be a means of going south out
10 of the township over the mountain.

11 In the other direction, it funnels into 23 and
12 into Valley Park and into 23. So it connects the
13 south boundary of the township with the road leading to
14 the east boundary of the township.

15 Q You were asked questions by the staff counsel
16 about the control points, and you indicated that it
17 might be nice to have them -- another one at Valley Forge
18 and Valley Park Road and at Valley Park and Jug Hollow or
19 T445.

20 You then said something about that these control
21 points, seven control points in the plan had been --
22 resulted from EC talking with your police chief. And
23 then I think you were asked, are you going to make a
24 recommendation, and you said something to the effect,
25 you had to talk to the police chief about it.

1 Do you understand the police chief is satisfied
2 with the seven control points?

3 A I do not.

4 Q Is he dissatisfied with the seven control points?

5 A I have not specifically asked him if he is
6 dissatisfied. The seven control points were arrived at
7 early in the planning stage, and I don't know the
8 background on them. And we have not followed up on them.
9 When I have established in my mind that we have the
10 capability of staffing more traffic control points, that
11 did not become a critical matter. So I haven't talked to
12 the police chief since then.

13 Q Are you aware of any obstacle that would prevent
14 your township from adding control points -- I mean
15 adding people to those intersections to provide traffic
16 control in the event of an evacuation?

17 A No, I see no obstacle to do that.

18 Q There is a lot of discussion about what is the
19 worst case in the HMM study.

20 Are you aware of the fact that this study was
21 prepared pursuant to this document known as NUREG 0654,
22 Criteria for Preparation and Evaluation of Radiological
23 Emergency Response Plans and Preparedness in Support of
24 Nuclear Power Plants, particularly Annex 4 thereof which
25 refers to evacuation time estimates?

1 A I do recall in the HMM preamble there was
2 reference to 0654.

3 Q Have you ever studied NUREG 0654?

4 A I have read through it. I wouldn't say I am
5 conversant with it.

6 Q Do you understand it sets the methodology and
7 assumptions and so forth that would be followed for such
8 a study?

9 A What I understand it sets is some necessary but
10 not sufficient conditions for preparing a plan. It is
11 sort of like the rock bottom minimum that has to be done.

12 Q Are you in a position to state whether your
13 problem is with the requirements of 0654 or something else?

14 MR. STONE: Objection on the grounds that I
15 don't think -- we haven't maintained Mr. Vutz is qualified
16 to interpret 0654 in terms of law. And I think that
17 without having the document in front of him, I think it is --
18 and based on a recollection of having read through it --
19 I don't think it is fair to ask the witness to draw
20 a conclusion of law in that manner.

21 MR. CONNER: If he is not familiar with it,
22 I would like to know that. If he has a conclusion, I
23 would like to know that. If he has no opinion, so be it.

24 MR. STONE: If I may, if we could afford the
25 witness a chance to review the section of 0654, I am sure

1 he could make specific comments with respect to
2 methodology. If it is a kind of off the top of the head
3 conclusion about law --

4 JUDGE HOYT: Would you give him the document
5 then, Mr. Conner.

6 MR. CONNER: I would, but that is not the question
7 I asked him.

8 JUDGE HOYT: Well, the counsel wants him to
9 have the copy before him. I am willing to permit him to
10 have it if that is what the representative from LEA
11 wants.

12 Does that suffice your objection, Mr. Stone?

13 MR. STONE: I think we are referring to, in
14 my recollection here, Appendix 3? Is that -- maybe counsel
15 from Philadelphia Electric -- from the Applicant could --

16 JUDGE HOYT: What appendix was it?

17 MR. CONNER: 4.

18 I did not ask the witness for his analysis to be
19 made now during hearing time of this document. I asked
20 him if he had an opinion as to whether his complaints
21 were based upon his knowledge of 0654 .

22 I do not want to take time for him to study
23 the document and take up hearing time.

24 END 3

1 JUDGE HOYT: Can you answer the question, Mr. Vutz?

2 THE WITNESS: Yes, I think I can.

3 JUDGE HOYT: I am going to permit the question.

4 THE WITNESS: My concerns, as I expressly testified
5 to here are based on being a resident and responsible official
6 for the township and knowing the township conditions.

7 I have not gone through and done an analysis or
8 formulated an opinion on the adequacy of 0654. I guess what
9 I could say is no, I am not in a position to second guess NRC,
10 and its guidelines.

11 BY MR. CONNER:

12 Q You were asked about a worst-case condition. And
13 I believe I understood you to correctly say that if there
14 were four feet of snow on the ground or the Blizzard of '78,
15 that would represent a worst-case condition.

16 A That would be a good worst-case condition.

17 Q Do you understand that this evacuation time
18 estimate is made to provide the decisionmakers one indicia of
19 what the conditions are which might or might not dictate
20 evacuation as opposed to, say, sheltering in the event either
21 were necessary?

22 A Yes, I'm aware of that. That has been mentioned
23 in a number of areas where it is described what actions
24 can be taken and they say sheltering is one and evacuation
25 is the other.

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1 Q As the Emergency Plan Coordinator, and if there
2 were a general emergency, would you order evacuation in a
3 four-foot -- four feet of snow on the ground, or would you
4 order sheltering?

5 A Well, that's a tough question. The way I see
6 the whole township response is that we follow recommendations
7 coming from FEMA and PEMA as to what the corrective actions
8 are. Those are based on knowledge of what is going on in
9 the plant.

10 In addition to the snow on the ground, the relevant
11 factors would be whether it's release of an overpressure of
12 some radioactive gas in the containment structure, or an
13 allout loss of integrity. Nowhere in the plans is there any
14 indication that that type of information comes direct to me
15 to make the decision. I get recommendations from people who
16 are closer.

17 I think that is basically logical because the
18 same recommendation that comes to me would go to everybody
19 else.

20 Q By the way, you were asked about the proposed
21 control point at, I think it was the post office -- either
22 Washington's Headquarters or the post office.

23 Do you remember that from Mr. Anthony?

24 A Yes.

25 Q And you stated that there is a backup there because

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1 of the stoplight.

2 In the event of an evacuation, would the traffic
3 be stopped because of the stoplight, or would there be --
4 the intersection be open and outbound?

5 A That particular point is within the park and I
6 don't have any knowledge of what instructions are given to
7 the Park Rangers in that area.

8 Logically, you would turn the light off and run
9 the traffic through. But you know, that has not been spelled
10 out.

11 Q In other words, you don't know what would occur
12 there?

13 A I don't know.

14 Q Now you were asked again about the population and
15 the doubling because of this real estate development.

16 As the supervisor and person particularly interested
17 in traffic, can you tell me what the status of the Pottstown
18 bypass and the Phoenixville spur to that bypass will be
19 through your township?

20 A Neither have direct impact on the township.
21 The Pottstown bypass is all located to the north of the
22 river. We are hoping that as it is completed, some of the
23 through traffic towards the King of Prussia area will stay
24 on the north side of the Schuylkill River, and perhaps help
25 unload a little bit of the very high traffic on Route 23,

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1 the east-west traffic.

2 The Phoenixville spur, depending on whom we
3 hear from -- PennDOT, is either on the verge of being ten
4 years out, but it will serve as an easy access from the west
5 side of Phoenixville to the Kimberton side, up to the
6 Pottstown Expressway. So, both of those would tend to relieve
7 the township of some of its through traffic burden. But they
8 would have absolutely no effect on the circle traffic burden.

9 MR. CONNER: We have no further questions.

10 JUDGE HOYT: Ms. Ferkin?

11 MS. FERKIN: One very brief question, your Honor.

12 BY MS. FERKIN:

13 Q Mr. Vutz, in your capacity as Emergency Management
14 Coordinator for Schuylkill Township, you do not have the
15 authority to order an evacuation of your township, do you?

16 A No, I believe the Governor is the only one who can
17 order an evacuation. All I can do is recommend.

18 MS. FERKIN: Thank you.

19 I have no further questions.

20 JUDGE HOYT: NRC Staff?

21 MR. MC GURREN: No questions, your Honor.

22 JUDGE HOYT: FEMA?

23 MR. HIRSCH: We have no questions.

24 JUDGE HOYT: Very well.

25 Are we through so far as counsel are concerned

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1 with this witness.

2 Very well, Dr. Cole?

3 BOARD EXAMINATION

4 BY JUDGE COLE:

5 Q Dr. Vutz, with respect to the snow-delayed traffic,
6 do you, based upon your knowledge of the area -- how long
7 have you lived in Schuylkill Township, sir?

8 A It has been six years. I have been in the
9 Philadelphia area twelve.

10 Q Do you have any knowledge of the frequency and
11 duration of snow-delayed traffic in your township?

12 A Well, snow-delayed traffic I would say we have
13 at least once each year, perhaps several times.

14 Major tie-ups come on a three to four-year
15 interval.

16 Q I see.

17 What sort of timespans are you referring to when
18 you say once a year for snow-delayed traffic? How long does
19 it last?

20 A Delayed traffic, journeys that are normally ten
21 minutes extending to a half an hour time of delay.

22 Q I see.

23 And by major snowstorms, I assume you are referring
24 to something like what happened here in 1978 with multi-foot
25 drifts?

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1 A Abandoned automobiles and immobility for a period
2 of several hours.

3 Q All right, sir. Now with respect to the prepara-
4 tion of an emergency plan, with your experience working with
5 an engineering firm, is it prudent and reasonable to design
6 a system for the worst case?

7 A Well, it depends on the criticality of the system.

8 In railway signalling practice there is this magic
9 term called "fail safe" which is used. There is an awful
10 lot of expense and an awful lot of complexity put into
11 railway signal systems to protect against some very low
12 probability occurrences, and that approach is a little different
13 than what I have seen referred to as probabilistic risk
14 assessment and the aircraft industry approach.

15 I think I testified a little earlier to the fact
16 that a worst case should be considered, and the need to
17 accelerate decision points put in the overall planning practice
18 so that you can cover that contingency, and I think as I said,
19 make decisions on evacuation earlier when you know that there
20 are bad snowstorm conditions.

21 Q All right, sir.

22 I believe you indicated you had read the Evacua-
23 tion Time Estimates Study by HMM, is that correct, sir?

24 A Yes, I have.

25 Q I believe you also stated that you thought the

mm7 1 30 percent reduction in road capacity was associated with the
2 worst case.

3 I guess I would like to ask you again, what gave
4 you that impression, sir? Did you get that from the report
5 directly, or from some other source?

6 A It came from the report. There were certainly no
7 obvious qualifiers that said this is not the worst case. It
8 was, I believe, the wording related to bad conditions.
9 Whether they used the worst-case condition or not, I can't
10 recall.

11 The correlation of the times found in there with
12 the times that were published in a Philadelphia Inquirer
13 article, and the use of a Philadelphia Inquirer of a term
14 like the worst case is what leads me to that conclusion.

15 Q All right.

16 As the Emergency Management Coordinator for
17 Schuylkill Township, what do you see is your responsibility
18 with respect to the status of the evacuation plan for your
19 township?

20 A Well, we have a responsibility to prepare and to
21 adopt a plan. And this has been referenced back to Pennsylvania
22 Law 1332. It is a -- 1332 relates to emergency preparedness
23 in general, and one of the aspects in there is radiological
24 emergency.

25 As regards the response plan relating to Limerick,

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1 my feeling is that we have responsibility to work with
2 people and integrate our response into the overall picture.
3 But I do feel that since the plant is PECO's and all the
4 hazards and risks are directly attributable back to the
5 plant, that they have a very large responsibility in terms
6 of developing the plan and not imposing the burden for
7 hiring consultants, doing extensive studies, imposing that on
8 the residents of my township. And as a result, I have been
9 very reluctant to commit township resources to the planning
10 process.

11 I am basically waiting for PECO to develop an
12 acceptable plan.

13 Q Have you approached PECO with your thoughts on this
14 matter, sir?

15 A Not formally.

16 Q You have indicated some possible modification with
17 traffic control points that might be more desirable for the
18 evacuation plan.

19 Considering your knowledge of the road and traffic
20 situation in Schuylkill Township, do you have any other
21 recommendations that you think might improve the Schuylkill
22 Township Radiological Evacuation Plan, Radiological Emergency?

23 A I guess there are a lot of them. Most of them are
24 laid out in my June of 1983 letter on Draft 2.

25 As I mentioned earlier, the items in that letter

mm9 1 which have been addressed have been mainly providing missing
2 graphic maps and phone numbers. The structural comments I
3 gave back, have not been addressed.

4 I don't have all those before me so I can't give
5 you the recitation right now of all of those.

6 Q Do you see it as your responsibility to pursue this
7 to make sure that the plan for the protection of the people
8 in your township is as good as it can be?

9 A I believe that is my responsibility, yes.

10 Q All right, sir.

11 Do you have some ideas as to how best to go about
12 that?

13 A No, I don't. The mechanics of the planning
14 process, the hierarchy has been less than clear throughout
15 the whole business. The only thing that has come through
16 crystal clear is the bottom line, the responsibility for
17 responding rests upon the municipalities. And I feel a little
18 put upon there because we are many, many little groupings in
19 the EPZ area, each pursuing our activities on our own. I
20 guess you might say reinventing the wheel, and it doesn't
21 always come out round in the process.

22 And, there has been relatively little areawide
23 coordination. It has troubled me that we have three separate
24 counties in the EPZ. I know that is a geographic fact of life.
25 But it seems to me what is right for one county is right for

mm10 1 the other two, and there should be some EPZ-based planning
2 and coordination going on in here. That seems to be missing
3 up to now.

4 JUDGE COLE: All right, sir. I very much
5 appreciate your coming forward. Thank you very much.

6 I have no further questions.

7 JUDGE HOYT: Dr. Harbour has no questions, I have
8 no questions.

9 Mr.Stone?

10 MR.STONE: If I may, with respect to the procedure
11 and with all the cross and recross and everything, I just
12 wanted to know how we stood. I tried to speak before the
13 Board had started its questions.

14 Does LEA, according to the procedure followed here,
15 do we have another chance at redirect, re-redirect or
16 whatever, subject to the last series of questions by
17 Philadelphia Electric counsel?

18 JUDGE HOYT: Are you saying some of the cross
19 examination either by Dr. Cole or some of the other Parties
20 here may have brought up matters? I believe we indicated
21 earlier that the redirect would be limited to the cross
22 examination, the matters brought up.

23 MR. STONE: I have no questions with regard to
24 the Board's questions.

25 I was just inquiring as to the procedure here --

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1 this is our first subpoenaed witness -- subsequent to the
2 last set of questions by Philadelphia Electric, which I don't
3 know what you call it, redirect or what it is at that point.

4 JUDGE HOYT: Your second go-around is your
5 redirect.

6 MR. STONE: Second go-around.

7 JUDGE HOYT: We have gone through re-redirect in
8 this case, and I am not surprised if the record were to show
9 that we had some re-re-redirect as well. So that is where
10 we are.

11 The position that you are in, Mr. Stone, is that
12 unless some of the questions that Dr. Cole has addressed to
13 this witness and the answers that were generated by those
14 questions have brought up matters that you wanted to examine
15 on, you would be limited simply to that scope of questioning.

16 Why don't you talk to the counsel next to you
17 there, and let him explain it to you.

18 (Counsel for LEA conferring.)

19 MR. STONE: My concern went with the questions that
20 the -- the last set of questions that the Applicant had asked.
21 I am advised, and given the different nature of these
22 proceedings, that it would be appropriate to be able to
23 address those specifically.

24 JUDGE HOYT: Very well, for those that were not
25 addressed, and you want to bring up matters that examine, I

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1 take it, within the scope of Mr.Conner's questions?

2

MR. STONE: Exactly.

3

JUDGE HOYT: Very well.

4

FURTHER REDIRECT EXAMINATION

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5

BY MR. STONE:

6

Q You were asked a question about NUREG 0654, and

7

I am going to ask you a couple of points which are addressed
8 in that Appendix 4. I don't know if you need to refer to it.

9

I just want to ask you if you feel that the
10 computer simulation HMM has expressed in Exhibit E-67 is what
11 you would call a site-specific type analysis to Schuylkill
12 Township --

13

JUDGE HOYT: Just a moment.

14

MR.CONNER: We would object unless there is some
15 identification of what is meant by site specific as the
16 question was asked, his emphasis on it as if it were in
17 quotes.

18

There ought to be some foundation as to whether
19 this relates to something in 0654 or something else. I don't
20 know.

21

JUDGE HOYT: Mr. Stone?

22

MR. STONE: I can refer, I think to -- I didn't
23 want to get into great detail. I just felt that -- I can
24 refer to a section in 0654 which is the basis for that
25 terminology. But, we may be going --

mml3 1 JUDGE HOYT: All right. If you want to try and
2 rephrase your questions, sir, we will allow you that
3 opportunity.

4 (Pause)

5 MR. STONE: I am having problems finding the
6 exact location, since this is an area of questioning which
7 I hadn't anticipated.

8 Perhaps I will withdraw that terminology and
9 simply rephrase the question.

10 JUDGE HOYT: Very well. Proceed.

11 BY MR. STONE:

12 Q Mr. Vutz, you have discussed in response to the
13 Applicant's questions, some views regarding 0654 and so forth,
14 referring to your knowledge of the Applicant's Exhibit E-67,
15 the time estimates simulation, computer simulation.

16 Do you have any opinion as to whether or not that
17 simulation is useful to you in your role as a township
18 decisionmaker with respect to the evacuation requirements
19 of your township?

20 MR. CONNER: That is certainly objectionable. It
21 certainly goes beyond the scope of anything I asked.

22 MR. MAYERSON: I don't think so, your Honor.

23 He specifically asked about the simulation and
24 compared it to Mr. Vutz' personal knowledge.

25 The purpose of the question was to define

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1 from Mr. Vutz, if Mr. Vutz thought his site-specific knowledge
2 or his personal knowledge was more valuable than some
3 computer simulation whose facts were totally ununderstandable,
4 I believe, by anyone here.

5 And, especially in view of the fact that the
6 map that PE has produced is undecipherable, illegible --

7 JUDGE HOYT: Is counsel speaking of the maps
8 contained in Applicant's Exhibit 67?

end T4

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1 MR. MAYERSON: Yes, Your Honor.

2 JUDGE HOYT: That objection has already been noted
3 on this record and if counsel had been present, he would have
4 been aware of it.

5 MR. MAYERSON: Mr. Vutz has specifically stated
6 how do you read the impact data on the computer model and
7 that is specifically the basis of his objection, that there
8 are tiny illegible numbers on there that you can't read
9 and you can't follow.

10 Basically one of the things we would be asking for
11 would be the original instead of some copy that is so xeroxed
12 down that you can't read the numbering on it and therefore
13 it cannot get into the map.

14 JUDGE HOYT: Counsel, you have not been present
15 at this proceeding prior to today although we did have a
16 notice of your appearance for this record. However, in
17 coming into this record, you will take the record as you find
18 it.

19 MR. MAYERSON: I have read that record, Your Honor.

20 JUDGE HOYT: Very well.

21 MR. MAYERSON: I have read the objection and I have
22 read the facts.

23 JUDGE HOYT: That is correct. That is already
24 admitted into the record and by that I mean, of course,
25 the Applicant's Exhibit E-67.

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1 MR. MAYERSON: Am I correct in my understanding that
2 we are not entitled to see a legible copy of that?

3 JUDGE HOYT: I think the Board has already ruled
4 that the exhibit has been admitted into the record. I think
5 the record would further reflect counsel if you would examine
6 it closely that that was done without objection from any
7 counsel or representative to these proceedings.

8 MR. MAYERSON: The objection, Your Honor, is noted
9 in the record on that specific point.

10 MR. CONNER: If the Board please while there is a
11 pause, I would object to this gentleman's coming in at the
12 last moment. I don't even think he has made an appearance
13 today and making a speech about something that has long since
14 been determined. I would further object to more than one
15 spokesman.

16 JUDGE HOYT: Mr. Conner, I just advised counsel
17 that he will take the record as he finds it. We will not
18 relitigate the record. The objection is sustained. Let's
19 move on to your next question, sir.

20 MR. MAYERSON: Will you give me the opportunity
21 to find that portion of the testimony at a later time?

22 JUDGE HOYT: You may do whatever you wish, sir,
23 in examining the record. The rulings however of the Board
24 you have been advised have already been made. I will
25 reiterate to you, sir, that you will take the record as you

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1 find it. We will not relitigate the record simply because
2 you are entering into the hearings at this point in time.
3 All right, Mr. Stone. Continue your examination if you have
4 any additional questions.

5 MR. STONE: I am going to have to take a brief
6 minute to get back on track.

7 JUDGE HOYT: Very well.

8 (PAUSE.)

9 BY MR. STONE: (Resuming)

10 Q Mr. Vutz, this again is based on the applicant's
11 questions to you about NUREG-0654 and its relationship to
12 applicant's exhibit E-67, the time estimate study. Is it
13 your recollection of NUREG-0654 that one purpose of the
14 time estimate study requirement is to provide material
15 that is useful to decision makers responsible for coordinating
16 an evacuation?

17 A That is my recollection, yes, of the purpose of the
18 study and to help us in coming up with implementable plans.

19 Q Simply then, did you find in fact this study upon
20 review to be sufficiently useful to allow you to perform that
21 function?

22 A It was helpful but I would say that it is not
23 sufficient. I would look for other analysis, further study
24 and so on. While we were going through this little exchange
25 on procedure here in looking at Section four of 0654, I found

1 the words that I had remembered in general in section three,
2 traffic capacity, and it says, "A complete review shall be
3 made of the road network. Analysis shall be made of travel
4 times, potential locations for serious congestion in
5 potential corridors..." and then in parenthesis it says,
6 "The analysis may be simplified in extreme rural areas."

7 My impression of what the HMM study did as well
8 as the evacuation routes on E-16 is that there is a great
9 deal of simplification already in there. I am not suggesting
10 that every last road should be considered but I think more
11 the tributaries should be considered and how the congestion
12 develops where the feed into the main routes would be
13 prudent at least for Schuylkill Township.

14 Q Along that same line when you criticized the
15 30 percent snow reduction factor, the capacity factor,
16 did that have anything to do with the usefulness of the
17 study as a resource for you as a coordinator?

18 A I thought the study is flawed. It is a hunch I
19 have that it is going to take us more than six hours to
20 complete our evacuation under adverse and I would say
21 adverse as opposed to worst case weather conditions. I don't
22 have my own independent traffic study other than just a basic
23 hunch to bear that out.

24 Q So we are really talking there about the area that
25 is somewhere between a complete shutdown of the roads and

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1 30 percent. Is it fair to say that your area of concern is
2 in that gradation, sir?

3 A Yes. I think the 30 percent is very optimistic.
4 It reflects a light snow or freezing rain type condition.
5 I believe it would be prudent to base our planning on
6 something a little worse than just a freezing rain condition
7 because we get that quite frequently.

8 Q With respect to an answer about the Pottstown Bypass
9 and the Schuylkill Extension, it was your testimony was it not
10 that those particular roads would not be used by Schuylkill
11 Township traffic, is that correct?

12 A I don't recall testifying to that but basically
13 they would not be used by township residents as part of an
14 evacuation. The main impact of those roads on a township
15 is to divert some of the through traffic which now goes
16 on 23 would have a limited access route in parallel at
17 some distance away but in parallel to take some of that
18 traffic off of route 23.

19 Q Finally, you referred in your answer to Philadelphia
20 Electric or the Applicant about some contact you had had
21 with your police chief. What is the police chief's attitude
22 then with respect to the traffic situation? You had mentioned
23 his attitude with respect to some suggestions of traffic control
24 locations. Could you describe that for us?

25 A I am not sure I can speak too much for Chief

1 Marchiegano. When we talked specifically about evacuation
2 plans, he puts it to me, "Tell me what you want done and we
3 will try to do it for you." He is looking for some specific
4 guidance and again it goes beyond just "send seven men out
5 to stand at seven locations."

6 MR. STONE: Thank you. I have no further questions.

7 JUDGE HOYT: Very well. Any further questions for
8 this witness?

9 (No response.)

10 JUDGE HOYT: Thank you, Mr. Vutz, for your
11 testimony. You are excused.

12 (Witness excused.)

13 JUDGE HOYT: The next witness that you have given
14 us on your witness list is Mr. Thomas Fewlass, is that
15 correct?

16 MR. STONE: That is correct. I am in the position
17 of noting that this morning while we were pleased to observe
18 that Mr. Vutz made it here, we observed at that point that
19 Mr. Robert Fetters had not appeared. Upon checking, we
20 are informed that he has a serious case of the flu. He
21 expects to be available tomorrow. As I say, it is something
22 that we just learned. We are making arrangements to make
23 sure the schedule is filled. We have Mr. Waters who is here
24 and, of course, Mr. Fewlass and besides Dr. Robert Murray
25 we will have and as soon as we know we can certainly inform all

1 the parties but we are trying to do the best we can.

2 JUDGE HOYT: You also have indicated a witness for
3 today, Mr. Bernie Wolf of the Camphill Special Schools, Inc.

4 MR. STONE: That is correct. We are not
5 assuming that that will be sufficient for today and we
6 are making arrangements to make sure that that schedule will
7 remain filled.

8 JUDGE HOYT: Very well. Before we swear this
9 witness in, however, the Board would like to take a very
10 brief recess.

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11 (Whereupon, a short recess was held.)

12 JUDGE HOYT: The hearing will come to order. Let
13 the record reflect that all the parties to the hearing are
14 again present in the hearing room.

15 Mr. Mayerson, do you wish to make a representation
16 before the commencement of this witness' testimony?

17 MR. MAYERSON: Yes. I would like to file my
18 notice of appearance. Should I leave it with the court reporter?

19 JUDGE HOYT: I believe that I received a copy of
20 that at my office in Washington and I thank you.

21 MR. MAYERSON: Your Honor, before we begin I would
22 like to point out on 14,108 that Mr. Stone had objected to
23 the legibility of the document. I have no problem if the
24 court has admitted or wants to admit it. What I would
25 appreciate though is if PE since we are having problems with

1 the legibility could produce a legible copy to us or the
2 original so that the numbering system would be clear.

3 JUDGE HOYT: The document which had been marked
4 and admitted into this hearing is applicant's exhibit E-67
5 and the considerations concerning Mr. Stone's objections
6 had been considered as I indicated to you earlier, Mr. Mayerson.
7 However, the document as it was submitted in E-67 has been
8 admitted.

9 If the applicant's counsel wishes to obtain and
10 distribute what counsel would like to have as more legible,
11 I guess is the word, if it is legible, how could it be more
12 legible and I guess would be the ruling there, but if you
13 have anything like that available, Mr. Conner, and wanted
14 to distribute it at the request of counsel, it would be fine
15 with the Board.

16 MR. CONNER: I will look into it but I would point
17 out that while we regret people's difficulty in reading the
18 numbers and that is why I brought a magnifying glass, that
19 was explained on the record last week. So I don't think
20 it makes much sense or is necessary to lock the barn door
21 after the horse has been stolen, so to speak.

22 JUDGE HOYT: We are not reevaluating the Board's
23 ruling on the admissibility of the exhibit.

24 MR. MAYERSON: Your Honor, what I would like to
25 present and have this marked and if I may just approach the

mn5-9

1 Bench and show you my specific problem.

2 JUDGE HOYT: Let's have counsel for the applicant.
3 Also, if any of the other counsel wish to join in this, you
4 may.

5 (Counsel approaching the Bench)

6 MR. MAYERSON: On this particular copy, Your Honor,
7 numbers such as where Cook Road and Pughtown Road and
8 innumerable other numbers down here on Conestoga Road,
9 St. Matthews Road, I circled three for example that clearly
10 illuminate the total illegibility of this record.

11 JUDGE HOYT: Counsel, if you wish to have this
12 admitted however you want to handle the presentation of your
13 case is, of course, your problem.

14 MR. MAYERSON: This is their document.

15 JUDGE HOYT: You will have to have a sponsoring
16 witness for it if you want it admitted into this record.

17 MR. MAYERSON: This is their document, Your Honor.

18 JUDGE HOYT: I don't know that, sir.

19 JUDGE COLE: Is this a blow-up of this page?

20 JUDGE HOYT: Mr. Conner, would you be willing to
21 stipulate that this is a blow-up?

22 MR. CONNER: I obviously have only seen it right
23 now for the first time. It appears to be and we can take it
24 and use it on that basis.

25 JUDGE HOYT: It appears to be.

mn5-10

1 MR. CONNER: I repeat, this was a problem that came
2 up during the presentation of our panel which has long since
3 gone. We are now on LEA's witnesses and I am not really sure
4 why we are taking up hearing time debating legibility of a
5 document we had in last week.

6 JUDGE HOYT: It is not going to change the ruling
7 of the Board, Mr. Mayerson, as to the admissibility of that
8 document and if you want to use that in questioning a witness,
9 if that is what your purpose is and counsel for applicant is
10 willing to stipulate that this is apparently an enlarged
11 copy of a particular section of applicant's exhibit E-67
12 then the Board will receive your stipulation but you have
13 to get the stipulation of the counsel first. I don't know
14 what you have there.

15 MR. MAYERSON: Mr. Vutz complained today that
16 part of his problem was --

17 JUDGE HOYT: I am not concerned with what
18 Mr. Vutz complained about, sir. That is not the problem.
19 I am interested in what we are going to do with this,
20 Mr. Mayerson. Do you want to see if Mr. Conner will
21 stipulate that this is, in fact, an enlarged copy of page
22 All-6 of what has been marked and received into evidence
23 as applicant's exhibit E-67? Then we will receive the
24 stipulation and proceed from there.

25 MR. MAYERSON: Your Honor, that would not satisfy

1 the applicant. These numbers here are equally illegible as
2 on the original. What we are trying to get into the record
3 is a legible copy of these numbers. I understand, Your Honor,
4 that you have allowed this in but what I am asking for --

5 JUDGE HOYT: Only if counsel for the applicant
6 stipulates that. I said that was the procedure that we would
7 accept.

8 MR. CONNER: Until this gentleman appeared today,
9 I didn't even know we had a problem.

10 MR. MAYERSON: That is not corrected. It was
11 objected to in the record. I cited the page on the record
12 where it was objected to, the specific allegation was
13 objected to and it is not correct for you to say that,
14 Mr. Conner.

15 MR. CONNER: May I address that point?

16 MR. MAYERSON: May I finish talking, please?
17 Mr. Vutz has said today that he has a problem with it because
18 he can't read it.

19 JUDGE HOYT: Mr. Mayerson, I have already indicated
20 to you once on this record, sir, what has been past in this
21 testimony is past. We are not going to relitigate what
22 Mr. Vutz said. Now do you want this marked? Do you want
23 to have the Board accept the stipulation if counsel for
24 applicant is willing to do so that this particular document
25 is a page enlarged from applicant's exhibit E-67? If you do,

mn5-12

1 say yes or no. It is as simple as that.

2 MR. MAYERSON: Yes, I --

3 JUDGE HOYT: Very well. Now let's take your
4 places back at counsel table. We will have that marked
5 as LEA Exhibit E-20 for identification.

6 (The document referred to
7 was marked LEA Exhibit No.
8 E-20 for identification.)

9 JUDGE HOYT: Mr. Conner, I want to be perfectly
10 clear that you have examined what has now been marked as
11 LEA Exhibit E-20 for identification and that you have
12 entered into a stipulation with this counsel representing
13 LEA that the marked exhibit is a page which you stipulate
14 has been enlarged from what has been marked and received in
15 evidence as Applicant's Exhibit E-67.

16 MR. CONNER: As I said, I stipulate that that appears
17 to be a blow-up and we will agree that it can come in
18 subject to verification. Somebody has to look at it. As I
19 said I only saw it for the first time at the Bench.

20 JUDGE HOYT: Very well.

21 MR. CONNER: I am sure it is all right but I will
22 check.

23 JUDGE HOYT: Mr. Mayerson, could you provide a copy
24 of that to Mr. Conner at this time so that his staff may
25 verify this document?

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1 MR. MCGURREN: Your Honor, may the NRC staff have
2 a copy of this identified document?

3 JUDGE HOYT: I hope we are going to have everybody
4 get a copy. Are you prepared to distribute those, Mr. Mayerson?

5 MR. MAYERSON: Yes, Your Honor. By tomorrow we
6 will be able to provide copies.

7 MR. CONNER: If the Board please, could we take
8 care of this basically housekeeping problem off the record
9 and get on with the hearing.

10 JUDGE HOYT: I think we will. Mr. Stone, just
11 to get the job done and to begin the examination of this
12 witness, are you going to conduct the examination or is
13 Mr. Mayerson?

END#5

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MR. ANTHONY: May I try to tune in and establish a communication and --

JUDGE HOYT: No, sir. I think we have indicated to you several times in this proceeding that LEA is the lead intervenor and has so been designated by this Board in future orders which we had quoted to you on the record yesterday.

This is the LEA contention 24 and the FOE/Anthony contention 1, that the intervenor here will be -- the lead intervenor is the LEA representative, that the principal questioning will be conducted by a counsel or representative for LEA.

The Board has, as it indicated to you yesterday, extended to you an opportunity to make some direct examination. At the conclusion of the presentation on direct examination of LEA's counsel or representative, that opportunity will again be afforded to you, sir.

However, as I have indicated to you previously, your questions on this direct examination must be sharply focused. They shall not be repetitious of those questions asked by the lead intervenor, LEA.

Thank you, sir.

MR. ANTHONY: I would like to establish communication on this, Judge Hoyt.

JUDGE HOYT: Sir, there is no communication.

1 MR. ANTHONY: I do have something to say.
2 I have to say that my contention is separate in the
3 Board's order. LEA-24 and FOE-1 are considered separate.
4 It says -- this is page 80 -- "LEA-24 encompasses FOE's
5 contention. We admit and consolidate both contentions as
6 construed by us above. Thus, both FOE and LEA are parties
7 in these proceedings."

8 Now, to me that does not mean subordination.
9 It is equality. I am not willing to hand over my part
10 of these proceedings to LEA, and Mr. Mayerson is here
11 and he is friendly. I will be glad to have his advice.
12 But I insist that I be the person who interviews
13 Mr. Fewless. I hope the Board will agree with that.

14 I have been negotiating with Mr. Fewless for
15 several months, with Mr. Waters the same. They are both
16 witnesses on my contention. And I must be the one to see
17 that they are fairly presented.

18 I ask the Board to honor that.

19 JUDGE HOYT: Are you through, sir?

20 MR. ANTHONY: Well, I am waiting for your
21 answer.

22 JUDGE HOYT: No, sir. I am not answering the
23 question. I have already indicated to you at least,
24 Mr. Anthony, on three separate occasions that I can recall
25 myself. I am not going to go through them again.

1 Mr. Mayerson, are you ready to conduct examination?

2 MR. ANTHONY: Excuse me --

3 JUDGE HOYT: Sir --

4 MR. ANTHONY: I am not authorizing Mr. Mayerson
5 to examine for me. I will ask -- according to the Board's
6 orders, I coordinated the subpoenaing of this witness
7 and Mr. Waters through LEA. I now ask them not to
8 subpoena these witnesses; if I am not allowed to interview
9 them, I do not want to have anything to do with them.

10 I would ask that they be dismissed until
11 a time when I can be the lead intervenor and be the one
12 who introduces them and sets the stage.

13 MR. MAYERSON: Your Honor, we would defer on
14 Mr. Fewless and allow this --

15 JUDGE HOYT: Mr. Mayerson, in the event that
16 you wish to have Mr. Anthony conduct the direct examination
17 of this witness, then I will also indicate to you
18 precisely what I have just indicated to Mr. Anthony.

19 You will not be permitted to ask repetitious
20 questions. You will not be permitted to go beyond
21 the scope of what will be new questions direct towards
22 LEA's part of the contention not covered by Mr. Anthony.

23 That is just another way of saying, you are not
24 going to get two bites out of the same apple. You are
25 not going to have repetition, Mr. Mayerson.

1 Now, if that is the agreement that the lead
2 intervenor wishes to do, then you may conduct your
3 examination, Mr. Anthony.

4 MR. ANTHONY: I would like to have Mr. Mayerson's
5 advice. I would like to be able to sit near enough to
6 him so that I can have his advice.

7 MR. MAYERSON: Your Honor, if the Court directs --

8 JUDGE HOYT: I believe, Mr. Mayerson, we have
9 just indicated that Mr. Anthony is the lead questioner.
10 If you want to change this --

11 MR. MAYERSON: I don't want to rechange it.

12 JUDGE HOYT: Very well, sir. Please be seated
13 and let Mr. Anthony begin his conducting of the examination.

14 Thank you, sir.

15 MR. MAYERSON: I am just letting the record
16 indicate that I haven't entered an appearance for
17 Mr. Anthony, and I can't represent him. I don't know his
18 position. I haven't studied his position.

19 JUDGE HOYT: Very well, sir. Please be seated.

20 All right, Mr. Anthony.

21 Whereupon,

22 THOMAS J. FEWLESS

23 was called as a witness and, having been duly sworn,
24 was examined and testified as follows:

25 DIRECT EXAMINATION

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BY MR. ANTHONY:

Q Good morning, Mr. Fewless.

Will you tell me who you are representing and your position, please?

JUDGE HOYT: Mr. Anthony, can I get the name and address of this witness on the record?

THE WITNESS: My name is Thomas J. Fewless. My home address is 2543 Brownsville Road, Langhorne, Pennsylvania. I am chief park ranger at Valley Forge National Historical Park.

MR. CONNER: While there is a pause, may I ask the same type of jurisdictional question I asked yesterday as to whether or not Chief Fewless has been subpoenaed?

JUDGE HOYT: Do you want to conduct a voir dire of this witness?

MR. CONNER: The same questions I asked yesterday, yes.

JUDGE HOYT: Very well.

VOIR DIRE EXAMINATION

BY MR. CONNER:

Q Chief, is it proper to call you chief?

A That's all right.

Q Chief Fewless, were you subpoenaed to appear in this proceeding?

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1 A Yes, I was.

2 Q Were you tendered witness fees to appear in
3 this proceeding?

4 A Yes, I was.

5 MR. CONNER: That is all I wanted to check.

6 JUDGE HOYT: Very well.

7 All right, Mr. Anthony.

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8 DIRECT EXAMINATION

9 BY MR. ANTHONY: (Resuming)

10 Q Would you have come without a subpoena,
11 Mr. Fewless?

12 A No, I would not.

13 Q Does the fact that you responded to this subpoena
14 indicate that the National Park Service is in accord
15 with your being here today?

16 A The position of the Park Service is to obey
17 all subpoenas.

18 Q Is it possible for the Park Service to refuse
19 a subpoena?

20 A I don't believe it is.

21 Q Was there any discussion among officials as to
22 whether to accept the subpoena or not?

23 A There was discussion, I believe, as to what
24 testimony could be provided. The question was whether or
25 not we could answer all the questions that might be asked of us.

1 Q Would you state your connection with emergency
2 planning and give us some idea of how many contacts you
3 have had with county agents or state or township?

4 A In regard to the Limerick planning, we have
5 had, I believe, about four meetings with various
6 representatives of either Chester or Montgomery County or
7 with the state.

8 Q And who did you meet with from Montgomery County?

9 A If I may look at my notes?

10 JUDGE HOYT: Yes. If the witness needs notes
11 to refresh his recollection, he may do so.

12 THE WITNESS: I don't have the name of the
13 individual at our first meeting. The last one was Donald
14 Filson, OEP training coordinator, and A. Lindley Bigelow
15 of the Office of Emergency Preparedness, Montgomery County.

16 BY MR. ANTHONY:

17 Q In any of these meetings, was there a discussion
18 of Valley Forge Park's responsibility?

19 A Yes.

20 Q What is Valley Forge Park's responsibility?

21 A Our responsibility generally is to work with the
22 counties, helping in the implementation of evacuation,
23 assisting traffic flow as it leaves the evacuation zone and
24 goes through the park.

25 Q Is any part of the park within the ten-mile area

1 from Limerick, ten-mile zone?

2 A The upper northwest tip of the park, a very
3 small corner of the park is within the ten-mile radius.

4 Q Were you ever informed that any area within
5 the ten-mile radius had a choice of whether to join the
6 emergency planning or not?

7 A I don't recall anything on that.

8 Q If you had been invited to join and include
9 the park in emergency planning, would you have accepted?

10 MR. CONNER: I object to the question as
11 compound. It is really asking two questions there.

12 JUDGE HOYT: Well, if the witness can answer
13 a two-part question, we will permit the question.

14 Can you answer the question?

15 THE WITNESS: May I ask that it be repeated,
16 please?

17 JUDGE HOYT: Yes.

18 BY MR. ANTHONY:

19 Q Was Valley Forge Park given a choice as to
20 whether to be included in the evacuation plan?

21 A To my knowledge, Valley Forge was not given a
22 choice.

23 Q Do you think it should have been given a choice?

24 A To the extent that we are interested in what
25 happens to the visitors and residents of the park, we want to

1 to be involved in planning.

2 Q Does that mean then that you feel that you are
3 not protected and the park's interests are not protected?

4 A I don't believe that is what I said.

5 We are concerned generally with the visitors in
6 the park. Our information is that being almost exclusively
7 outside the ten-mile zone, we are advised by the experts
8 that there isn't that much of a hazard.

9 Q What experts advised you on that?

10 A I beg your pardon?

11 Q What experts advised you on that?

12 A Well, this is a general conclusion that certain
13 actions will be taken within the ten-mile zone that
14 are not necessary outside the ten-mile zone.

15 Q Well, who were the experts? Were they nuclear
16 experts or --

17 A I can't give you any specifics. This is a
18 conclusion I have drawn, I guess.

19 Q But you mentioned that some experts had told
20 you that this was the case, that there was --

21 A If I stated that, that was not strictly true.
22 I can't name an expert that told me anything like that.

23 Q From your own common sense, would you say that
24 a ten-mile radius does not measure the border over which
25 the radioactivity would not spread?

1 MR. CONNER: Objection.

2 JUDGE HOYT: Sustained.

3 BY MR. ANTHONY:

4 Q What are the levels of potential emergencies that
5 have been brought to your attention in the meetings?

6 A There was a general discussion of the procedure
7 whereby there would be various stages of alert. I don't
8 recall whether it was stage two or stage three, but at some
9 point the park would be notified that an emergency had
10 taken place and give us some lead time to perhaps prepare
11 for a potential evacuation.

12 We indicated that we would take certain
13 steps as far as advising park residents or park visitors
14 at that time in the event that it led to an order to
15 evacuate.

16 Q You were told that at some point there might be --
17 you might be ordered to evacuate the park?

18 A No. We were not told that we would be ordered
19 to evacuate the park.

20 Q But you were told that at some point there could
21 be an order for you to evacuate the park?

22 MR. CONNER: Objection. Asked and answered just
23 now.

24 JUDGE HOYT: I believe it has been, Mr. Anthony.

25 BY MR. ANTHONY:

1 Q What duties did you agree to in connection
2 with any obligations that were suggested to you?

3 MR. CONNER: I object to that. That was
4 asked and answered -- the witness answered that, I think,
5 in the first question.

6 MR. ANTHONY: I can't recall any such thing.

7 JUDGE HOYT: We will overrule the objection
8 and let you have that question. I am not sure whether it
9 was answered or not, sir.

10 THE WITNESS: We agreed that if the residents
11 within a ten-mile zone were ordered to evacuate, that
12 we would provide traffic control assistance at the
13 intersection of route 23 and 252. And if requested by
14 the counties involved, at other locations, possibly route 23
15 and 363.

16 BY MR. ANTHONY:

17 Q Was your offer accepted?

18 A Yes. It was agreed that if it were necessary,
19 they would accept our offer and we would provide the service.

20 Q Have you talked with me before about this,
21 Mr. Fewless?

22 A Yes, I have.

23 Q And was Mr. Elms the superintendent of the park
24 included also?

25 A On at least some of the meetings, yes, he was.

1 Q And did I write up notes of that meeting and
2 send you a copy?

3 A Yes, I received a copy of notes from you.

4 Q I would like to get into that in a few minutes,
5 but I just wanted to remind you of that.

6 How many times have we met on this?

7 A I believe it is at least three, as I recall.

8 Q Did you mention to me that in your duties
9 connected with supervising the intersection of route 23 and
10 252 that you would not stop any traffic going east on route
11 23?

12 A Yes. We had a general discussion about what we
13 might or might not do, and I indicated that based on the
14 situation at the time, if, since we were out of the ten-mile
15 zone and were not ordering an evacuation of the park
16 itself, if a park visitor happened to be caught in the
17 stream of traffic that was coming from the direction of the
18 evacuation zone, if he wanted to visit the park, we
19 would probably not stop him, provided that it didn't
20 create traffic problems for those who were evacuating.

21 Q So that if anybody wanted to evacuate through
22 the park on 23, you wouldn't stop them?

23 A We would accommodate those who were evacuating
24 on route 23.

END 6

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1 Q And is there any plan that you took part in that
2 calls for evacuation on Route 23?

3 A I'm sorry, I don't understand.

4 Q Was there a plan that you discussed in a meeting
5 which provided for evacuation on Route 23?

6 A The major evacuation route as it was explained
7 to me comes down 23 to Route 252 and it turns south on Route
8 252 and leaves the park at the south end of the park.

9 The evacuation route as designated on the map
10 does not continue on across Route 23.

11 Q But you would allow anyone who chose to go on 23,
12 to go?

13 A If we could do so without creating additional
14 traffic problems or some kind of a hazard.

15 Q So you would make a judgment on that?

16 A That's correct.

17 Q Is that the arrangement with the authorities that
18 you worked with that you would allow a choice through the
19 park?

20 A That is our general understanding that if it could
21 be done we would permit that.

22 Q And you would be the people to make the judgment
23 about whether it could be done?

24 A Yes, that's right.

25 Q And are there various routes through the park

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1 besides Route 23 and Route 252?

2 A There are several other roads through the park, yes.

3 Q Are they all about equal with, and could accommodate
4 equal traffic?

5 A Approximately.

6 Q And they could route traffic that would come out
7 on Route 363?

8 A Yes, there are a couple of routes. There is one
9 route that could be taken that would bring you out onto a
10 neighborhood road which would take you onto Route 363.

11 Q And are all the routes, all the roads in the park
12 two-lane roads?

13 A Yes, they are.

14 Q What is the terrain?

15 A There are some hills, some of the roads go onto
16 ridge top with straight stretches for perhaps half a mile.

17 Q Are there curves?

18 A Yes, there are curves.

19 Q What traffic limits do you enforce in the park?

20 MR.CONNER: Objection. That has been asked and
21 answered about three times.

22 BY MR. ANTHONY:

23 Q Traffic speeds.

24 A The posted speed --

25 JUDGE HOYT: I don't believe the question as to

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1 speeds in the park has been answered.

2 MR. CONNER: No.

3 JUDGE HOYT: With that modification to the question,
4 the objection is overruled.

5 Answer the question, sir.

6 THE WITNESS: We do enforce speed limits in the
7 park.

8 BY MR. ANTHONY:

9 Q What is the speed limit?

10 A I believe the maximum speed limit is 35.

11 Q Is that speed limit because any speed over that
12 would be apt to cause an accident or be dangerous?

13 A This would be a matter of judgment. The speed limit
14 is actually set on most of the roads by PennDOT. These are
15 state highways.

16 Q So is that 35 miles set by PennDOT?

17 A Yes, it is.

18 Q Do they set speed limits on all the roads in the park?

19 A Not all the roads. But a number -- the main
20 roads are state highways, and those speed limits are set by
21 PennDOT.

22 Q What limits do you set on the other highways, the
23 other roads in the park.

24 A We have park tour roads. I believe the speed
25 limit is 25 on those.

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1 Q 25 miles per hour?

2 A Yes. One-way, one-lane roads.

3 Q How many buses do you accommodate on a maximum
4 visitors' day?

5 MR. CONNER: I am going to object to this line of
6 questioning because the traffic, whatever it might be in the
7 park, would not affect evacuation routes, simply because
8 they are outside the EPZ already and would be subject to not
9 getting on the evacuation routes by virtue of the traffic
10 control that has already been established.

11 MR. ANTHONY: If the Board wish, the witness has
12 already testified that the traffic would be allowed on
13 Route 23, which is not an evacuation route.

14 (Board conferring)

15 MS. WRIGHT: Excuse me, could the Staff be heard?

16 JUDGE HOYT: Yes. But give me one moment, please.

17 MS. WRIGHT: Certainly.

18 JUDGE HOYT: All right. If counsel for Staff
19 wishes to make a representation on the record.

20 MS. WRIGHT: Well, the Staff doesn't support the
21 Applicant's objection because we believe that spontaneous
22 evacuation was raised, spontaneous evacuation of the park
23 onto the evacuation route as an area that was covered by
24 the FOE contention.

25 So, to the extent that that was what his question

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1 went to, it is a good question.

2 JUDGE HOYT: Does anyone else wish to make any --

3 MS. FERKIN: Commonwealth has no comment.

4 JUDGE HOYT: Very well.

5 I believe, Mr. Conner, if you would examine the

6 Volume 19, No. 4, page 1066. This is April '84 opinions.

7 I would cite to you the paragraph beginning at the top of

8 the page, which reads as follows:

9 "For the reasons we give below we admit both

10 of these contentions, but only to the extent they

11 call for planning against the effective traffic

12 congestion in the areas outside the EPZ they may

13 and could have on the evacuation of the plume

14 exposure pathway EPZ."

15 The objection is overruled.

16 BY MR. ANTHONY:

17 Q The question was about buses.

18 A I can only give you an approximation.

19 At your request I did check through a couple of

20 months' records and the highest bus count I found for a day

21 was 53.

22 Q Were those school buses?

23 A I don't know for a fact. Usually there are some

24 school buses and some tour buses, except during the summer

25 months.

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1 Q Did you discuss with the emergency planning people
2 your responsibility for school students visiting the park
3 in case of emergency?

4 A Yes, we did talk about that asking for guidance
5 on how this might be handled.

6 And it was suggested and agreed that at the alert
7 stage where we would be -- at which point we would be advised
8 we would send rangers around to the bus groups advising
9 them of the situation and suggesting that perhaps they contact
10 their schools if that is where they came from, for recommenda-
11 tions as to what course they should take; whether to remain
12 in the park or to return to their schools or whatever.

13 Q And you would leave the choice up to them?

14 A At this stage, yes, sir.

15 Q And would there be any stage at which you would
16 not leave the choice up to the visitors in the park as to
17 whether to evacuate?

18 A We wouldn't anticipate this.

19 Of course in an all-out emergency situation, this
20 could change and we might advise people to leave.

21 Q What do you mean by an all-out emergency situation?

22 A Well, a mushroom cloud coming from the east -- or
23 the west.

24 Q Horrendous thought.

25 Does that mean that the plant had exploded and the

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1 air was -- the whole area would be covered with radio-
2 activity?

3 MR. CONNER: Objection. No foundation.

4 JUDGE HOYT: Sustained.

5 BY MR. ANTHONY:

6 Q Was it any classification of emergency that was
7 brought up in the planning which provided for or allowed for
8 no time to evacuate at all, that the emergency would be
9 immediate?

10 A I don't recall this being discussed.

11 Q Do you think your mushroom cloud idea would be
12 such an emergency where there would be instantaneous danger?

13 MR. CONNER: Objection.

14 JUDGE HOYT: Sustained.

15 BY MR. ANTHONY:

16 Q If there were a panic, and all roads in the park
17 were blocked, and a mushroom cloud had appeared, how would
18 you shelter people in the park?

19 MR. CONNER: Objection again. I ask that the
20 interrogator be instructed to quit repeating the same
21 question.

22 JUDGE HOYT: Objection sustained.

23 Sir, the same objection is going to be sustained
24 each time you follow that particular line. So I would
25 suggest to you, Mr. Anthony, that you get into your next

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1 area of inquiry.

2 Thank you.

3 MR. ANTHONY: I would like your suggestion on how
4 I would find out whether there were any preparations made
5 for visitors in the park who would be -- have to stay there.

6 MR. CONNER: Again, objection on no foundation
7 that anybody would have to stay anywhere.

8 MR. ANTHONY: In case they would not be able to
9 move or that the --

10 JUDGE HOYT: Mr. Anthony, I will sustain the
11 objection.

12 If you have a question, please ask it, sir.

13 BY MR. ANTHONY:

14 Q Are there other times when there is a daily traffic
15 tie-up on the roads in the park?

16 A Sometimes during rush hour traffic will back up at
17 the traffic light, primarily at Route 23 and 252. At certain
18 hours there will be a shorter backup at 23 and 363 at the
19 traffic light.

20 Q So each day there are backups at both those
21 intersections?

22 A On an average day there is some backup, yes.

23 Q And during peak park operation are there backups
24 on the roads in the park?

25 A At some times on a particularly busy spring

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1 weekend, for example, some of the local park roads are
2 jammed with visitors.

3 Q And how would evacuation from the EPZ, the
4 emergency zone be handled if there were such congestion in
5 the park? Would they be able to travel through the park?

6 A I can only speculate on such a situation that we
7 would receive prior notice; visitors to the park would have
8 heard via various means of communication that there was a
9 problem, and we probably wouldn't have those park visitors in
10 the park at the time the exodus arrived.

11 Q So are you visualizing a spontaneous evacuation from
12 the park in case of an alert on the radio, or in case of your
13 alerting the park visitors?

14 A I would envision that certainly some people would
15 leave if they heard it on radio.

16 Q Would you think the same thing could happen if the
17 people who work in King of Prussia, and who shop in King of
18 Prussia, people who work along 202 and Tredyffrin Township
19 and further away --

20 MR. CONNER: Objection, beyond the scope of the
21 contention.

22 (Board conferring.)

23 MR. ANTHONY: Judge Hoyt, I believe --

24 JUDGE HOYT: Just a moment, Mr. Anthony, we would
25 like to rule on the objection.

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1 MS. WRIGHT: Could the Staff make a different
2 objection?

3 JUDGE HOYT: Yes.

4 MS. WRIGHT: I think not having laid a foundation
5 for whether this witness can testify about evacuation of
6 King of Prussia Mall, we just object to that being the
7 scope of his testimony. He is a Valley Forge Park manager.

8 JUDGE HOYT: Chief.

9 MS. WRIGHT: Chief, I'm sorry.

10 (Board conferring.)

11 JUDGE HOYT: On both grounds stated by counsel
12 for Applicant and counsel for NRC Staff, the objection is
13 sustained.

14 BY MR. ANTHONY:

15 Q At about what time is there a morning peak hour
16 congestion?

17 A The peak travel time is probably 7 a.m. to 8:30
18 or 9 a.m.

19 Q And are those people going primarily east on
20 Route 23 and south on 252?

21 A Yes. They enter the park on Route 23, and the
22 road splits. They can continue on Route 23 east or take
23 252 south.

24 Q And is there any traffic moving in the other
25 direction?

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1 A There is some traffic moving in the other direction.

2 Q But it is primarily traffic moving south on 252
3 and east on 23?

4 A That's correct.

5 Q And it moves east on the other roads through the
6 park also?

7 A Some traffic goes on Gulf Road, which is a splitoff
8 of Route 23.

9 Q Does that head toward King of Prussia?

10 A Yes, it does.

11 Q And would you assume that many of these trips
12 terminate in King of Prussia?

13 A I would assume so.

14 Q Would you assume also that these people who make
15 these trips have their residences further out on Route 23 or
16 in that direction?

17 MR. CONNER: Objection. No foundation for the
18 witness being able to answer such a question.

19 JUDGE HOYT: Objection sustained.

20 BY MR. ANTHONY:

21 Q In case of a radio broadcast of an alert, or a
22 notification in Upper Merion Township, to assume that there
23 would be a reverse traffic of people flowing back to their
24 homes through the park as they had gone into work in the
25 morning, or school or wherever they are going?

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A I would assume that there would be some people
trying to go back, yes.

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1 Q Would you assume that the majority of the traffic
2 which had passed through the park would then pass back in
3 the opposite direction?

4 MR. CONNER: Objection. There is no foundation
5 for whether this witness would have any way of knowing that
6 or not.

7 JUDGE HOYT: Mr. Anthony, this witness is a park
8 ranger. I think that is the only expertise that I understand
9 this witness has. The objection is sustained, sir.

10 BY MR. ANTHONY: (Resuming)

11 Q In the case of an alert, there would be traffic
12 flowing in the opposite direction, the traffic that flows
13 through the park as commuters in the morning, would there?

14 A There is always traffic flowing both directions
15 on the road. I assume that there would be some under those
16 circumstances, also.

17 Q Do you think that in your responsibilities for
18 traffic in an alert there would be congestion of traffic
19 building up on route 23 and heading north on 23?

20 A I have no way of knowing how much traffic would be
21 flowing there. Based on the general population of the area
22 and the number of people who might be moving about, there
23 could be traffic congestion at that intersection.

24 Q Would it be similar traffic congestion to what
25 you get daily in the evening rush hour?

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1 A. I don't really know. I would assume so.

2 Q. Could that traffic be condensed into a much
3 shorter time than the hours you gave, you gave two hours
4 as the time for the peak to pass? Is that correct, you
5 gave two hours?

6 MR. CONNER: 'I object to the question on the
7 grounds that it is incomprehensible. I think we are
8 talking about traffic going north on 23 comparing it to
9 traffic going east in the morning between 7:30 and 9:00
10 o'clock.

11 MR. ANTHONY: I could explain that.

12 MR. CONNER: But if the witness could answer it,
13 I will withdraw the objection if the witness can answer it.

14 JUDGE HOYT: Very well. The objection is withdrawn
15 Are you speaking of that area which is the short distance
16 between 363 intersection and the point at which the route
17 23 crosses the County Line Road, that is a road labelled such,
18 on exhibit E-68 of the Applicant, Mr. Anthony? That is the
19 road that looks like it goes through the center of the park.
20 At that intersection route 23 turns sharply to the west so
21 apparently on this map, the only portion of 23 as I understand
22 it that goes north is that very small segment on the eastern
23 most tip of the Valley Forge National Park.

24 MR. ANTHONY: Which map are you looking at,
25 Judge Hoyt?

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1 (Board conferring off the record.)

2 MR. ANTHONY: If I could just backtrack a bit.

3 JUDGE HOYT: If you will just tell us what route
4 you are talking about in your question, identify it in such
5 a manner that we know where we are.

6 MR. ANTHONY: I would like to try to clarify. I
7 am referring to Mr. Fewless' testimony that there are
8 congestion points where route 23 and route 252 intersect
9 and another congestion point where route 23 and route 363
10 come together.

11 JUDGE HOYT: Very well. You are talking about
12 a west/east point, two points on either side of the park?

13 MR. ANTHONY: Yes, that is correct.

14 JUDGE HOYT: Very well. I understand where you are
15 on. Can you identify those points in your mind?

16 WITNESS FEWLESS: I am familiar with those two
17 intersections.

18 JUDGE HOYT: Very well.

19 BY MR. ANTHONY: (Resuming)

20 Q. Did you bring a map with you, Mr. Fewless?

21 A. Yes, I have a map.

22 Q. You have a map of Valley Forge Park or do you have
23 one of these maps?

24 A. I believe I have one of those maps and a map of
25 Valley Forge Park, one of our park maps.

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1 Q LEA-16 is the map I am referring to and maybe
2 Mr. Fewless could have a look at that and also I would like
3 to have him provide us with the map that he has.

4 JUDGE HOYT: The record reflects, I believe, that
5 the witness has a map, LEA-16. Just to be sure, Mr. Stone,
6 give him the copy that you have in your hands if you will,
7 sir?

8 (Document supplied to the witness.)

9 WITNESS FEWLESS: The map I was just handed is
10 dated June 1983. I have one dated July 1984, draft copy.

11 MS. FERKIN: Would the Board like a clarification
12 from the Commonwealth?

13 JUDGE HOYT: I sure would.

14 MS. FERKIN: The map that is identified as LEA E-16
15 which we have at least at this point represented is the map
16 in Annex E is the June 1983 evacuation map, plan map.
17 The draft evacuation plan map which Mr. Fewless has is a
18 draft that was prepared recently this summer in conjunction
19 with the July 25th drill. It is a draft map of the EPZ area.
20 It has not been incorporated into Annex E.

21 JUDGE HOYT: Very well. The hearing has referred
22 throughout to this one map which has been identified as LEA
23 Exhibit E-16. In order to keep the testimony consistent
24 and since this is apparently the map which will later come
25 into evidence in this hearing under a Commonwealth exhibit,

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1 the witness will give his testimony from LEA E-16. Yes,
2 Mr. Conner.

3 MR. CONNER: I was simply going to suggest that it
4 might help the total record if Ms. Ferkin could also explain
5 the differences. As I understand it certainly as far as
6 Valley Forge goes the only difference is to correct the error
7 in the early map by extending the radius of the ten mile
8 zone slightly to correct it and that correction is reflected
9 on the later map.

10 JUDGE HOYT: We will ask Ms. Ferkin if she wishes
11 to elaborate.

12 MS. FERKIN: Yes. Mr. Conner is referring to an
13 error that was made known to the Board and the parties I
14 believe in February of this year. I would suggest that the
15 complete explanation of that error be made on the record
16 through the testimony of Mr. Hippert.

17 JUDGE HOYT: That will be part of the Commonwealth's
18 case?

19 MS. FERKIN: Yes. That will be the supplemental
20 direct testimony I will present with Mr. Hippert.

21 JUDGE HOYT: Very well. Are you going to include
22 both maps in the later version of your exhibit?

23 MS. FERKIN: The exhibit as it now stands if you
24 are referring to Commonwealth Exhibit Number one --

25 JUDGE HOYT: One, exactly.

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1 MS. FERKIN: -- contains the exhibit that is I
2 believe the June 1983 version. The July 1984 version is in
3 draft form and is not incorporated as yet in Annex E.

4 JUDGE HOYT: Do you anticipate that it will be?

5 MS. FERKIN: I don't know.

6 JUDGE HOYT: Very well.

7 MS. FERKIN: That is why I suggest that Mr. Hippert
8 make his representations through his testimony.

9 JUDGE HOYT: That answers my question that to keep
10 this record consistent that all witnesses testifying from
11 the evacuation map will have used what has been marked as
12 LEA Exhibit E-16. That is the version of the evacuation map
13 dated June 1983 and that is the same one that has previously
14 been identified a number of times on this record as a portion
15 of Commonwealth Exhibit No. E-1.

16 Mr. Fewless, will you please that version of the
17 map that you have just heard us discuss, June 1983, before you.

18 WITNESS FEWLESS: I have it.

19 JUDGE HOYT: You have indicated that you do so.

20 WITNESS FEWLESS: Yes, I do.

21 JUDGE HOYT: All right. Now can we go ahead,
22 Mr. Anthony.

23 BY MR. ANTHONY: (Resuming)

24 Q You had just said that there could be traffic
25 congestion moving through the park west onto route 23

1 soon after an alert about an accident at Limerick. Could this
2 peak congestion be of greater peak than that spread over a
3 two hour commuting period?

4 MR. CONNER: I object to the premise in the question
5 that assumes that traffic moving through the park on route 23
6 on an alert would be peak congestion.

7 JUDGE HOYT: Will you modify your question
8 accordingly, Mr. Anthony?

9 MR. ANTHONY: All right.

10 JUDGE HOYT: Thank you.

11 BY MR. ANTHONY: (Resuming)

12 Q. The traffic moving through the park on route 23
13 after an alert would cause congestion on route 23?

14 A. All I can say is that it could depending on the
15 amount of traffic moving.

16 Q. Would it be congestion like the afternoon peak hour
17 congestion?

18 A. It could.

19 Q. Could it be more concentrated than that instead
20 of over two hours, say within one hour?

21 A. Again, all I can say is it could. I don't know
22 how much traffic would be flowing in that direction.

23 Q. Could it be condensed into a shorter period?

24 A. I don't really know.

25 Q. What would it do to the congestion, the more the

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1 shorter period gets condensed to?

2 MR. CONNER: Objection. The witness has already
3 said he can't answer the question.

4 JUDGE HOYT: I believe, Mr. Anthony, he doesn't
5 have the knowledge that you are trying to get from him on
6 these points.

7 MR. ANTHONY: He is the person who sees the traffic
8 daily in the park so he is our expert on what happens there.

9 JUDGE HOYT: If the witness can answer the question,
10 go ahead.

11 WITNESS FEWLESS: I can answer the question
12 regarding what the traffic is now but I can only speculate
13 as to what it might be.

14 BY MR. ANTHONY: (Resuming)

15 Q. You are well acquainted with the peak traffic,
16 afternoon peak traffic, and in case of an alert the
17 evacuation route from Schuylkill Township and Phoenixville
18 as we have heard testified to today is part of it at least
19 on route 23 connecting with route 252. That evacuation
20 traffic would be flowing south. The peak traffic of the
21 reverse commuters that we have been discussing would be
22 flowing north. Would these two streams of traffic meet
23 at the intersection of route 23 and route 252?

24 MR. CONNER: I object to the form of the question
25 which assumes that there would be an evacuation and also that

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1 there would be traffic going north on 252. The testimony
2 has shown that access north would not be permitted as far as
3 I can recall.

4 JUDGE HOYT: Your objection is overruled, Mr. Conner.
5 Can you answer the question?

6 WITNESS FEWLESS: Would you repeat the question?

7 MR. ANTHONY: Do you want me to repeat the question,
8 Judge Hoyt?

9 JUDGE HOYT: Yes. If the witness can't answer
10 we will obviously have to have it repeated.

11 BY MR. ANTHONY: (Resuming)

12 Q. The question was would traffic flowing on route 23
13 west after an alert meet evacuation route traffic flowing
14 south and they would meet at the intersection of route 23
15 and route 252, is that where they would meet and that would
16 be tightest spot?

17 A. That would probably be the tightest spot for
18 westbound traffic meeting eastbound traffic would be at
19 that intersection.

20 Q. Would that be equivalent to having a peak afternoon
21 traffic, commuter traffic, meet the peak morning commuter
22 traffic at that intersection?

23 A. I can only speculate again.

24 JUDGE HOYT: Just a moment. Yes, counsel.

25 MR. MCGURREN: Your Honor, I was just going to object

1 on the basis that this appears to call for pure speculation.

2 JUDGE HOYT: Yes. I think counsel is correct.

3 MR. ANTHONY: He is the expert.

4 JUDGE HOYT: Mr. Anthony, we are going just too
5 far afield now. I think that is beyond the scope of any
6 understanding of your contention, sir.

7 MR. ANTHONY: I think that for the safety of the
8 public, Judge Hoyt, we have to know at least have some
9 visualization of what would happen with a spontaneous
10 evacuation of King of Prussia meeting the planned evacuation
11 from Phoenixville and that area via route 23 and route 252.

12 JUDGE HOYT: The objection is sustained, sir.
13 Please ask your next question.

14 BY MR. ANTHONY: (Resuming)

15 Q. Are there bus routes through the park?

16 A. I understand that there is a bus route through
17 the park. It goes down route 23.

18 Q. Is that a SEPTA bus?

19 A. That is my understanding, yes.

20 Q. Are there times when those buses are disabled in
21 the park?

22 A. From time to time we have assisted a disabled bus.

23 Q. How often are there disabled trucks in the park?

24 A. Well, we have breakdowns sometimes weekly, more
25 serious ones perhaps a few times a year.

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1 Q What happens during those breakdowns?

2 MR. CONNER: Objection, unless this is somehow tied
3 into some kind of congestion.

4 MR. ANTHONY: This would have to do with what could
5 happen that might interfere with evacuation through the park.

6 JUDGE HOYT: Then ask your question in that manner,
7 Mr. Anthony. If that is your question, ask it.

8 BY MR. ANTHONY: (Resuming)

9 Q Would the truck traffic in itself and the possibility
10 of accidents be something that would cause congestion in
11 cases of a Limerick emergency?

12 A A truck breaking down in the park now sometimes
13 causes congestion depending on their location and whether
14 or not they can be gotten off to the side of the road and
15 the nature of the incident.

16 Q What happens to the park roads when there is such
17 an accident?

18 A As I say if there is a breakdown on a hill or
19 something in the middle of a road, it usually causes
20 congestion. Cars can't get past the truck for a period of
21 time. Occasionally we would have an accident where the
22 road might be closed for a period of time and traffic would
23 have to be rerouted around one of the other park roads.

24 Q If such a closing of the park roads happened during
25 an alert, would that prevent traffic from going through the

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1 park?

2 MR. CONNER: We would object to that. The park roads
3 are not evacuation routes.

4 JUDGE HOYT: That is correct, Mr. Anthony.

5 MR. ANTHONY: The witness has already said he would
6 not prevent any evacuation through the park so that it would
7 be a potential evacuation route.

8 JUDGE HOYT: Can you answer the question,
9 Mr. Fewless?

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1 THE WITNESS: I don't know that I can.

2 JUDGE HOYT: Very well. Now, let's have your
3 next question, sir.

4 BY MR. ANTHONY:

5 Q Have you discussed with your staff or Mr. Elms
6 and you emergency plans for the park itself in case of a
7 Limerick alert?

8 A We have discussed the subject, yes.

9 Q Do you have some kind of emergency plans
10 formulated?

11 MR. CONNER: Objection. It is beyond the
12 scope of the contention. Besides, that has more or less
13 been answered.

14 JUDGE HOYT: Mr. Anthony, remember that the
15 scope of your contention deals with how the traffic
16 existing in the park would impact. It is not the internal
17 traffic which I think is what you have been trying to get
18 at.

19 Therefore, the objection is sustained.

20 Let's move into your next area, sir.

21 MR. ANTHONY: With due respect, Judge Hoyt,
22 I thought the contention had to do with any traffic
23 congestion that would interfere with evacuation traffic.

24 JUDGE HOYT: That is correct, sir, evacuation
25 traffic.

1 MR. ANTHONY: So this concentration of traffic
2 and congestion would interfere with evacuation
3 traffic since the witness has testified that cars would
4 not be evacuating through the park.

5 JUDGE HOYT: I am ready for your question, sir.

6 BY MR. ANTHONY:

7 Q In forming your emergency plans for the
8 park, how would you provide for the visitors leaving
9 the park?

10 A The planning discussions that we had indicated
11 that we would receive advance warning before the evacuation,
12 and our analysis or our interpretation of human nature
13 would indicate that if people were informed at this
14 stage, probably the majority would leave at that time on
15 their own going whichever direction they wanted to go
16 before the evacuation began.

17 Q Well, I was questioning you about the park's
18 plans for an emergency. Your answer suggests that the
19 first step in your plan would be to let people do what
20 they would do naturally; is that it?

21 A Our plan is based on that assumption that we
22 would have information of an impending emergency before
23 the actual emergency. And we would give this information
24 to the visitors and they could make their decision as
25 to whether or not they wished to remain in the park or leave.

1 Q And what would be the next step in your
2 emergency plan for those who don't leave?

3 MR. CONNER: We object to this. This has
4 been gone over before. It also is beyond the contention
5 in terms of what particular individuals might or might
6 not do outside the EPZ. We think it is well beyond the
7 contention.

8 MR. ANTHONY: I don't see that that is valid,
9 Judge Hoyt. This is congestion and it is people who would
10 be at risk. If there is no plan for these people from
11 the county or otherwise, I think the park is prudent
12 to have a plan and for us to know what it is.

13 JUDGE HOYT: Mr. Anthony, during the luncheon
14 break I would suggest that you examine the basis upon
15 which these two contentions were admitted. This is
16 contained in the order of April 1984. I will call it
17 to your attention that it was at page 1067 of the
18 slip sheet opinion of this -- where this opinion is located.

19 If you don't have a copy of it, perhaps one
20 of the counsel may --

21 MR. ANTHONY: I have the original order. It is
22 not the same -- the page numbering is different. It is
23 hard for me to coordinate with the page numbering because
24 the page numbering is different.

25 JUDGE HOYT: Let me see if I can give it to

1 you, Mr. Anthony, if you will give me a moment, sir.

2 MR. CONNER: I believe it is 74, if that would
3 help, in the April 20.

4 JUDGE HOYT: That is where it starts. The
5 particular paragraph that I --

6 All right, Mr. Anthony. It is on the copy of
7 the order that you have at page 77. Counsel using the
8 slip sheet opinions, it is located at 1067.

9 MR. ANTHONY: Whereabouts on page 77 is this?

10 JUDGE HOYT: Beginning with the first full
11 paragraph on that page which reads as follows: "We
12 admit these two contentions in these focused forms,"
13 et cetera.

14 And that will show you the area of interest that
15 the questioning can be done on in this case.

16 It looks to me as if this may be a good time to
17 suggest a luncheon break, perhaps take it a little earlier
18 this afternoon in view of the fact that this is
19 Wednesday, and we anticipate going to afternoon after
20 the conclusion of the hearings to have a conference on
21 the future planning for these hearings.

22 Mr. Hirsch, you appear to have a -- anything from
23 you, sir?

24 MR. HIRSCH: No.

25 JUDGE HOYT: All right, sir.

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Is that agreeable with everyone here?

(No response.)

Very well.

We will recess until -- let's make it 1:15.

(Whereupon, at 11:50 a.m., the hearing was recessed, to reconvene at 1:15 p.m., this same day.

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AFTERNOON SESSION

(1:20 p.m.)

JUDGE HOYT: The hearing will come to order.

Let the record reflect that all the parties to the hearing who were present when the hearing recessed are again present in the hearing room.

The witness, sir, will come forward and take his place on the witness stand. I believe, sir, that you have taken the oath here this morning, and I will recall to you that you are still under that oath.

All right, Mr. Anthony, you may begin, sir.

MR. ANTHONY: Judge Hoyt, I believe that a question came up as to the respecified contention which is LEA-24 and FOE-3, and I would like to read the wording of --

JUDGE HOYT: Just cite to me where you are reading from, sir, and I will follow along with you.

MR. ANTHONY: It is the -- it is LEA filing of the respecified contentions.

JUDGE HOYT: No, sir. I am asking you to read it from the order that is the order of this Board. I would like to call to your attention the order of September 24, 1984, specifically page 14.

MR. ANTHONY: That is page 14 on the order of the 24th?

1 JUDGE HOYT: That is what I said, sir.

2 MR. ANTHONY: And LEA's rewording is accurate
3 and precise?

4 JUDGE HOYT: That is it, sir.

5 MR. ANTHONY: "There is no assurance that plans
6 for evacuation of the ten-mile radius will not be
7 impeded."

8 JUDGE HOYT: That is the one that the Board
9 was citing to you, Mr. Anthony.

10 MR. ANTHONY: Right.

11 And the next page 15 says, "We accept all the
12 items in the list accompanying the contention."

13 JUDGE HOYT: That is correct, sir.

14 MR. ANTHONY: So that that would include everything
15 to do with traffic at Valley Forge Park and specifically
16 LEA states and it was accepted, "Also there is a lack of
17 emergency planning for the Valley Forge National Park and
18 the King of Prussia Area. This contention concerns the
19 traffic and use patterns for Valley Forge Park and
20 related commuter and shopping and business traffic to and
21 from King of Prussia, including King of Prussia Plaza,
22 one of the nation's largest and oldest shopping mall
23 complexes.

24 "All of this is dependent on and interrelated
25 with" --

1 JUDGE HOYT: What are you reading, sir?

2 MR. ANTHONY: Excuse me?

3 JUDGE HOYT: What are you reading?

4 MR. ANTHONY: I am reading from the respecified
5 filing that --

6 JUDGE HOYT: The respecified and refiled
7 wording, sir, that I was citing to you is the way in
8 which the Board had accepted that on September 24. This
9 is the text of your contention, sir.

10 MR. ANTHONY: It says that all the items
11 listed were --

12 JUDGE HOYT: All the bases of the items,
13 that is correct, sir. That was the way the order read on
14 page 15.

15 MR. ANTHONY: So that I believe this includes
16 everything to do with traffic through Valley Forge
17 Park.

18 The specifically mentioned items are A, B, and
19 C. I have read A. C is related to Valley Forge Park
20 and says, "The HMM traffic study does not take into
21 account Valley Forge Park traffic, see LEA filing
22 August 31, assumptions of HMM study which would affect
23 analysis of traffic flow in the affected areas tend
24 to mischaracterize the actual impact of traffic in the
25 area, particularly dynamic route selection. Notification and

1 traffic routing information to industries in King of
2 Prussia area is needed to prevent large releases of
3 employee traffic into evacuation routes at critical times.

4 "The effect of regular traffic concentrations
5 in addition to the flow from the EPZ and spontaneous
6 near EPZ evacuation is not considered as it affects
7 traffic leaving the planning zone.

8 "The basis is NUREG 0654, Appendix 3, page 16,
9 NUREG 0654 ID page 8, 10 CFR 50.47 (3)(2). LEA
10 incorporates by reference and FOE/Anthony 1,
11 January 31, 1984, included map."

12 I am reading that to establish that my
13 questions to Mr. Fewless are related to all the --
14 all these items are already accepted by the Board as part
15 of this contention.

16 JUDGE HOYT: Is there anything further?

17 MR. ANTHONY: No, that is all. The further
18 items on the list I will leave to LEA's representatives
19 to present when they are presenting for their part of
20 this contention.

21 JUDGE HOYT: For their part of the contention,
22 if their part of the contention covers the items named.

23 Any input from any other counsel?

24 (No response.)

25 JUDGE HOYT: Very well.

1 Go ahead, sir.

2 Whereupon,

3 THOMAS J. FEWLESS

4 resumed the stand and, having been previously duly
5 sworn, was examined and testified further as follows:

6 BY MR. ANTHONY: (Resuming)

7 Q We were talking about at one point an
8 emergency plan for visitors to the park.

9 Did you envisage that in order to evacuate
10 the park visitors you would stop all traffic headed
11 into the park?

12 A We did not plan for any evacuation of park
13 visitors.

14 Q Can you be assured that park visitors will be
15 safe if you don't have a plan?

16 A We have guidelines that we have issued to our
17 employees for assisting the county in their plans, but
18 we don't have a formal plan for assuring the safety of
19 the park visitors.

20 Q Is your first responsibility to the visitors
21 to the park?

22 A We have a responsibility to the visitors of the
23 park, yes.

24 Q Would this be included in the plans of the
25 officials whom you have talked with?

1 MR. CONNER: Objection. Officials not identified,
2 and the witness just said they didn't have a formal plan
3 for the park.

4 JUDGE HOYT: Sustained, Mr. Anthony.

5 BY MR. ANTHONY:

6 Q Did you talk with Mr. Bigelow about a plan for
7 evacuating the park?

8 A We did not talk about a plan for evacuating
9 the park. We talked about how Valley Forge would assist
10 the counties in implementing their plans.

11 Q How far away is Valley Forge Park to the furtherest
12 extent from the Limerick Plant?

13 A Valley Forge is approximately two miles wide.
14 And since one tip of the park is ten miles from Limerick,
15 I suppose the furtherest extent would be about 12 miles.

16 Q Then you would be interested in this. In
17 the Board's April 20th, 1984 order, on page 80,
18 which you don't have, but the rest of us have it, and I
19 will read it to you.

20 MR. CONNER: We object to this. It
21 sounds like argument or something. We think it should only
22 be limited to questions to the witness.

23 MR. ANTHONY: This is a question to the witness
24 from the statement in the middle --

25 JUDGE HOYT: If you have the question, Mr. Anthony,

1 ask the question.

2 I am not going to permit you to read the order
3 of the Board to the witness.

4 MR. ANTHONY: I didn't want to read the whole
5 order. It said -- the quotation from page 80 is from
6 the Commonwealth. It says, "It would be worthwhile to
7 at least consider expanding the EPZ to include Valley
8 Forge." And the sentence before that states that the
9 EPZ, in some places, "already extends to nearly 13 miles
10 from the Limerick Plant."

11 JUDGE HOYT: Mr. Anthony, do you have a question
12 based upon what you have read in the order. I am not
13 going to permit you to read the order into this record.

14 If you have a question, sir, please ask it.

15 BY MR. ANTHONY:

16 Q Do you think the Valley Forge Park -- would you
17 agree with the Commonwealth that the Valley Forge Park
18 should be considered for inclusion in the emergency plan?

19 MR. CONNER: Object to the form of the question.
20 The Commonwealth and the local groups established the
21 EPZ, so it is not demonstrated with any foundation that
22 the Commonwealth has so recommended.

23 JUDGE HOYT: Sustained.

24 MS. FERKIN: I was going to add, I would also
25 object, not quite on the same grounds as Mr. Conner, but I

1 think Mr. Anthony mischaracterized the words used by
2 the Commonwealth's representative in this context.

3 JUDGE HOYT: I think that was probably inherent
4 in Mr. Conner's objection or incorporated in Mr. Conner's
5 objection.

6 Thank you very much, Ms. Ferkin.

7 Go ahead, Mr. Anthony.

8 MR. ANTHONY: I am sorry if I read it wrong.
9 I read from the Board order.

10 JUDGE HOYT: That is not what was wrong, sir,
11 but you go ahead.

12 BY MR. ANTHONY:

13 Q You testified that the one end of the park
14 is already within ten miles?

15 A Yes, sir.

16 Q And what township is that in?

17 A That would be Lower Providence.

18 Q Is there an emergency plan for Lower Providence
19 Township?

20 A I believe there is.

21 Q And who is the representative that you deal with?

22 A We don't have a direct contact with Lower
23 Providence Township.

24 Q Are you required to include that part of the
25 park in the Lower Providence Township emergency plan?

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A No one has advised us that we are required to include any part of the park in any plan.

END 9

1 Q You realize that Lower Providence is included in
2 the emergency plan?

3 A So I have been informed, yes.

4 Q So the part of Valley Forge Park included in
5 Lower Providence is included in that part of the plan?

6 A We may be included in their plan, yes. I don't
7 really know. I haven't seen a copy of their plan.

8 Q Do you know who the emergency officer is in Lower
9 Providence?

10 A No, I do not.

11 Q And who is the emergency planning representative
12 at Valley Forge Park?

13 A No one has been designated as such, but that
14 would probably fall under my responsibilities.

15 Q Would you be the one that received the messages
16 as to what state of alert was involved in an emergency?

17 A It would be my division that would receive that
18 message. It would be forwarded to me and to the superintendent
19 at the park.

20 Q Would you be called upon to notify those authori-
21 ties, if there were blockages in the park at the time of
22 an alert?

23 A Based on discussions that we have had with the
24 state and the two counties, we would have a line of
25 communication with both counties where we would receive

mm2

1 information and presumably pass information to them about
2 problems that arose.

3 Q Do you need additional telephone or communication
4 lines to provide this?

5 A No, I don't believe we do.

6 Q What was last summer's experience on traffic tie-
7 ups at the time of the 200th Montgomery County Anniversary
8 Celebration in the park?

9 A There was an evening program at the park. And
10 as I recall, there were approximately 2000 automobiles that
11 were parked in the vicinity of the park amphitheater. Some
12 of them parked on the grounds.

13 After the program, as I recall, it took approxi-
14 mately 45 minutes for these vehicles to be directed out the
15 park entrances to leave the park.

16 Q Is that the kind of congestion that takes place on
17 a heavy holiday event? Heavy holiday time at any other
18 occasion during a park year?

19 A No. This is rather a unique or very rare occasion
20 where we have a heavy concentration of vehicles in one spot,
21 and they were all leaving from one central location in the
22 park and going out in different directions.

23 Q And should there be a study of the effect on park
24 traffic of a spontaneous evacuation at a time of alert from
25 King of Prussia?

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1 A I feel this would be worthwhile.

2 Q Thank you. And, should there be a similar study
3 of what would happen to traffic emanating from Route 202 and
4 the various industries along 202 onto 252?

5 A Did you say traffic coming off of Route 202 onto
6 252?

7 Q Yes, the people who travel regularly on 252 to
8 work along 202, should there be a study of what would happen
9 if they returned to their homes to get ready to evacuate?

10 A Well, I would have assumed that this is the kind
11 of study that would have been done to determine what is going
12 to happen to the traffic in an emergency situation. I think
13 it would be advantageous to have a study of this nature, yes.

14 Q I would agree with you. I would assume the same
15 thing, but I don't think it has happened.

16 Should Valley Forge Park insist that Pennsylvania
17 Emergency Management and the Federal Emergency Management
18 guarantee safe evacuation of visitors, from the park?

19 A I don't know that we can insist. We would certainly
20 work with them every way that we could to assure that the
21 park visitors were not placed in jeopardy by any actions
22 within the ten-mile zone.

23 Q And, as your primary responsibility for the
24 safety of the visitors, would you initiate a concern of this
25 sort?

mm4 1 A We have been working with both counties and we
2 do express this kind of concern.

3 Q And what has the reaction been?

4 A Well, the meetings that I have attended has been
5 one of cooperation. They have listened to some of our concerns
6 and indicated that they would study them and take action on
7 them, possibly.

8 Q Has there been any plan suggested to you for
9 evacuating the park?

10 A No.

11 Q Should there be a plan for evacuating the park?

12 A Not in my opinion at this stage.

13 Q Should the Limerick plant be allowed to operate?

14 MR.CONNER: Objection.

15 JUDGE HOYT: Sustained.

16 MR. ANTHONY: I will withdraw that.

17 BY MR. ANTHONY:

18 Q Could you give a figure for the peak population
19 of the park on a monthly basis and a daily basis?

20 A I have some travel figures for average daily
21 travel both by vehicle and by individual count if that
22 would be helpful.

23 I don't know in what form you want it.

24 MR.ANTHONY: Could I ask the Board whether this
25 could be introduced in evidence as an exhibit?

mm5 1 JUDGE HOYT: The witness may testify, Mr. Anthony,
2 using his notes if he needs them to refresh his recollection.

3 MR. ANTHONY: All right.

4 Will you proceed?

5 JUDGE HOYT: Ask the question, Mr. Anthony. He
6 doesn't know what you want to know.

7 MR. ANTHONY: I wanted to know the monthly figures
8 for the park use and average daily figures, and the number
9 of cars.

10 JUDGE HOYT: Average daily figures of what,
11 Mr. Anthony.

12 MR. ANTHONY: Of use of the park. Number of people
13 using the park.

14 MR. CONNER: If Mr. Anthony has finished his
15 question -- and I am not sure he has -- I would object to
16 any figures as to the number of people. We are talking
17 about traffic congestion, and the people may be Boy Scouts
18 who want to hike out.

19 But, people as such -- if he wants to ask questions
20 about vehicles, it is like pulling a tooth slowly here.

21 JUDGE HOYT: Mr. Anthony, if you want to know the
22 number of vehicles that come into the park, and this witness
23 has the notes, he needs them to refresh his recollection, he
24 may give you the figure that he has recorded on these
25 particular notes.

mm6 1 MR. ANTHONY: Yes. I think that is very useful to
2 have that.

3 JUDGE HOYT: Just the figures of the number of
4 cars that came into the park on whatever period of time you
5 want to designate.

6 MR. ANTHONY: All right.

7 That's a good question. Can you answer that?

8 JUDGE HOYT: Do you want that on a daily basis,
9 and for what period of time, during what period of each year
10 of the year that he has his notes for?

11 MR. ANTHONY: That would be good to have that on
12 a weekly and daily basis and monthly basis, and average and
13 peak times.

14 JUDGE HOYT: Does the witness have that information?

15 THE WITNESS: I don't know that I have all that
16 information with me. We do have travel statistics that are
17 taken from vehicle traffic counters. Our visitation is
18 obtained by counting the number of vehicles and then multi-
19 plying by various factors to come up with a visitation figure.

20 I did bring with me the average daily vehicle
21 counts for cars entering from the west on Route 23.

22 JUDGE HOYT: Do you have a date, a period of time
23 for that?

24 THE WITNESS: This is for the year 1983. I have
25 it by the month, broken out for average daily counts for

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1 weekdays and for weekends.

2 JUDGE HOYT: Very well.

3 Mr. Anthony?

4 MR. ANTHONY: That is not really what I asked for.

5 I asked for the total number -- I will be glad to
6 have what you have there Mr. Fewlass.

7 THE WITNESS: Do you wish me to read them by
8 month, or how do you wish them?

9 MR. ANTHONY: Yes.

10 MS. FERKIN: Judge Hoyt, could I ask -- could you
11 ask the witness to repeat one more time exactly what is the
12 nature of the information he is about to give us?

13 JUDGE HOYT: Yes. If you will, Chief, will you
14 tell us what the figures represent. Do you have them by the
15 month? I believe you indicated for the year 1983 you have
16 averages?

17 Just tell us what it is you have.

18 THE WITNESS: These are average daily vehicle counts
19 for cars entering the park on Route 23 from the west.

20 JUDGE HOYT: And that is for the year 1983?

21 THE WITNESS: That is for the year 1983.

22 MS. FERKIN: Thank you.

23 JUDGE HOYT: All right, will you give us those.

24 THE WITNESS: I have two figures for each month.

25 The first figure is the average of the weekday travel and the

mm8 1 second figure is the weekend travel.

2 January, weekday, 7566; weekends, 5099.

3 For February weekday, 6820; weekends 4755.

4 For March weekday 8082; weekends 5794.

5 For April weekend 7991 -- did I say weekend, that
6 would be weekdays. I'm sorry.

7 JUDGE HOYT: Weekday

8 THE WITNESS: The first figure is weekdays. Weekends,
9 8798.

10 MR. MAYERSON: Give me weekdays again, please, Chief.

11 THE WITNESS: 7991.

12 For May weekdays, 8154; weekends 7966.

13 For June weekdays, 9223; weekends 6155.

14 For July weekdays, 8666; weekends 7088.

15 For August weekdays 9984; weekends 5793.

16 For September, 8576; weekends 5704.

17 October weekdays, 8313; weekends 7221.

18 For November weekdays, 8031; weekends 5824.

19 For December weekdays, 8354; weekends 6958.

end 10 20

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1 MR. ANTHONY: Excuse me. That finishes that. Thank
2 you very much. In connection with the use of Valley Forge
3 Park we have an exhibit which is the general management
4 plan of Valley Forge National Park which we would like to
5 introduce. I don't know what the number would be on this,
6 Judge Hoyt, LEA-21.

7 MR. CONNER: Is this going to be LEA or FOE?

8 JUDGE HOYT: I have no idea.

9 MR. ANTHONY: I would be glad to cooperate with
10 LEA on this and keep it as an LEA exhibit if that is all
11 right with the Board.

12 JUDGE HOYT: Mr. Anthony, it is your exhibit.

13 MR. ANTHONY: It can be LEA -- what number?

14 MR. STONE: LEA-22.

15 LEA would note that this has been previously
16 distributed and I have the copies here.

17 JUDGE HOYT: What is it?

18 MR. STONE: It is entitled for identification
19 a series of about five pages, two pages from the Environmental
20 Assessment, Draft General Management Plan, June 1980 for
21 the Valley Forge National Historical Park and the other
22 three pages are from the draft general management plan,
23 Valley Forge National Park, November 1981.

24 MR. CONNER: We can't tell from what he is
25 describing as to whether we have received it. I don't know

mnl1-2

1 what it is.

2 MR. MCGURREN: Your Honor, we would like to ask when
3 was it distributed?

4 MR. STONE: I can find it here and again I am
5 dealing with Mr. Anthony's attempt to talk about this. It
6 was attached to the subpoena request.

7 (Counsel for LEA conferring off the record.)

8 MR. STONE: It was filed with the testimony on
9 November 2nd.

10 JUDGE HOYT: I didn't understand a word you said
11 in that last phrase.

12 MR. STONE: All right. It was attached to the
13 testimony filed November 2nd, written testimony, with the
14 subpoena requests at that time. I have copies and it is
15 not like everybody has to --

16 MR. CONNER: It might be simpler if you just let us
17 see it.

18 MR. STONE: We will have the witness describe it.

19 (Discussion off the record.)

20 MR. STONE: We better make some clarifications here.
21 I am going to take over Mr. Anthony's time for a minute.
22 We labelled this as LEA-20 on the basis that the map, the
23 blow-up map, previously discussed had been labelled LEA
24 Exhibit E-20 and I think that situation was a confusing one
25 but if the assignment of that number to that exhibit is

nun11-3

1 correct this would then be the next number.

2 JUDGE HOYT: It will be LEA-21.

3 MR. STONE: It was suggested to me for clarification
4 since the exhibit essentially falls into two categories,
5 the first category is the two pages stapled together,
6 "Environmental Assessment, Draft General Management Plan,
7 June 1980, Valley Forge National Historical Park," pages
8 61 and 62 of that document and this would be LEA-21 and
9 for clarity sake I think it would be best to label the
10 second three page attachment which is pages 25, 26 and 27
11 of the Draft General Management Plan, Valley Forge National
12 Park, November 1981.

13 JUDGE HOYT: Mr. Stone, do you have the draft
14 general management plan of June 1980 in the hearing room?

15 MR. STONE: The witness has with him as I understand
16 the current draft general management plan. Now he has
17 a document with him that I was shown. I believe there is
18 a connection and I think we can establish that from the
19 witness and if this is not suitable for this witness, then
20 we will establish that. But I believe that this information
21 here is relevant to the park and can be verified by the
22 witness and sponsored by the witness and will, in fact,
23 provide data to supplement what the witness has read into the
24 record and would save us a lot of time because we would have
25 at least a data base in the record for some indication of

mnl1-4

1 Valley Forge Park use and we wouldn't have to further burden
2 the record with cross-examination of the witness.

3 (Counsel for LEA conferring off the record.)

4 MR. STONE: I am also informed that in addition to
5 the filing on November 2nd, it was also provided to the
6 parties in discovery. What they are for the record, too,
7 they are various and they involve numbers, certain written
8 descriptions of park facilities and roads and if the witness
9 could sponsor and verify this information and compare it
10 to the current information he has brought with him, that
11 would be it.

12 JUDGE HOYT: No problem with that. We will mark
13 a two-page document with the typed written identification on
14 something that appears to be a xeroxed copy of some pages
15 from an unnamed document but whose title and typed across
16 the top is "Environmental Assessment, Draft General Management
17 Plan, June 1980, Valley Forge National Historical Park" is
18 LEA Exhibit E-21 for identification. LEA Exhibit E-22 for
19 identification will be the three page unidentified document
20 pages that appear to be some xeroxed pages with the typed
21 written identification across the top of "Draft General
22 Management Plan, Valley Forge National Park, November 1981."

23 (The document referred to were
24 marked as LEA Exhibit Nos.

25 E-21 and E-22 for identification.)

XXXXX

mn-11-5

1 JUDGE HOYT: Do all counsel and representatives
2 here have copies of this? Ms. Ferkin.

3 MS. FERKIN: Yes. The Commonwealth has a copy.

4 JUDGE HOYT: Staff?

5 MR. MCGURREN: Yes, we do, Your Honor.

6 JUDGE HOYT: FEMA?

7 MR. HIRSCH: Yes.

8 JUDGE HOYT: Mr. Conner.

9 MR. CONNER: As far as I know it is the same
10 document, yes.

11 JUDGE HOYT: All right.

12 MR. STONE: If it may please the Board I have
13 interrupted Mr. Anthony's examination here. I don't know
14 if he can establish this document as it was intended based
15 upon his examination plans, however we felt that it would
16 need to be introduced as an exhibit this time in order to
17 preserve LEA's right to question. I am prepared to follow
18 that line of questioning.

19 JUDGE HOYT: No, sir. Mr. Anthony has insisted upon
20 it. Your counsel in accordance with the conduct of these
21 proceedings this morning found at page 14,559 and 14,560
22 waived LEA's right to participate as lead intervenor

23 MR. STONE: Fine. I was just trying to facilitate
24 matters.

25 JUDGE HOYT: Just give Mr. Anthony the microphone

mn11-6

1 so he can continue his examination of this witness.

2 MR. STONE: Fine.

3 MR. ANTHONY: I have no intention of compromising
4 LEA's or Mr. Stone's right to cross-examine. I don't have
5 any particular questions at the moment on this exhibit
6 and for the sake of --

7 (Counsel for LEA and FOE conferring off the record.)

8 BY MR. ANTHONY: (Resuming)

9 Q Have you seen this report, Mr. Fewless?

10 A Yes, I have seen the environmental assessment and
11 the draft general management plan.

12 Q Is it as far as you can tell an accurate reproduction
13 of it?

14 A As far as I can tell, yes.

15 Q Are there any other reports similar to this that
16 you have seen?

17 A Yes. There is an improved general management
18 plan that was dated June 8, 1982.

19 Q Did you bring that with you?

20 A I only brought one page which contains essentially
21 the same list of figures that is shown on the draft general
22 management plan. It is updated. The right hand column
23 that is identified as projected annual visits, 1981 in
24 your draft on my copy they have substituted 1982. Apparently
25 everything else is the same.

mn11-7

1 Q So as far as you can see, there isn't any great
2 difference or change in that?

3 MR. CONNER: Objection. The documents speak for
4 themselves.

5 JUDGE HOYT: Sustained.

6 BY MR. ANTHONY: (Resuming)

7 Q Is there any big jump or change in the use of the
8 park that has happened since this?

9 A I don't believe there has been any large change in
10 the use of the park.

11 (Counsel for LEA and FOE conferring off the record.)

12 BY MR. ANTHONY: (Resuming)

13 Q From looking at this report, does this convey the
14 use of the park and the practices of the public in relation to
15 it?

16 A Yes. That was the intent to give some kind of an
17 idea of the kinds of activities that were done by park
18 visitors inside Valley Forge National Park.

19 Q Thank you. You have reviewed this and you know
20 where these figures come from? You are responsible for
21 compiling these figures?

22 JUDGE HOYT: Mr. Anthony, what figures are we
23 talking about here?

24 MR. ANTHONY: The ones in these tables.

25 JUDGE HOYT: What table on what document in which

1 column?

2 MR. ANTHONY: In LEA Exhibit-22.

3 MR. CONNER: LEA-22?

4 (Counsel for LEA and FOE conferring off the record.)

5 BY MR. ANTHONY: (Resuming)

6 Q Is it possible for you to read the comparable figures
7 for 1982 or the most recent ones?

8 MR. CONNER: We would object. I don't know where
9 this is going but this particular table on this particular
10 exhibit deals with all kinds of things from dog walking to
11 fishing and I don't know that that has anything to do with
12 traffic congestion. I don't want to interfere but we are
13 talking about a limited contention here and this appears to
14 be excerpts of a few pages from apparently a lengthy report
15 and I don't even know what the exhibit LEA E-22 is offered
16 for let alone what new figures are offered for.

17 JUDGE HOYT: The one that I was concerned with,
18 Mr. Conner, was I couldn't relate model airplane flying to
19 traffic congestion. Mr. Anthony, I am going to sustain the
20 objection because I simply cannot see how these figures are
21 related to the traffic congestion problems that you have
22 been admitted into this case to demonstrate for the Board
23 information so that we can write a decision on an evacuation
24 plan.

25 MR. ANTHONY: Just a word of explanation. They are

mnl1-9

1 not pure figures as far as vehicles are concerned but buried
2 in there are the number of vehicles.

3 JUDGE HOYT: Mr. Anthony, I would defy anyone in
4 this room to be able to tell me how model airplane flying
5 can be related to traffic congestion and how you could do
6 it. Please, sir, let's stick to the issues which have been
7 admitted into this case. The Board has been extremely patient
8 with you, sir, but when you bring in things like this it is
9 very difficult to understand how we can ever get the
10 necessary competent, probative evidence this Board must have
11 in order to make a decision on this evacuation plan for the
12 Limerick Generating Station.

13 MR. ANTHONY: I appreciate the Board's patience,
14 Your Honor.

15 BY MR. ANTHONY: (Resuming)

16 Q. Would you please look at page 61, Mr. Fewless.

17 JUDGE HOYT: Are you going back to LEA-21,
18 Mr. Anthony?

19 MR. ANTHONY: LEA-22.

20 MR. MAYERSON: LEA-22, the general draft management
21 plan.

22 JUDGE HOYT: Mr. Mayerson, Mr. Anthony has been
23 designated as lead intervenor here and this was our decision.
24 Let him conduct his examination.

25 BY MR. ANTHONY: (Resuming)

1 Q I am referring to the environmental assessment
2 draft management plan which was LEA-21. It is page 61
3 at the bottom and it is the second paragraph that speaks
4 of traffic counts at the Valley Creek Bridge. Is that a
5 current figure or is there a comparable current figure?

6 A (Perusing document.)

7 I would interpret this to be the traffic counter
8 whose figures I just read and I don't know where this 14,000
9 figure came from. The planners obtained it somewhere but
10 this does not correspond to the figures I just read which
11 are our daily vehicle counts at that location for 1983.

12 Q Excuse me. Do the other figures in that paragraph
13 compare or are they less than the current use?

14 A (Perusing document.)

15 This could refer to two-way traffic. That is a
16 supposition. We don't count traffic on Gulph Road yet
17 they have a figure listed here. I don't know where they
18 got that figure.

19 Q Thank you. I will continue with a few more questions
20 I have for you, Mr. Fewless. Does Valley Forge Park allow
21 overnight stops?

22 A No, we do not.

23 Q Has it ever happened that there was a blizzard or
24 traffic congestion where cars were stalled and you did have
25 overnight people there?

mn11-11

1 A. To my knowledge this has never happened.

2 Q. What would happen if the alert from Limerick
3 was for everybody to take cover or shelter immediately?

4 MR. CONNER: Objection. The term "alert" as
5 used in the emergency planning does not relate in any
6 way to taking shelter.

7 JUDGE HOYT: I believe that is correct, Mr. Anthony.

8 MR. ANTHONY: I can move on.

9 JUDGE HOYT: Very well.

10 BY MR. ANTHONY: (Resuming)

11 Q. Because of traffic conditions can horse rangers at
12 some times reach the scene of an accident quicker than your
13 patrol cars?

14 A. Yes. There have been times where an accident is
15 reported and a ranger on horseback can cut across the field
16 and get to the accident scene sooner than a patrol car.

17 Q. Is the park ever closed to visitors day or night?

18 A. The park is never closed to visitors although a
19 couple of the internal park roads are closed.

20 Q. Who will make the decision to evacuate Valley Forge
21 Park in case of an emergency at Limerick?

22 MR. CONNER: Objection. There is no basis for
23 evacuating Valley Forge Park because of any emergency at
24 Limerick.

25 JUDGE HOYT: Objection sustained.

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1 BY MR. ANTHONY: (Resuming)

2 Q Do you have a line of command from the county or
3 state directors as to how to handle the traffic in the park
4 and the visitors in the park?

5 MR. CONNER: I think that has been asked and answered
6 several times.

7 JUDGE HOYT: One more time. Go ahead and answer the
8 question if you can.

9 WITNESS FEWLESS: Our conferences with the two
10 counties has given us a communications link via the various
11 county radios. I don't know that we have an individual who
12 we have been told will issue these orders.

13 BY MR. ANTHONY: (Resuming)

14 Q Will the workable plan for the protection of Valley
15 Forge Park visitors be to evacuate everybody from the park
16 at an alert?

17 MR. CONNER: Objection.

18 JUDGE HOYT: Grounds.

19 MR. CONNER: Asked and answered and there is no
20 indication of an evacuation needed because of an alert.

21 JUDGE HOYT: Sustained.

22 BY MR. ANTHONY: (Resuming)

23 Q You mentioned a mushroom cloud and perhaps we could
24 just call that a radioactive cloud from an accident at Limerick.
25 Have there been any provisions made for staff from the Valley

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1 Forge Park to protect them from radioactivity or to monitor
2 the doses that they would be getting in the performance of
3 their duties during an evacuation?

4 MR. CONNER: Objection, no foundation.

5 JUDGE HOYT: Sustained.

6 BY MR. ANTHONY: (Resuming)

7 Q If the plant ever operates, will the plume from
8 the twin towers be visible at Valley Forge Park?

END#11

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1 MR. CONNER: Objection. Irrelevant.

2 JUDGE HOYT: Sustained.

3 BY MR. ANTHONY:

4 Q Is the existence of state roads through the
5 park a difficulty for park management?

6 MR. CONNER: Objection, irrelevant.

7 JUDGE HOYT: The objection is sustained.

8 BY MR. ANTHONY:

9 Q Have there been attempts to widen state roads
10 going through the park, and what is the park's stance
11 in relation to that?

12 A We now have a request before us to widen
13 a short section, about 100 feet long, of route 363 in
14 the vicinity of park headquarters.

15 The position of the National Park Service normally
16 is not to encourage roads through the park, and there
17 are a number of environmental assessment actions and
18 procedures that must be gone through and a number of reviews.
19 So far it is just at this stage. As to whether or the
20 permission to widen the road will be granted, the answer to
21 that question is unknown at this time.

22 Q Have you ever heard of any discussion for moving the
23 state highways so that they would no longer be inside the
24 park?

25 A The general management plan indicates that we will

1 pursue whatever we can to remove nonpark-related traffic
2 from the park by encouraging it to go elsewhere, to
3 use other roads so as to avoid impacting the park visitors.

4 Q Thank you.

5 MR. ANTHONY: I have a map that I would like
6 the Board's permission to submit. In cooperation with
7 LEA, it would be LEA E-20. And it is from Exhibit E-67.
8 It is a blowup from it. I wanted to ask Mr. Fewless a
9 question on it.

10 JUDGE HOYT: I believe this is the same
11 map that Mr. Mayerson represented to the Board this
12 morning was an enlarged copy of one sheet of A-11-6.

13 I believe also that it was the understanding
14 that the counsel for Applicant would examine this and
15 if he found no corrections on it, he would stipulate
16 or enter into a stipulation about this.

17 Have you had that opportunity, Mr. Conner?

18 MR. CONNER: We were just now handed the
19 copy to examine, so I think we are still at the position
20 of saying that it looks all right to me, but we haven't
21 verified it yet.

22 So subject to that, we would stipulate it is a
23 blowup of page A-11-6.

24 JUDGE HOYT: On the copy of LEA-20 which was
25 handed to me, I have three points with a red circle.

1 Do all the counsel here have the same identifications?
2 This is on the lower left-hand side of the map, just
3 south of the southwest of the position of Limerick
4 Generating Station which is identified in the center of
5 this page.

6 MR. CONNER: We have three red circles and
7 they seem to be probably in the same place.

8 JUDGE HOYT: Mr. Anthony, those were not on
9 the copy of the map that was shown to me this morning.
10 I don't believe these are the same that were on the
11 copy of this original which was contained in Applicant's
12 Exhibit E-67.

13 MR. ANTHONY: Would you suggest that it be
14 noted that these red circles were added?

15 JUDGE HOYT: Very well. We can note that they have
16 been added.

17 MR. MAYERSON: Your Honor, I specifically --
18 that was the point of offering them was to circle those three
19 areas --

20 JUDGE HOYT: I know what your point was,
21 Mr. Mayerson. That is precisely the reason that I am
22 going to be sure that they are identified in this record
23 as add-ons.

24 MR. MAYERSON: Thank you. That is what I
25 attempted to do when I said it. That was the purpose.

1 Thank you.

2 JUDGE HOYT: That's right.

3 BY MR. ANTHONY:

4 Q Mr. Fewless, these red circles have nothing to
5 do with the question I am going to ask you.

6 I want to ask you whether you can identify
7 where Valley Forge Park is on this map?

8 A I don't have a copy of the map.

9 (Pause.)

10 Q Can you identify where the park is in relation
11 to any of these routes shown here and the numbers on the
12 routes which aren't the actual highway route numbers,
13 they are something else.

14 A I believe I can locate the park, yes.

15 Q Are there numbers that you can read that
16 show the routes through the park and the numbers in the
17 circle?

18 A I can't read the numbers in the circles, no.

19 Q Can you see something that seems to represent
20 route 252?

21 A Yes. I see a dark line that I would interpret
22 as representing route 252.

23 Q And can you see a line that would apparently
24 represent route 23?

25 A Yes. I can see a line that I would interpret as

1 representing route 23.

2 Q Is there any number that is near that intersection
3 that you can read?

4 A There is a number in a circle right at the
5 intersection of those two routes, but I can't read the
6 number in it.

7 Q Is there anything else near there that you can
8 identify, anything readable there?

9 A Well, the words "Pennsylvania Turnpike" are
10 just to the left of what I identified as route 252.

11 Q And what you would identify as 23, is there
12 something that appears to represent route 23?

13 A Well, if you follow route 252 up to where it
14 dead ends at a crossroad there, that crossroad is route 23.

15 Q And there seems to be a break there. Is there
16 any such break in the route 23?

17 A No. There is no such break.

18 Q So that doesn't represent the actual situation.

19 And on the other side of the park, would you
20 see something that appears to represent route 363
21 and the County Line Expressway?

22 A I see a heavy line which I would expect
23 would be the County Line Expressway.

24 Q And can you read any of the numbers that are
25 anywhere near the part on that apparent route 363?

1 A The only number I can read is 400 to the
2 right of that route. That would be outside the park.

3 Q Well, thank you for trying. It is a very
4 difficult map to read. I wanted your input on it.
5 That is all the questions I have on it, Mr. Fewless.

6 MR. ANTHONY: I would like to finish my
7 examination, Judge Hoyt, but in closing I would like to
8 move that the Board act to now include Valley Forge Park
9 in the evacuation planning and that this be ordered
10 by the Board and that the implementation of that take
11 place.

12 I believe that with this witness and what
13 has been put in the record on the particularly the
14 Commonwealth's point of view of the possibility of
15 including Valley Forge Park, that this now be done.
16 And I would just add that it could save further hearing
17 time and would be an efficient way to conclude this.

18 JUDGE HOYT: Does that conclude your
19 examination?

20 MR. ANTHONY: That concludes it.

21 JUDGE HOYT: Very well.

22 Mr. Mayerson, are you ready to proceed with
23 your examination on the balance of this --

24 MR. MAYERSON: Yes, your Honor.

25 JUDGE HOYT: I would like some representation

1 from you, Mr. Mayerson, as to how much examination you
2 have.

3 MR. MAYERSON: Very little, your Honor.
4 No more than 15 minutes.

5 JUDGE HOYT: Mr. Mayerson, if you say 15
6 minutes, we are going to hold you to 15 minutes.

7 MR. MAYERSON: All right, your Honor, 15 minutes.

8 JUDGE HOYT: Very well.

9 DIRECT EXAMINATION

10 BY MR. MAYERSON:

11 Q Chief Fewless, am I pronouncing that correctly?

12 A Yes.

13 Q You said you had some paper with 1982 figures
14 on it?

15 A I did say that. On looking at the figures
16 again, I see they are identical with the ones that were --
17 they are almost identical with the ones that were identified
18 as 1981 figures. They deleted one and changed the date.
19 I don't know where that came from.

20 Q Now, would that indicate that at least in this
21 draft general management plan of the Valley Forge
22 National Historical Park -- for what purpose do you use
23 this management plan?

24 A This sets the general direction of park actions
25 for the next ten to 15 years. We use it for going to

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1 Congress for appropriations for development. It just
2 indicates the goals of the park over this period.

3 Q Now, the population to the west of the park has
4 gotten heavier in recent years, has it not?

5 A Yes, it has.

6 Q And would you say that from 1980 to the present
7 day that there has been more vehicular traffic in
8 Valley Forge from what you have visually seen and felt
9 from your position as chief ranger there?

10 A I believe there has been some increase. It
11 has changed a little bit with the opening up of the
12 section of the County Line Expressway.

13 Q Now then, in 1980, the Valley Forge National
14 Historic Park had traffic counts reported at Valley
15 Creek Bridge of a volume exceeding 14,000 vehicles
16 daily; is that correct?

17 A That is what this says. As I mentioned earlier,
18 I can't verify that because it doesn't --

19 Q Other than that this is a business record of the
20 park?

21 MR. CONNER: Objection. I wish the witness
22 could finish his answer. He indicated he didn't know
23 where that 14,000 came from.

24 BY MR. MAYERSON:

25 Q Sir, did that come from a business record of

1 Valley Forge Park?

2 A Yes, that is.

3 Q Now, do you know whether that is one way or
4 both ways?

5 A I do not know.

6 Q Thank you.

7 Now, it says the distribution of east/west
8 traffic through the park is as follows: 9,000 vehicles
9 on PA 23; is that correct?

10 MR. CONNER: We object if the witness is
11 being asked to read what is in this LEA-21 in that
12 paragraph. There is no point in rereading it.

13 JUDGE HOYT: Mr. Mayerson, if you have
14 any questions on it, that is fine. I don't think this
15 witness, though, has the figures for 1980. I think
16 that would have to be the foundation from which you would
17 have to start out.

18 BY MR. MAYERSON:

19 Q Chief, do you have the 1980 plan that gives
20 figures for traffic count in Pennsylvania Route 23?

21 A I don't know that I understand the question.
22 We have statistics at the park based on our own traffic
23 counts for every year since 1978.

24 Q In front of you do you have the Draft General
25 Management Plan as of June '80?

1 A All I have is the paragraph that you were
2 reading from which is page 61 of LEA Exhibit 21

3 Q Right.

4 Now, does that give the vehicle count for
5 Pennsylvania Route 23?

6 A There is a figure given here, yes.

7 Q And what is that figure given?

8 A It says 9,000 vehicles on PA Route 23.

9 Q Does that indicate whether it is one way or
10 two ways?

11 A It does not indicate.

12 Q Does it also give a daily vehicle count for
13 Gulph Road?

14 A Yes, it does.

15 Q And does that indicate whether it is one way
16 or two ways?

17 A It does not so indicate.

18 Q And does it also give a daily vehicle count
19 for Pennsylvania 252?

20 A Yes, it does.

21 Q What is that?

22 A 1200 vehicles.

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END 12

1 Q To the best of your knowledge, information and
2 belief, do these two pages accurately represent the business
3 records that the park relied on in June 1980 for future
4 develo-ment?

5 MR. CONNER: Objection. There is no foundation at
6 all for this.

7 JUDGE HOYT: Objection sustained, Mr. Mayerson.

8 BY MR. MAYERSON:

9 Q Do you recognize that document?

10 JUDGE HOYT: Mr. Mayerson, the witness has testified
11 he doesn't have the document, he merely has these two pages
12 and we have not seen the document, nor has the witness,
13 apparently, and he doesn't have anyknowledge of what may be in
14 the document except as represented by these two pages that
15 you have given him.

16 MR. MAYERSON: Your Honor, the document I am referring
17 to is these two pages.

18 JUDGE HOYT: That is correct, and we only have what
19 appears to be two Xeroxed copies from a document that we have
20 never seen.

21 MR. MAYERSON: That is why I am asking him if he can
22 identify it.

23 JUDGE HOYT: And he apparently does not.

24 MR. MAYERSON: I think he has, your Honor. He has
25 identified it as part of the Draft General Management Plan of

mm2 1 June 1980 that his department relies on.

2 MR. CONNER: Objection to that. I recall no such
3 testimony from this witness whatsoever.

4 The thing at the top of these two -- page 61 is
5 obviously typed in as is the term "LEA Exhibit."

6 This witness has not testified that he knows, one,
7 that this is an accurate document or, two, that the numbers
8 are accurate.

9 JUDGE HOYT: That is correct, Mr. Mayerson.

10 Unless you can establish that this is not a
11 competent witness to testify on it.

12 BY MR. MAYERSON:

13 Q Chief, did you bring with you certain figures in
14 response to the subpoena, and certain documents in response to
15 the subpoena?

16 MR. CONNER: I would object to that. For the record
17 there is no subpoena duces tecum issued. It is only a
18 subpoena for the individual. There are no records called for.

19 JUDGE HOYT: Mr. Mayerson, I signed that subpoena,
20 and I very carefully noted any subpoena -- that it wasn't
21 intended to be a subpoena duces tecum. I don't recall signing
22 one.

23 MR. MAYERSON: My question to him, your Honor was,
24 did he bring any documents in response to that subpoena.

25 JUDGE HOYT: And the answer is, it is not a subpoena

mm3 1 duces tecum.

2 MR. MAYERSON: The reason I asked him this is that
3 he brought a document with him.

4 JUDGE HOYT: He testified earlier, Mr. Mayerson, that
5 he had brought certain figures that he had recorded in some
6 book which we have allowed him to use for the purposes of
7 refreshing his recollection.

8 MR. MAYERSON: Your Honor, may I look at the documents
9 that he has brought with him that he used to refresh his
10 recollection?

11 JUDGE HOYT: Yes, sir, you certainly may.

12 MR. MAYERSON: Thank you.

13 (Counsel examining documents, joined by Counsel
14 Conner, McGurren and Ferkin)

15 JUDGE HOYT: Mr. Hirsch, you better get in on that
16 also.

17 MR. HIRSCH: I think there are enough of them
18 already.

19 MR. CONNER: I want to make an objection on the
20 record.

21 Counsel for the NRC Staff, PEMA, LEA and the
22 Applicant are here as Mr. Mayerson requests, to examine the
23 documents that Mr. Fewlass brought with him.

24 There appear to be ten or more documents of various
25 pages. In order to conserve hearing time, may I suggest that

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1 this be deferred -- that Mr. Mayerson have time to examine
2 these documents which he obviously has not seen -- I think he
3 has not seen before, so that we do not have to spend a lot of
4 time examining these and wasting hearing time.

5 We could go on to another witness while Mr. Mayerson
6 studies the documents.

7 JUDGE HOYT: I am not going to accord Mr. Mayerson
8 any additional hearing time, Mr. Conner, simply because he has
9 not prepared himself for his direct examination of a witness
10 he has subpoenaed. If he can't do it, that's it.

11 MR. MAYERSON: I am prepared to --

12 JUDGE HOYT: Very well.

13 MR. MAYERSON: May I have this document marked?

14 JUDGE HOYT: Let me see what it is you have,
15 counsel.

16 (Document handed to Board.)

17 JUDGE HOYT: It is just this part of the figures
18 that you want?

19 MR. MAYERSON: May I see that again.

20 (Document handed back to counsel.)

21 (Document handed back to Board.)

22 JUDGE HOYT: Mr. Mayerson, the document you handed
23 me, which is two typewritten pages; the first page being
24 entitled "Visits to Valley Forge National Historical Park 1983
25 for Monthly Public Use Reports," and the second page entitled

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1 "Daily Average of Vehicles Entering Valley Forge National
2 Historical Park, Route 23-Eastbound," dated 1983. The
3 latter is already a part of the record, Mr. Mayerson.

4 If you were with us during that part of the
5 testimony --

6 MR. MAYERSON: I am not sure that the 40 percent
7 figure at the bottom was in.

8 JUDGE HOYT: The 40 percent was not, to my knowledge.
9 The only part that the witness testified to was the weekdays
10 and the weekends the number of vehicles -- the daily average
11 of vehicles entering.

12 Now he can testify that he has this particular
13 entry on the document, but I don't understand what the
14 purpose of the document, the first page of these two pages
15 would do for this case. This is not in any way related to the
16 vehicles in the park, but appears to be some figures, and I
17 have no idea where they were derived.

18 MR. MAYERSON: Your Honor, the purpose of this is
19 to show that there is a very heavy -- we are interested in
20 the number of people that enter the park, and there is a
21 figure, a total figure for 1983 of 12,986,258.

22 JUDGE HOYT: What?

23 MR. MAYERSON: That is what I wanted to find out,
24 if these were people. That is what I wanted to ask the
25 gentleman.

mm6 1 There is 12,986,258 and it looks to me like visits
2 to national -- Valley Forge National Historical Park, and I
3 think that is a significant number, and I think it should be
4 brought out by this witness.

5 JUDGE HOYT: I believe we are interested in the
6 vehicle count, Mr. Mayerson.

7 MR. MAYERSON: I think we are also interested in
8 the person count, and the significance. I think 13 million
9 people in Valley Forge Park is a significant figure.

10 JUDGE HOYT: I am not willing to accept your 13
11 million, sir, without some other verification.

12 Let me take the Staff counsel first.

13 MR. MC GURREN: My objection is, number one, we
14 haven't seen this document, and your Honor, not to tell counsel
15 how to conduct his examination, but I would think one way it
16 could be done would be by just questioning the witness on a
17 question-by-question basis rather than trying to get this
18 document in. We don't know what this document is, we haven't
19 seen it.

20 JUDGE HOYT: Ms. Ferkin?

21 MS. FERKIN: Commonwealth has no objection, but
22 agrees with the suggestion of NRC Staff.

23 JUDGE HOYT: Mr. Conner, you want one more input?
24 If not, we can move on.

25 MR. CONNER: This appears to me to be just more data

1 for cars on eastbound traffic, Route 23 on the second page,
2 which is more or less the same numbers that the gentleman
3 already read.

4 The other stuff that is here, as far as we can
5 tell, is irrelevant.

6 JUDGE HOYT: Mr. Mayerson, we will give you an
7 opportunity to elicit that information that may be contained
8 in that document.

9 If the witness needs to have the document before
10 him in order to refresh his recollection as we have previously
11 ruled, he may testify from his preprepared notes.

12 (Document returned to witness.)

13 However; that will not be marked as an exhibit and
14 it will not be submitted to this record as such.

15 Mr. Mayerson, when we started this discussion, I
16 stopped the time running on you.

17 MR. MAYERSON: Thank you.

18 JUDGE HOYT: However, that is one.

19 Go ahead, sir.

20 BY MR. MAYERSON:

21 Q Chief, on page 2 of those figures, there is a refer-
22 ence to 40 percent. Could you tell us what that reference to
23 40 percent means?

24 A That was a note to myself indicating that approxi-
25 mately 40 percent of our vehicle count comes in through that

mm8 1 entrance at the park.

2 JUDGE HOYT: What entrance is that?

3 THE WITNESS: Route 23 entrance, eastbound traffic.

4 JUDGE HOYT: On the west?

5 THE WITNESS: Eastbound traffic on the west side
6 of the park.

7 JUDGE HOYT: Go ahead, Mr. Mayerson.

8 BY MR. MAYERSON:

9 Q Those figures that you read before to Friends of
10 the Earth represented 40 percent of the entrance of vehicles
11 into the park on a yearly basis, is that correct?

12 A Approximately, yes.

13 Q Thank you.

14 Now on the first page there is something called
15 Visits to Valley Forge, and there is a total of almost 13
16 million.

17 What does that represent?

18 A Each month we, as all National Parks, submit a
19 report of the visits to the park. This number is determined
20 by means of traffic counters counting the number of vehicles
21 that enter the park, and applying various factors which would,
22 we hope, indicate the average number of people in each car
23 based on the day of the week, the time of day and so forth.

24 And, through a little calculation we arrive at the
25 total number of visitors. That is what the National Park Service

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1 is interested in.

2 Q Okay. Now those visitors, Chief, is that exclusive
3 of people that use Valley Forge as a means to get from one
4 place to the other?

5 In other words, is that an attempt to arrive at
6 just the people that arrive there to visit Valley Forge?

7 A We count two types of visitors; the almost 13 million
8 is the total number of people who enter the park for any
9 purpose. We break this down again based by the location of the
10 traffic counter. We try to separate recreational visitors --
11 that means those people who are there for some form of
12 recreation, whether it is to visit a historical building or
13 whether it is to play games or throw Frisbees or picnic or any
14 of the other recreational activity.

15 Then the non-recreational visitors are the commuters,
16 truckers, those who are merely using the roads through the
17 park because they happen to be there.

18 Q Now, Chief, on Route 23 headed westbound, as you
19 enter the park, from the last light before you enter the park,
20 is there a particular curve and uphill grade that tankers
21 regularly roll over carrying liquid loads?

22 A We have had a couple of tanker trucks overturn at
23 this curve in the road, in the bottom of depression. They are
24 going downhill, getting up a little speed for the uphill
25 section ahead. And we have had at least two tankers overturn

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1 there.

2 Q In the past? What period of time?

3 A About the last year, I would say.

4 Q And when they overturn, what happens to traffic?
5 Is it totally stopped both ways?

6 A I believe in both of these instances traffic was
7 totally stopped.

8 Q Now other than that you have tractor trailers
9 jack-knifing in the park at other locations?

10 A From time to time.

11 Q Do you also have Boy Scout Jamborees in the park?

12 A We don't anymore. The state park used to have
13 those, but under National Park Service regulations they do
14 not occur at the park.

15 Q Are there such things as car caravans that go
16 through the park bearing antique cars?

17 A They sometimes pass through the park. We see them
18 using the state highways.

19 Although again, our policies do not authorize
20 their meeting in the park.

21 Q Do they generally, in fact, meet down by the
22 luncheonette and have sandwiches and talk to each other down
23 there?

24 MR. CONNER: I am going to object to the question
25 formally, to identify this term. I heard luncheonette. I am

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1 not sure I heard it correctly, but it ought to be specified
2 where it is, I think.

3 BY MR. MAYERSON:

4 Q Are you familiar with the restaurant within the
5 park?

6 A There is a concession stand located near Washington's
7 Headquarters.

8 Q Does that concession stand have parking spaces?

9 A Yes, it does.

10 Q And how many parking spaces; how many cars is it
11 meant to accommodate?

12 A I would estimate between 1- and 200.

13 Q And besides that 1- and 200, will it hold some buses?

14 A Yes, sir, there are some designated bus parking
15 spaces.

16 Q How many designated bus parking spaces are there?

17 A As I recollect, about half a dozen.

18 Q Now, is it for all these people that we just
19 discussed, that there are no evacuation plans?

20 A That is correct, there are no evacuation plans for
21 the park.

22 Q And that is true even though part of the park is
23 within the ten-mile zone, is that correct?

24 A That's correct.

25 MR. CONNER: Objection. I don't think it has been

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1 testified that any part of the park is within the ten-mile
2 zone, as such.

3 MR. MAYERSON: If you don't let him testify to it,
4 he won't be able to.

5 JUDGE HOYT: Mr. Mayerson, if you don't mind, I
6 would like to rule.

7 The testimony, I believe, Mr. Conner, was that the
8 tip of the park, the northwest, it is within the zone is my
9 recollection of the testimony.

10 BY MR. MAYERSON:

11 Q Is that correct, Chief?

12 A That is correct, the very northwest tip of the park.

13 Q And are there people that can get into that north-
14 west tip?

15 A There is no development there other than a small
16 parking lot. It is a trail head.

17 Q So there is a parking lot for vehicles within that
18 area of the ten-mile zone that has no evacuation plan?

19 A I believe so.

20 JUDGE HOYT: Mr. Mayerson?

21 MR. MAYERSON: My time is up.

22 JUDGE HOYT: Thank you, sir.

23 MR. MAYERSON: Thank you.

24 MR. MC GURREN: Your Honor, with all due respect

25 I think a great deal of that time was spent arguing.

1 JUDGE HOYT: No, I turned the timer off.

2 MR. MC GURREN: I'm sorry.

3 JUDGE HOYT: That is two.

4 (Laughter.)

5 Ms. Ferkin?

6 MS. FERKIN: Your Honor, I believe the order of
7 examination has been for the Applicant to go.

8 JUDGE HOYT: I was looking in the wrong direction.

9 I will try you, Mr. Conner.

10 CROSS-EXAMINATION

11 BY MR. CONNER:

12 Q Chief, let's get to that ten-mile point. Will you
13 tell me the basis for saying that tip of the park in the
14 northwest end is within ten miles of the Limerick plant?

15 A The first indication I had was when the discussion
16 came up I went to a map and drew a ten-mile circle and it did
17 seem to hit the corner of the park.

18 The confirmation I guess would be following a
19 discussion with PEMA we provided them with a copy of the park
20 map and the returned that to us with the circle drawn on it
21 showing the portion of the park which was within the ten-mile
22 circle.

23 Q Do you have that map with you?

24 A Yes, I do.

25 Q May I see it? Is that the same as the one dated

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1 July 1984 that you said you brought with you, which is the
2 equivalent except for the circle, to LEA --

3 MR. MAYERSON: I object to Mr. Conner's testimony,
4 your Honor.

5 JUDGE HOYT: Mr. Mayerson, just a moment. Let me
6 find out what it is that Mr. Conner is trying to tell me before
7 we make an objection.

8 (Counsel Conner, McGurren, Ferkin and Mayerson
9 referring to document at witness table.)

10 MR. CONNER: Let me withdraw that and start over.
11 I forget where I was.

12 MR. MAYERSON: No objection.

13 BY MR. CONNER:

14 Q Sir, I now have in my hand with counsel standing
15 here observing, the copy of the map of the Limerick Generating
16 Station Evacuation Plan Map, Pennsylvania Emergency Management
17 Agency, July 1984 Draft Copy.

18 Is that the one you brought with you?

19 A Yes, it is.

20 Q And does that show a radius, a circle indicating a
21 radius of ten miles from the Limerick plant on it, to your
22 knowledge?

23 A To my knowledge, yes.

24 Q And does that circle touch the corner of the park
25 that you have referred to as the extreme northwest corner ?

mm15

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A Yes, it does.

2

Q Would you show me where it touches the park?

3

(Witness indicating on document.)

4

JUDGE HARBOUR: Will you please describe it for

5

the record.

6

MR. CONNER: If somebody else would like to --

7

JUDGE HARBOUR: Let the witness, please.

8

BY MR. CONNER:

9

Q Would you describe as best you can the area where

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you have just indicated in pen where that appears.

11

JUDGE HOYT: I will remind counsel and the witness

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that the reporter is trying to get this. Let's give a little

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space.

14

Thank you.

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MR. MC GURREN: Your Honor?

16

JUDGE HOYT: Why don't you pick up one of those mikes

17

and turn it on.

18

MR. MC GURREN: So that we have an accurate record,

19

wouldn't it be better that we do this on LEA Exhibit E-16?

20

I don't think this one has been identified yet.

21

JUDGE HOYT: It has not been identified. I think

22

this is the new one.

23

MR. CONNER: We have no objection to that, because

24

the bend in the river that we are going to be talking about

25

is the same on both maps.

mm16 1 MR. MAYERSON: Your Honor, this is the map that he
2 has prepared --

3 JUDGE HOYT: You know I am sitting substantially
4 away from you counsel. I have no idea when you say "this is,"
5 this is what?

6 MR. MAYERSON: The July 1984 draft copy is the one
7 that the witness is used to. I would like to have it marked
8 as another LEA exhibit and have it as part of this record.

9 JUDGE HOYT: Mr. Mayerson, you have subpoenaed this
10 witness. You have asked him to bring documents with him.
11 You get to the courtroom, you are totally unprepared to
12 conduct your examination.

13 In that line, I will deny that request.

14 The map that you do have a copy of which is the
15 draft --

16 MR. MAYERSON: I must object to your --

17 JUDGE HOYT: Mr. Mayerson, I am going to make these
18 rulings without your help, sir.

19 Now counsel, I am not going to warn you again.

20 MR. MAYERSON: Your Honor, you have libeled me.

21 JUDGE HOYT: Mr. Mayerson, that is it.

22 Now, if we can use map number LEA Exhibit E-16 for
23 the purposes of identifying the point that you are talking about,
24 that is the one we have in evidence.

25 BY MR. CONNER:

MM17

1 Q Can you make that description?

2 A This map is not -- the circle is not shown in the
3 same location on this map as it is on the map I have.

4 The circle on the map dated June 1983 does not
5 include any portion of Valley Forge National Park.

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end 13

mn#14-1

1 Q Now sir, directing your attention to the last --

2 MR. MAYERSON: At this point, I must state my

3 request again to have that marked as an exhibit.

4 JUDGE HOYT: Objection is overruled.

5 MS. FERKIN: Might I add an explanation on behalf
6 of the Commonwealth?

7 JUDGE HOYT: Yes. I think it is going to come in
8 probably later. Is that what you are going to tell me?

9 MS. FERKIN: At this juncture we have not considered
10 exactly how to proffer the July 1984 map. I have already
11 explained the nature of the July 1984 draft map that
12 Mr. Conner is referring to. It is a map that was prepared
13 pursuant to a reevaluation of the EPZ and a notation of an
14 error made known to the Board and these parties in February
15 of 1984.

16 JUDGE HOYT: That is correct. I expect that in your
17 case you will probably find a place to enter that, Ms. Ferkin.

18 MS. FERKIN: When the Commonwealth presents its
19 case a full explanation through a competent witness will be
20 made.

21 JUDGE HOYT: And we will reflect on that map at that
22 time.

23 BY MR. CONNER: (Resuming)

24 Q Sir, you have referred to a map sent to you by
25 FEMA which you said, I believe, shows where the ten mile

mn14-2

1 radius arc would pass through Valley Forge Park and I will ask
2 you if that is a document with the legend, it is a Park
3 Service map, segment 101, could you describe where that map
4 came from?

5 A Yes, first a correction. It is PFMA not FEMA that
6 we were dealing with. At a meeting that we had with
7 Mr. Hippert and the two counties, we furnished them with a
8 copy of a park map that they could use to locate themselves
9 and us in relation to the zone. Subsequent to that, they
10 sent the park a copy of the map that we had given them
11 with this line drawn on it. The line is marked. It says,
12 "Ten miles EPZ." They also sent us, I believe, five copies
13 of this map marked July 1984 draft copy just for our
14 information.

15 Q You say this map July 1984, you indicated the
16 equivalent map to LEA-16 as I remember. Sir, as I understand
17 it this basic map was prepared by the Park Service and the
18 line indicating the arc of the radius was put on there by
19 PEMA?

20 A That is correct.

21 Q All right. Sir, directing your attention to the
22 part of the Park indicated in gray here, the segment referred
23 to as being within the ten mile radius is the little hook
24 in the bend of the river.

25 A Immediately south of Pawlings Road.

mn14-3

1 Q South of Pawlings Road?

2 A Yes, Pawlings, P-A-W-L-I-N-G-S.

3 Q Now sir, directing your attention to your map

4 I will ask you what this track represents according to the
5 designations thereon?

6 A It is marked on the map as an imbounding basin.

7 This is what it was used for prior to the National Park
8 Service assumption of the management of the park.

9 Q Is the area designated the impounding basin within
10 the ten mile radius presently used for recreational activities
11 in the park?

12 MR. MAYERSON: Objection, Your Honor. He said
13 that it was used for parking.

14 JUDGE HOYT: The witness can answer if he did,
15 Mr. Mayerson.

16 WITNESS FEWLESS: The area within the ten mile
17 radius is this portion here immediately south of Pawlings
18 Road. There is a small parking lot and a trail head on
19 that piece of property, this area that I identified as the
20 impounding basin is outside the ten mile radius. At present
21 it really is not used for anything. It is being reclaimed.
22 It may be the site of future development but there is nothing
23 on there now. It is natural land.

24 BY MR. CONNER: (Resuming)

25 Q Looking at the map all I can tell is that the gray

mnl4-4

1 area to the northwest of what is designated the impounding
2 basin appears to have no other connection to Valley Forge
3 National Park. Is that correct?

4 MR. MAYERSON: Objection, Your Honor. I don't know
5 how this witness can tell what Mr. Conner knows when he
6 prefaces the question in this manner. I would prefer that
7 Mr. Conner state his question to the witness and not tell
8 the witness what he knows.

9 JUDGE HOYT: Mr. Mayerson, this is cross-examination.
10 They have pretty full latitude in cross-examination.

11 MR. MAYERSON: You have ruled, Your Honor.

12 JUDGE HOYT: The witness may answer the question.

13 WITNESS FEWLESS: Could you please repeat the
14 question?

15 BY MR. CONNER: (Resuming)

16 Q It would appear from your map that the segment
17 as designated being within the ten mile radius has no other
18 connection to the Valley Forge National Park shown on this
19 map in gray by any other area except what we have just talked
20 about as the impounding basin.

21 A That's right. It is not connected to any other
22 part of the park.

23 Q Now are there recreational activities now going on
24 in the segment within the ten mile zone?

25 MR. MAYERSON: Objection, Your Honor. He said that

1 there was parking and there was a trail head.

2 JUDGE HOYT: Mr. Mayerson, the witness should be
3 allowed to answer.

4 MR. MAYERSON: It has been answered three times.

5 JUDGE HOYT: If that is your objection then it is
6 a different objection and in either event, both are overruled.

7 WITNESS FEWLESS: There is a small parking lot.
8 It is occasionally used for people who might come to eat lunch.
9 Occasionally people will park there and utilize the trail
10 on that side of the river.

11 BY MR. CONNER: (Resuming)

12 Q. Is the trail within that section marked in gray?

13 A. It starts in that section and goes along the river
14 to the other end of the park near Betzwood.

15 Q. Now when this change in the designation of the
16 ten mile radius was made known to you, did you ask PEMA
17 to incorporate that segment within the emergency planning zone?

18 A. We did not ask PEMA that, no.

19 Q. Did PEMA ask you if you wanted it included in the
20 EPZ?

21 A. They didn't ask us that question.

22 Q. Would you have any objection to including it in the
23 EPZ if you can answer for the United States Park Service?

24 A. As I mentioned our policy is to cooperate with
25 both counties and if the county planners and PEMA and FEMA

mnl4-6

1 feel that it should be within that area, we would have no
2 objection to that.

3 Q But no overture has been made to you by PEMA to
4 include it in the EPZ nor have you made any --

5 MS. FERKIN: Objection, asked and answered.

6 MR. MAYERSON: Objection. It is totally irrelevant.
7 The fact of the matter is it is within it.

8 JUDGE HOYT: On both grounds, Mr. Conner, the
9 objections are sustained.

10 BY MR. CONNER: (Resuming)

11 Q Did you talk with anybody in Montgomery County
12 Office of Emergency Planning about including that segment
13 in the EPZ such as Mr. Bigelow?

14 A We didn't talk, I don't believe, about whether
15 or not it should be included because my understanding was
16 that on that side of the river it was included.

17 MR. MAYERSON: Your Honor, I object to this line
18 of questioning as being both irrelevant and outside the
19 scope of cross examination.

20 JUDGE HOYT: I am not certain that you are correct
21 on that latter ground, Mr. Mayerson. In a short period of
22 time you covered a lot of territory.

23 MR. CONNER: I certainly did not bring it up.

24 MR. MAYERSON: I didn't mention Mr. Bigelow's name
25 once.

mnl4-7

1 JUDGE HOYT: I think there was testimony. My
2 recollection may be faulty. The objection is overruled.
3 If the witness can answer the question whatever it was, please
4 do.

5 WITNESS FEWLESS: I don't remember what it was.

6 JUDGE HOYT: I believe it was Mr. Anthony who
7 asked the question, Mr. Mayerson, about Mr. Bigelow rather
8 than in your examination.

9 MR. MAYERSON: I would stand corrected. I know
10 I didn't ask about it.

11 JUDGE HOYT: Please continue, Mr. Conner.

12 BY MR. CONNER: (Resuming)

13 Q Who is Mr. Elms that was referred to twice?

14 A Mr. Elms is a superintendent of Valley Forge
15 National Historical Park.

16 Q He works for you in the Park Service?

17 A No. I work for him.

18 Q I wondered why he wasn't subpoenaed. You stated
19 that you had made a notation that based on the traffic count
20 that was made that some 40 percent of the traffic entered
21 the park eastbound on route 23, do you recall that?

22 A Yes, that is an approximation.

23 Q How much of the outbound traffic exists from the
24 park on route 23?

25 A I don't know. We don't count outbound traffic, only

mnl4-8

1 incoming traffic.

2 Q How do you count -- you referred to a traffic count.
3 How do you do that? Is that one of those electronic hoses
4 across the road?

5 A Actually they are buried electrical lines in the
6 pavement and as a vehicle passes over it, it is recorded
7 on a nearby traffic counter. These counters are read
8 daily and noted and at the end of the month are tabulated.

9 Q For these statistics for 1983 your average ran
10 from I think looking at them for average weekday a low of
11 6,820 to a high of almost 10,000. Is that correct?

12 A Yes, that is correct.

13 Q Do you have any idea of how much of that traffic
14 was in the morning rush hour, for example, or the peak time?

15 A Not really. We don't have hourly counts. They are
16 only daily counts.

17 Q Can you distinguish between the amount of visits
18 as to how much of it represents commuters versus what I
19 forget what you called them but visitors who stop and do
20 things in the park?

21 A Through certain initial assumptions and estimates
22 numbers of passengers are assigned to vehicles and based on
23 where the traffic counter is located, for example, the interior
24 roads of the park which is Interline Drive and Gulph Road,
25 we assume that the great majority of those visitors are

mnl4-9

1 recreational visitors. However, on highway 23 and route 252
2 the assumption is that most of those visitors are commuters.
3 For example, on highway 23 on a weekday we assume that
4 99 percent of the cars registered on the traffic counter are
5 commuters. On weekends, 90 percent of those are commuters.
6 So through a lengthy calculation we come up with these
7 figures.

8 MR. CONNER: I hope Congress doesn't base your
9 appropriation on commuters. We have no other questions.
10 Thank you.

11 JUDGE HOYT: Any cross-examination from the
12 Commonwealth?

13 MS. FERKIN: Your Honor, I believe the Commonwealth
14 does have a brief cross-examination. I would appreciate
15 though if the Board would consider taking its afternoon break
16 at this time.

17 JUDGE HOYT: Very well. We will recess for a
18 very brief time.

19 (Whereupon, an afternoon recess was taken.)

XXXXXXXXXX

END#14

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1 JUDGE HOYT: The hearing will come to order.
2 Let the record reflect that all the parties to the
3 hearing who were present when the hearing recessed are
4 again present in the hearing room; that the witness has
5 taken his place on the witness stand.

6 Thank you, sir.

7 You are reminded that you are still under oath.

8 Where are we now. I believe with Miss Ferkin.

9 MS. PERKIN: Before we go on any further --

10 JUDGE HOYT: You want to turn your mike on?

11 MS. PERKIN: I will do that.

12 Before we go any further, for purposes of clarifying
13 record, I would like to mark an additional exhibit
14 ntification. I believe we are on Commonwealth
15 E-9. I won't swear to that.

16 JUDGE COLE: That is correct. E-9.

17 MS. FERKIN: Thank you.

18 JUDGE HOYT: Is that right?

19 MR. HIRSCH: FEMA's records indicate we are
20 up to Commonwealth No. 9.

21 JUDGE HOYT: I want to be sure. If everybody
22 has that, then I guess it is E-9, Commonwealth Exhibit
23 E-9 for identification.

24 MS. FERKIN: A short description of the exhibit
25 is Limerick Generating Station Evacuation Plan Map,

1 Pennsylvania Emergency Management Agency, July 1984,
2 Draft Copy.

3 At this point I do not have sufficient copies
4 to provide to all the parties. However, I believe at
5 least the Applicant does have a copy, and I believe the
6 witness has a copy. And I am simply marking the exhibit
7 for identification. I don't plan to use it specifically
8 in my cross-examination.

9 JUDGE HOYT: What do you intend to do with it?

10 MS. FERKIN: I am marking it for purposes
11 of clarifying the record. I may refer to it in the
12 examination that I do with this witness, but I am not
13 going to ask him, for example, to examine particular
14 roads, crossings, et cetera.

15 JUDGE HOYT: I don't have any objection to that?
16 Does any counsel here find this difficult?

17 MR. CONNER: We have no objection. We wish
18 it would be identified and, in fact, made official.

19 JUDGE HOYT: I think it is better to do so as well.
20 What has been marked as described by counsel, Commonwealth
21 Exhibit E-9 for identification, Commonwealth map, Draft
22 Copy, June --

23 MS. FERKIN: No. It is dated July 1984.

24 JUDGE HOYT: July 1984, and the other one is
25 dated June '83.

1 MS. FERKIN: That is correct.

2 JUDGE HOYT: Very well.

3 (The document referred to was
4 marked Commonwealth Exhibit E-9
5 for identification.)

XXXXXX

6 CROSS-EXAMINATION

XXXXXX

7 BY MS. FERKIN:

8 Q Chief Fewless, do you have in front of you
9 a copy of the map I have just described as Commonwealth
10 Exhibit E-9?

11 A Yes, I do.

12 Q Thank you.

13 - Chief Fewless, do you recall meeting with
14 representatives of the Pennsylvania Emergency Management
15 Agency, the Montgomery County Office of Emergency Preparedness,
16 and the Chester County Department of Emergency Services
17 sometime in the last, let's say, six weeks?

18 A Yes, I do.

19 Q Do you recall the date of that meeting?

20 A I believe it was November 7.

21 Q And do you recall at whose instance the meeting
22 was called?

23 A I don't recall for sure. I think it was someone
24 from PEMA.

25 Q What was your understanding of the purpose of that

1 meeting?

2 A My understanding was that it was to bring us
3 up to date on where things stood in regard to planning
4 and how it would involve Valley Forge, what our role
5 might be in any happenings related to the Limerick Plant.

6 Q Was a topic discussed at the meeting the
7 exact size of the Limerick Generating Station EPZ?

8 A I believe the size of the EPZ was a topic of
9 discussion.

10 Q Did you give to any official of the emergency
11 management agency a map of Valley Forge Park at that meeting?

12 A Yes, I did.

13 Q And what did you next receive from PEMA
14 subsequent to that meeting?

15 A We received a letter from them indicating that they
16 were enclosing, I believe, five copies of the July 1984
17 draft map, a copy of the map that we had supplied them,
18 with the ten-mile EPZ line drawn on it showing the
19 portion of Valley Forge which was included within that
20 circle.

21 Q Is it your understanding that the EPZ referred
22 to is precisely ten miles?

23 A That is my understanding, yes.

24 Q Would you refer to what we have marked as
25 Commonwealth Exhibit E-9.

1 A I have it.

2 Q What is your understanding of the meaning of
3 the black solid radius surrounding the Limerick Generating
4 Station?

5 A Maybe I should restate my understanding in
6 relation to the previous question.

7 Q Please do.

8 A The ten-mile circle indicates just that, a
9 radius of ten miles from the plant. I believe it was
10 discussed at the meeting that any political entity such
11 as a township that fell within that generally the
12 entire portion was included in the EPZ, even though portions
13 of it might extend beyond the ten-mile circle.

14 Q It is then your understanding that the EPZ
15 in some points extends beyond ten miles?

16 A Yes. That is my understanding.

17 Q Do you recall any other representations made
18 to you by PEMA with regard to this July 1984 map?

19 A I don't recall any other representations regarding
20 the map.

21 Q You noted that in its correspondence with you
22 subsequent to this November meeting, PEMA provided you
23 with a copy of the map that you had provided PEMA.

24 Could you explain that a little further, please?

25 A Well, at the meeting we were asked, I believe, for

1 a copy of the map that we had been looking at at the
2 table, at the discussion table. And we gave that to them,
3 and then they returned it to us showing the, I guess, the
4 precise location of the ten-mile circle and so that we
5 would know actually what portion of the park was within
6 that ten-mile radius.

7 Q Is it your understanding that what PEMA
8 was showing you was the boundary of the ten-mile circle or
9 the EPZ?

10 A I guess it would be the ten-mile circle,
11 even though the map is marked ten-miles EPZ.

12 Q Which map are you referring to?

13 A The park map that we gave to FEMA and they
14 returned to us.

15 Q When PEMA returned the map that you provided
16 to them, did not PEMA draw on that map or mark on that
17 map the exact boundary of the Limerick Generating Station
18 EPZ?

19 A The map that I have, which was the map that
20 was returned to us by FEMA, has a portion of an arc
21 which just shows it cutting the northwest corner of Valley
22 Forge National Historical Park, and it is marked at either
23 end of the arc "Ten Miles EPZ."

24 There were apparently no other additions
25 by PEMA.

1 MS. FERKIN: May I have a moment, please?

2 JUDGE HOYT: Yes.

3 (Pause.)

4 JUDGE HOYT: Sometime when you have a moment
5 like this again, could you show us a copy of that map
6 up here.

7 MS. FERKIN: I apologize. I thought in the
8 discussion earlier the Board had had a copy of the map.

9 I can show you a copy now. I am finished
10 with my cross-examination of this witness.

11 JUDGE HOYT: Can we just see it now, and you
12 can continue with your examination. We would like to have
13 a look at it.

14 (Counsel gives copy of document to Board.)

15 JUDGE HOYT: Go ahead, Ms. Ferkin.

16 MR. FERKIN: One more question, your Honor.

17 BY MS. FERKIN:

18 Q NRC Staff counsel has shown -- is showing right
19 now the witness a copy of what has been marked as
20 Applicant's Exhibit E-68.

21 Chief Fewless, have you had a moment to examine
22 the drawing or depiction marked as Applicant's Exhibit
23 E-68?

24 A Yes. Just a moment.

25 Q Thank you.

1 Could you examine the area above or north of the
2 Schuylkill River?

3 A All right.

4 Q Could you examine the area above the yellow line
5 on the Schuylkill River.

6 That includes Valley Forge Park, does it not?

7 A A portion of it, yes.

8 Q I realize that this does not represent a
9 map or an exact depiction of what is contained in the
10 park, but simply from your birds-eye view, would you
11 say that the area above the yellow line on the
12 Schuylkill River represents part of Valley Forge Park?

13 A Yes. It represents part of Valley Forge Park.

14 Q You would then say, based on this map,
15 that that portion of Valley Forge Park is within the EPZ,
16 is it not?

17 A According to this map, it is.

18 MR. CONNER: Objection, your Honor. There is
19 nothing on this map that says anything about an EPZ,
20 if we are talking about Applicant's Exhibit E-68.

21 JUDGE HOYT: I think you are going by the
22 shadings, aren't you, Miss Ferkin?

23 MS. FERKIN: What I am referring to is the
24 notation on Applicant's Exhibit E-68 that the yellow
25 line represents the emergency planning zone boundary.

1 JUDGE HOYT: And that is in the middle of
2 the Schuylkill River?

3 MS. FERKIN: Yes.

4 There was extensive testimony by Mr. Klimm
5 which would lead to the conclusion that that represents
6 the EPZ boundary that Mr. Klimm relied upon in drawing
7 up the HMM evacuation time estimate study.

8 MR. CONNER: We would certainly agree that it
9 shows the lower limit of Lower Providence Township.
10 Now, how much of Lower Providence Township includes that
11 northern portion of the park, I don't know. That is
12 what I thought the question was going to be.

13 JUDGE HOYT: I anticipated that we were going
14 to get into the shaded area here. I would like to have
15 that question answered. He has got it before him.

16 MS. FERKIN: Would your Honor like me to repeat
17 the question?

18 JUDGE HOYT: Yes.

19 BY MS. FERKIN:

20 Q In your opinion, Mr. Fewless, after examining
21 what has been marked as Applicant's Exhibit E-68,
22 does the shaded area above the yellow marked EPZ boundary
23 represent a part of Valley Forge National Park?

24 A The shaded area is incorrect in a couple of
25 areas, but generally it represents a portion of

1 Valley Forge National Park.

2 JUDGE HOYT: I think specifically we want to
3 know if that part north of the yellow line is incorrectly
4 identified. He says part of it is incorrectly identified.
5 I want to know what part is incorrectly identified.

6 MS. FERKIN: At the Board's suggestion --

7 JUDGE HOYT: Well, if you don't want to ask it,
8 I will, Miss Ferkin.

9 BY MS. FERKIN:

10 Q Chief Fewless, can you identify which portion
11 of the shaded portion that we have just referred to is
12 incorrectly identified, in your opinion?

13 A Well, the part that strikes me immediately is
14 it has a section of shaded area north of Pawlings Road,
15 and there is no park north of Pawlings Road.

16 Q All right. Thank you.

17 A Another area, it shows the Schuylkill Expressway
18 where it crosses Pawlings Road, that portion being
19 in the park. While it is technically in the park boundary,
20 we do not own that property.

21 So in a general way, it represents the park,
22 but there are a number of problems with it.

23 Q Would you clarify that last area you just
24 described? I am not sure if I understood exactly which
25 portion you said was not owned by the National Park Service.

1 Is that correct?

2 A That's right. Where the Schuylkill Expressway
3 extension crosses Pawlings Road, that area immediately
4 south of that intersection, even though it is within the
5 legal boundary of Valley Forge National Park, is not
6 owned by the Federal Government.

7 JUDGE HARBOUR: Do you mean the right-of-way of
8 the Schuylkill Parkway or something else?

9 THE WITNESS: I mean that the property through
10 which that expressway travels is owned by the
11 Archdiocese of Philadelphia. It is private property,
12 but it is within the boundaries of the park.

13 JUDGE HOYT: Let me have a shot at it, Chief.

14 THE WITNESS: Yes, ma'am.

15 (Laughter.)

16 JUDGE HOYT: Follow with me, if you will, the
17 Pawlings Road identification and, as I recall your
18 testimony, the area north of there is not park land.

19 THE WITNESS: That is correct.

20 JUDGE HOYT: Now, the area south of there is
21 shaded and indicates that it is part of some what I
22 thought was the Valley Forge National Park, but it is a
23 little triangle which is formed on the northwest by
24 Pawlings Road, on the east going from approximately --
25 looking at a compass rose from about 330 degrees down to

1 about 120 degrees on the compass rose. That is a dotted
2 line. Then it immediately turns south and goes 180
3 degrees for a couple of dots. Then it intersects with a
4 solid line which is represented on the map by the
5 Schuylkill Expressway extension.

6 Now, that little triangle, which is imprecise
7 because it is curved on that south side where it is
8 identifying the Schuylkill Expressway, is that the area
9 you are talking about, that little triangle?

10 THE WITNESS: Yes. That little triangle, part
11 of that little triangle is within the park boundary
12 as established by Congress. This is an authorization
13 boundary which enables us to purchase it. But we have
14 not purchased it and, therefore, it is still private
15 property and we have no control over it.

16 JUDGE HOYT: I am not quite certain I understand.
17 Does that mean you exercise any jurisdiction over it?

18 THE WITNESS: No. We exercise no jurisdiction
19 over it. All we have is the authority to acquire the
20 land.

21 JUDGE HOYT: Oh.

22 I am satisfied. Okay.

23 BY MS. FERKIN:

24 Q Would you examine for a moment what has been
25 marked as Commonwealth Exhibit E-9?

1 MR. CONNER: Is that the --

2 MS. FERKIN: That is the July 1984 draft copy.

3 BY MS. FERKIN:

4 Q Is it possible for you, comparing both
5 Applicant's Exhibit E-68 and Commonwealth Exhibit E-9, is it
6 possible for you to ascertain whether or not the portion
7 of Valley Forge Park that is depicted here on Applicant's
8 Exhibit E-68 is within the white area, the comparable
9 white area on Commonwealth Exhibit E-9?

10 A Some of it appears to be.

11 Q Can you be more specific? Some area?

12 A The area north of the Schuylkill River, which
13 is Lower Providence Township, that appears to be in the
14 white area in the July 1984 draft map.

15 Q In the vicinity of the area that you are referring
16 to now, does that area appear within the black line that
17 you have identified as the ten-mile radius, or is it
18 outside of that line?

19 A Most of the gray area north of the Schuylkill
20 River is outside of that ten-mile radius. Only a small
21 portion is within the ten-mile radius.

22 Q Thank you.

23 MR. CONNER: While there is a pause, may I
24 make a suggestion. Mr. Hippert is the expert for PEMA,
25 and if we could get a representation from the state that all

1 of Lower Providence Township is within the emergency
2 planning zone, that should cut through all this confusion
3 and that would be the end of it.

4 MS. FERKIN: My response is that the record
5 reflects what the record reflects at this point. When
6 Mr. Hippert is on the stand giving testimony, he will
7 give all the representations that are necessary regarding
8 the size of the EPZ.

9 MR. CONNER: My point was simply to save time.
10 We are going through records and looking over maps.
11 There has just been a pause while people were looking at
12 more maps. It strikes me as being almost irrelevant,
13 but something that is confusing on the record.

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1 MR. MAYERSON: Your Honor, I must object to that
2 "almost irrelevant," because it makes the record of 13 million
3 visitors to Valley Forge Park --

4 JUDGE HOYT: Mr. Mayerson, we have enough complication
5 without hearing any --

6 MR. MAYERSON: I'm sorry, irrelevant, your Honor.

7 JUDGE HOYT: Mr. Mayerson, please, let's continue.

8 I am concerned about the fact that we have some
9 problems with an error here. I have testimony of a witness
10 saying one thing, and some maps showing something else. I
11 think we are going to have to get some clarification. But, the
12 record is going to have to stand like this until we can.

13 I would like for you to take your copy of the
14 exhibit which has been marked E-68, Applicant's Exhibit E-68
15 and with the witness who sponsored this exhibit, I would like
16 a reevaluation of what the schematic actually stands for. In
17 light of this testimony, it may be that this exhibit will
18 have to be withdrawn and a corrected exhibit put in the record.

19 I think that is the concern that this Board has
20 about it.

21 I think that at the time Mr. Hippert testifies, a
22 great deal of this will probably come in in a clearer form.

23 Mr. Hippert, we are putting a burden on your
24 shoulders, but that is the way it is going to have to be.

25 Until that time, I can only understand and sympathize with

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1 the position that Commonwealth counsel has.

2 Very well, Ms. Ferkin, do you want to go ahead.

3 MR. MAYERSON: Your Honor, may I interrupt a minute.

4 JUDGE HOYT: On what basis, Mr. Mayerson?

5 MR. MAYERSON: Your Honor, we would like to make a
6 motion to have the right to recall Mr. Klimm on the basis of
7 this newly discovered evidence that the maps that we have
8 been referring to actually include Valley Forge Park within
9 the EPZ.

10 JUDGE HOYT: Mr. Mayerson, if you had been listening
11 to what I just go through saying, you would find that there
12 was no need to make what is obviously an unnecessary motion.

13 Your motion is denied.

14 Go ahead, Ms. Ferkin.

15 BY MS. FERKIN:

16 Q Just one last question, Chief Fewlass.

17 Is it your understanding based on the contacts you
18 have had with state and county officials regarding Valley
19 Forge Park and the Limerick Generating Station, is it your
20 understanding that Valley Forge Park will continue to cooperate
21 with the appropriate planning being done by state and county
22 officials for the Limerick Generating Station EPZ?

23 A That is my understanding. That is our position that
24 we will cooperate with the counties and the state in their
25 planning.

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1 MS. FERKIN: I have no further questions.

2 JUDGE HOYT: Very well.

3 Do we have any additional questions --

4 MR. MC GURREN: Your Honor, I find the NRC Staff does
5 have a few questions.

6 JUDGE HOYT: Very well. Do you want to precede FEMA
7 on this?

8 MR. HIRSCH: FEMA is not going to have any questions.

9 JUDGE HOYT: VERY well.

10 BY MR. MC GURREN:

11 Q Chief Fewlass, my name is J. McGurren. I am with the
12 NRC Staff and I just have a few questions.

13 Earlier this morning you testified about receiving
14 advance warning. Do you recall that testimony? For purposes
15 of evacuation?

16 A Yes.

17 Q And I think you mentioned that you have received
18 warning at the alert stage, is that correct?

19 A That was my understanding based on conversations
20 we have had that there would be some advance warning before
21 actual evacuation was ordered.

22 Q Who would be giving you the advance warning?

23 A We were informed that this would come through the
24 Chester County Radio System directed to the park.

25 Q And who gave you this information?

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1 A This came at the meeting that we had with the
2 state and the two counties.

3 Q Do you have any procedures or guidance as to what
4 you would do if you should receive this notification?

5 A We went through some informal planning sessions on
6 our own. We do have an instructional sheet that is sent out
7 to our rangers in case this information comes in late at night
8 or something of that nature.

9 But, our feeling was that our approach at the alert
10 stage would be primarily to inform people in the park that
11 there was an alert; give them the opportunity then to take
12 whatever action they felt prudent.

13 Q By inform them, does this mean that you would send
14 your rangers out into the park -- let me ask it this way.

15 How would you go about informing people in the park?

16 A Our thought was that if we received this message
17 that an evacuation was a possibility, we have a public address
18 system at the Visitors Center Building; we have public address
19 systems on our patrol vehicles; we would try to make personal
20 contact with as many people in the park as possible -- school
21 bus drivers, that kind of thing. We would advise to call
22 their schools for instructions as to what they should do.

23 Q Given -- I can't take every circumstance. But,
24 let's say you had a peak day. What would that be? In the
25 summer, a peak use day?

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1 A Late spring on a weekend is probably our heaviest
2 use days.

3 Q Let's take that day as an example.
4 How long do you think it would take you to notify
5 people?

6 A I imagine it would take 45 minutes to an hour
7 to get around the park with the vehicles we have to the major
8 concentrations of public use.

9 Q Now in any of this guidance, have you contemplated
10 setting up any traffic control points?

11 A We sometimes have to set up traffic control points
12 anyway on these busy weekends. These are not necessarily the
13 state highways, but the interior parkways.

14 Q I take it then from that answer you would set up
15 similar traffic control points if you were presented with a
16 situation where you thought you might want to evacuate the
17 park?

18 A If it became necessary. We believe we have
19 the capability on any given day to set up some traffic control
20 points. And on our busy use days, that is when we are -- we
21 have our heaviest staff and we have more capability of doing
22 that.

23 Q And how long do you think it would take you to
24 establish traffic control points?

25 A Well, based on the belief that for the first 45

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1 minutes or so many of the people who would probably later set
2 up traffic control would be involved in notifying the people,
3 it would probably be close to an hour.

4 Q Let me just, if you would please, refer you to
5 Applicant's Exhibit E-68. That is the map counsel for the
6 Commonwealth had you referring to earlier.

7 Let's say that -- can you identify on this exhibit
8 where your traffic control points would be on a day of high
9 use, high park usage?

10 A We have had from time to time, to put someone at
11 the intersection of Gulf Road and Outerline Road, occasionally,
12 very infrequently, usually as a result of a traffic light
13 malfunction or something. We have traffic control now at
14 23 and 252.

15 Those are probably about the only points.

16 Q Should you ever be faced with a situation where
17 you have been -- where you decide, or it is decided by the Park
18 Service that there should be an evacuation of the park, would
19 you believe that you would set up or have to set up some more
20 traffic control points?

21 A We have already agreed to set up traffic control
22 points even if the park is not evacuated.

23 But, if evacuation is ordered in the ten-mile zone
24 we have indicated that we will set up a traffic control point
25 at 23 and 252.

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1 Q And that's the only point?

2 A If necessary at 23 and 363.

3 Q All right.

4 Now I would just like to -- just one other area.
5 I would just like to assume that -- I'm trying to get a picture
6 of an individual driving east on 23 as he approaches the park.
7 Let's say as he approaches 252.

8 And as I come to 252, let's say I'm in a car. What
9 do I come to at that intersection? Is there a light there?

10 A Right now?

11 Q Yes.

12 A Yes, there is a traffic light at that intersection.

13 Q I take it 23 at that point is a two-lane highway,
14 is that correct?

15 A That's correct.

16 Q I take it 252 is also a two-lane highway?

17 A That's correct.

18 Q Then as I proceed east on 23 and I cross the
19 intersection of 252, looking at Exhibit -- at the exhibit,
20 Applicant's Exhibit E-68, and as I proceed on 23 through the
21 park, could you tell me what stop signs or stop lights I am
22 going to see as I go through the park?

23 A If you go eastbound on Route 23, there are no
24 stop signs, there are no traffic control devices until you
25 get to the intersection at 23 and 363, where there is another

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1 traffic light.

2 Q Now there is a traffic light at 23 and 363.

3 Can I just stop you there and ask you, 23 through the
4 park, that is two lane, I take it?

5 A Yes, it is.

6 Q 363 is that also two lane?

7 A It is two lane also.

8 Q And then it looks like 23 takes sort of a left-hand
9 turn, is that correct?

10 A Yes, it does.

11 Q That is at a light?

12 A Where it makes that turn, is at the traffic light,
13 yes.

14 Q And then looking at this map as I proceed on 23,
15 is there another intersection? See the blue line, is there
16 another --

17 A Yes, that is the County Line Expressway.

18 Q What happens there?

19 A On/off ramp.

20 Q There is not a light there?

21 A There's not a light, no.

22 Q Does 23 go underneath it?

23 A No, it crosses over it.

24 Q Above it?

25 A Above it.

1 Q All right.

2 Now, going back to -- let me go all the way back to
3 23 where it meets 252. Let's say that I have taken a right-
4 hand turn and gone south on 252. And I still take it that
5 I am in the national park, is that correct?

6 A Yes, that is correct.

7 Q That's a two-lane highway. When would I see a
8 stop sign, or when would I see a stop light as I proceed down
9 252?

10 A The first traffic control device would be a traffic
11 light on the south side of Route 202, which would be about
12 a mile south of the park off this map.

13 MR. MC GURREN: Just one moment, your Honor.

14 (Counsel conferring.)

15 That's all the Staff has, your Honor.

16 JUDGE HOYT: I'm sorry, counsel. Did I understand
17 you to say you were finished?

18 MR. MC GURREN: Yes. Staff has completed its
19 cross examination.

20 JUDGE HOYT: All right, sir.

21 Mr. Anthony, we will be getting into redirect.

22 MR. ANTHONY: I have just three questions.

23 REDIRECT EXAMINATION

24 BY MR. ANTHONY:

25 Q Mr. Fewlass, you were asked whether the counters in

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1 the park registered two-way traffic or one-way traffic at
2 one point. And then the Applicant's lawyer asked you whether
3 the count was for one-way traffic.

4 And you said yes to that one and no that you didn't
5 know to the first one.

6 Is it that the counters measure one-way or two-way
7 traffic.

8 A With the exception of one traffic counter which
9 measures traffic into the Betzwood picnic area, all of our
10 traffic counters measure only one-way traffic. That is each
11 vehicle is counted as it enters the park.

12 Where I referred to possible counting two ways, was
13 speculating on where the 14,000 vehicles per day figure in
14 the GNP came from.

15 Q I think that clarifies that.

16 Next question was you didn't give a percentage for
17 the commuter traffic versus the recreation traffic on Gulf
18 Road.

19 A If I may refer to my notes, I might have the figure
20 that we used.

21 JUDGE HOYT: Yes, if the witness needs to refresh
22 his recollection, he may.

23 (Witness referring to document.)

24 THE WITNESS: The figures we used on Gulf Road we
25 consider one percent recreational and 99 percent non-recreational

1 on weekdays; 10 percent recreational and 90 percent non-
2 recreational on weekends.

3 BY MR. ANTHONY:

4 Q Thank you.

5 And my last question is, this map that you have
6 been asked to look at, the blowup of the Valley Forge area has --

7 A Which map, sir?

8 Q Let's see, called E-68.

9 A All right.

10 Q That map has Route 23 marked on it?

11 A Yes, sir.

12 Q And it has the Route 76, Pennsylvania Turnpike?

13 A Yes, it does.

14 Q Are they marked in an identical way with identical
15 shading and size?

16 A Yes, except for the symbol identifying the route
17 number.

18 Q But someone looking at that would consider that they
19 had the same number of lanes and the same contours?

20 A It could be interpreted that way, I suppose.

21 Q That is not so, is it?

22 A No, it is not so.

23 Q And the Route 23 has a great many curves in it?

24 And up and down terrain, and it has only two lanes?

25 A That's correct.

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1 Q And the Pennsylvania Turnpike is a divided highway
2 with two lanes each way?

3 A That's correct.

4 MR. ANTHONY: That's all I have.

5 JUDGE HOYT: Mr. Mayerson, do you have any redirect?

6 MR. MAYERSON: Yes, your Honor.

7 JUDGE HOYT: Mr. Mayerson, you are coming into the
8 case late. But I will remind you if you have not already been
9 so advised, that your redirect will be limited to only those
10 matters which have been brought on by cross examination.

11 MR. MAYERSON: I understand that.

12 JUDGE HOYT: Very well.

13 BY MR. MAYERSON:

14 Q Chief, I believe you said that the ground rules as
15 you were led to understand them about what is considered to
16 be evacuated within the EPZ zone, is that part of an area that
17 falls within it even though it is a small part, then the
18 rest of the area is considered within the EPZ zone.

19 Is that correct?

20 A I don't know about the relative size. I believe
21 I recall hearing that they generally included the entire unit
22 if a portion of it was included within the planning zone.

23 Q As far as you know there was no definition as to
24 how small a unit, just any unit, is that correct?

25 A Well there was a reference to, I believe,

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1 municipalities, governmental entities, something of that
2 nature.

3 Q There was a map that Mr. Conner referred to which
4 showed, that had your original circle on it, I believe, and
5 also showed the parking and the trail head of Valley Forge
6 Park that was within the ten-mile circle.

7 Is that correct?

8 A I believe I am thinking of the one you are thinking
9 of. It was a map prepared by the National Park Service,
10 sent to PEMA and returned to us.

11 Q What was the purpose of sending that map to PEMA?

12 A They requested it because it showed clearly the
13 boundary and outline of Valley Forge National Park and they
14 wanted a copy of that for their records.

15 And when they returned a copy of it to us the had
16 drawn on the ten-mile circle, so that we would know where the
17 circle lay.

18 Q When did you first become advised, or when did you
19 first know that Valley Forge Park was indeed -- or at least
20 a portion of it -- was indeed within the ten-mile circle?

21 A I remember at that meeting we were more or less
22 formally advised. I am sure I had some knowledge of this prior
23 to the meeting though. It could have been at an earlier
24 meeting. I don't believe we were ever formally notified by
25 letter or anything of that nature that part of the park was

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1 in the circle.

2 Q When was the meeting, or when did you receive that
3 portion of the map that included Valley Forge -- a portion of
4 Valley Forge Park within the circle?

5 A We gave the map to PEMA, I believe, on November 7th,
6 and it was a few days after that that it was then returned to
7 us.

8 Q 1983?

9 A 1984.

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1 MR. MAYERSON: Your Honor, may I ask that that
2 map be marked as an exhibit?

3 MS. FERKIN: Your Honor, if counsel is referring to
4 the July 1984 draft copy of Limerick Generating Station
5 Evacuation Plan Map, that map has already been marked as
6 Commonwealth Exhibit E-9 for identification.

7 MR. MAYERSON: Counsel is not referring to that map.
8 Counsel is referring to the map that went back and forth
9 that shows the parking lot and shows the trail head amusement
10 area as being within the ten mile radius.

11 JUDGE HOYT: Mr. Mayerson, I don't even know what
12 a trail head is, but if you can tell me where the map is,
13 Is that the map that you previously tried to have marked?

14 MR. MAYERSON: No, Your Honor.

15 JUDGE HOYT: Isn't this part of the documents that
16 this witness brought to the court as a result of your
17 subpoena and now that you have not properly prepared your
18 case, you want us to mark this.

19 MR. MAYERSON: Your Honor, this is the document that
20 Mr. Conner brought out in his examination and referred to
21 but it wasn't marked. I think it ought to be marked to properly
22 preserve the integrity of that evidence.

23 JUDGE HOYT: I will permit the examination of it
24 but at this late date, Mr. Mayerson, I am reluctant to
25 accord you that opportunity. You had the information of

1 what documents this witness was going to bring into the hearing
2 room.

3 MR. MAYERSON: No, I didn't.

4 JUDGE HOYT: Well if you didn't, counsellor, you
5 should have known.

6 MR. MAYERSON: I am just surprised, Your Honor,
7 at your reluctance to allow me to mark any maps as evidence
8 but seemingly everybody else can.

9 JUDGE HOYT: That is something that you did not
10 bring in. The map that PEMA counsel, Ms. Ferkin, has asked
11 to be marked is something that had come into this case very
12 early when you were not here. That is going to come in very
13 probably through one of PEMA's witnesses. I have so indicated
14 that I think several times today.

15 There is no way in which we can get this piece of
16 evidence distributed to all the counsel to afford each
17 one of the counsel here an opportunity to examine it. The
18 Board has never seen it and you have not prepared adequate
19 copies to insert in the record.

20 MR. MAYERSON: Your Honor, we never saw it until
21 it was unfolded by Mr. Conner during his examination.

22 JUDGE HOYT: Mr. Mayerson, if you will recall
23 I have told you several times now that this is your witness,
24 you subpoenaed him, you asked him to bring documents. He
25 comes to the courtroom and you don't know what he has and

1 now you are asking us to permit you to re-do your case which
2 you should have prepared in advance.

3 MR. MAYERSON: Your Honor, you put me in a double
4 bind. Number one, it was Friends of the Earth witness.

5 JUDGE HOYT: Mr. Mayerson, let me recall to you
6 also this morning when you were afforded the opportunity
7 as lead intervenor that you readily and generously relinquished
8 that position. Now you are here as the so-called I guess
9 number two counsel on this team at your own request. If
10 you haven't interviewed the witness and you don't know what
11 documents he has, we cannot stop the hearing and let you
12 prepare the case on the record and that is what you are
13 asking me to do.

14 MR. MAYERSON: Your Honor, I accept your ruling
15 because I have no choice.

16 JUDGE HOYT: That is correct. Proceed with your
17 examination, please.

18 BY MR. MAYERSON: (Resuming)

19 Q. Do you have any knowledge as to whether or not
20 Philadelphia Electric or Mr. Klimm knew of this entry of
21 Valley Forge Park into the ten mile radius?

22 A. I don't know by name who might have known. I did
23 receive a phone call from someone and I may have their name
24 in my notes who identified himself as a consultant who was
25 working on evacuation plans or emergency plans and I remember

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1 being asked what park facilities lay on that side of the
2 Schuylkill River within Lower Providence Township the
3 inference being that they were at least looking at that
4 part of the park for possible inclusion in some planning.

5 Q Do you records indicate the date of that call?

6 A If I may look through my records again.

7 Q Please.

8 A (Perusing document.)

9 I have it. On February 10, 1984 I was contacted
10 by John Cunnington and I am not sure of the spelling who
11 identified himself as a consultant working for the Limerick
12 Nuclear plan and at that time we were informed that Lower
13 Providence Township is within the evacuation planning zone.
14 He requested information on the types of development
15 existing or proposed by the park within that zone and asked
16 about the number of potential shelters within the area.

17 Q They asked about the shelters, this consultant?

18 A He asked if there were any potential shelters in
19 the area.

20 Q Do you have notes? Did you have to call him back
21 or did you accept that call, do you know?

22 A I didn't call him back. I believe I just accepted
23 the call.

24 Q So you don't have a notation of the phone number?

25 A I have a phone number written down here.

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1 Q. What is that phone number.

2 A. Area Code 717-236-0031.

3 Q. What did you tell him in response to the inquiry?

4 A. I told him that north of the river there was a
5 picnic area, parking area and limited hiking and that was
6 the extent of the activities that were ongoing on that side.
7 We did talk a little bit about long range plans for the
8 area which does include some fairly major developments
9 in the way of recreation and possibly a small walk-in camp-
10 ground at some future date.

11 Q. Where would this expansion plan be taking place?

12 A. All within Lower Providence Township. That was
13 the question that he asked.

14 Q. It would be within the ten mile zone then?

15 A. None of it would be within the ten mile zone other
16 than the small parking lot that presently exists and a short
17 section of trail that goes along the river.

18 Q. None of the proposed enlargement then would take
19 place within the ten mile zone but it would take place within
20 Lower Providence Township, is that it?

21 A. That's right. There would be no further development
22 within the ten-mile zone.

23 (Counsel for LEA conferring off the record.)

24 BY MR. MAYERSON: (Resuming)

25 Q. Sir, after an alert would you office man the

1 intersection of route 23 and 252?

2 MR. CONNER: Objection, asked and answered.

3 JUDGE HOYT: I don't recall that he answered that
4 it had been manned. I recall he gave us the traffic type
5 of control at that point. Objection overruled.

6 WITNESS FEWLESS: Yes. We agreed that we would
7 man that intersection, either control the traffic lights
8 manually or direct traffic by hand whatever is necessary
9 to direct traffic at that point.

10 BY MR. MAYERSON: (Resuming)

11 Q Will you allow park traffic that has been notified
12 at the alert stage to proceed on 23 west or 252 south?

13 A Presumably so if it could be done without causing
14 any tie-ups or creating any additional problems.

15 Q Have you considered what complications would take
16 effect if, in fact, you had to evacuate the park as being
17 part of the ten-mile zone?

18 A We have had some discussions among the park staff
19 on this.

20 Q Have you had any discussion with anyone from PE
21 or Klimm Associates about that?

22 A What was the last name?

23 Q Klimm, HMM Associates.

24 A I am not familiar with that but no, we haven't had
25 any discussions with any other agencies about evacuation of

1 the park.

2 Q. How many man force are you let's say nine to five?

3 MR. CONNER: I am going to object to this now
4 as being totally beyond any cross-examination.

5 MR. MAYERSON: Your Honor, if I may explain that.

6 JUDGE HOYT: Objection overruled.

7 WITNESS FEWLESS: On a normal day we usually have
8 three field park ranger personnel plus a dispatcher.

9 BY MR. MAYERSON: (Resuming)

10 Q. Now how many of these four that you have named
11 would be trained in traffic control?

12 A. Three.

13 Q. Would these same three be the ones that would be
14 alerting the people in various areas of the park?

15 A. They would be the primary people that we would
16 use for this. We have other park staff available in other
17 divisions than the ranger division who could be utilized
18 for either traffic control or for notifying people.

19 Q. How many other people would that come out to?

20 A. The park has a permanent staff of right now of
21 about 50 people.

22 Q. Would most of them be groundskeepers?

23 A. Some of those. The majority of them are maintenance
24 personnel, some office personnel, some interpreters and some
25 rangers.

1 Q In your considerations of what you would have to do
2 if you had to evacuate Valley Forge Park, what factors did you
3 consider and what conclusions if any did you reach?

4 MR. CONNFR: Objection. This is not anything
5 that was gone into on cross.

6 JUDGE HOYT: I believe that is correct,
7 Mr. Mayerson. I don't recall that either. The objection
8 is sustained.

9 MR. MAYERSON: Thank you. I have no other questions.

10 JUDGE HOYT: Very well. Any recross?

11 MR. CONNER: No, Your Honor.

12 MS. FERKIN: None for the Commonwealth.

13 MR. MCGURREN: No, Your Honor.

14 JUDGE HOYT: Very well. Thank you for your
15 testimony here.

16 (Witness excused.)

17 JUDGE HOYT: Are you ready with your next witness?

18 MR. MAYERSON: Mr. Fetters, please.

19 Whereupon,

20 ROBERT W. FETTERS,

21 was called as a witness on behalf of LEA, was first duly
22 sworn, was examined and testified as follows:

23 DIRECT EXAMINATION

24 BY MR. MAYERSON:

25 Q Would you state your name and address for the

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1 record, please?

2 A. Robert W. Feters, Jr., RD 2, Millford Road,
3 Downington, Pennsylvania.

4 Q. You are a graduate of the Downington School System?

5 A. Yes.

6 Q. What business are you presently in?

7 A. We have three. We have a school bus transportation
8 business, a fuel oil business and a driveway road construction
9 business.

10 Q. Besides those three businesses, do you have any
11 township affiliation?

12 MR. CONNER: May I ask the jurisdictional questions
13 at this point since the witness has now been identified.

14 JUDGE HOYT: Yes, Mr. Conner.

15 VOIR DIRE

16 BY MR. CONNER:

17 Q. Mr. Feters, are you appearing under subpoena?

18 A. Yes, sir.

19 Q. Were you tendered witness fees before appearing?

20 A. Repeat that question, please.

21 Q. Were you tendered service fees for your travel and
22 services by LEA or any intervenor before you appeared today
23 to testify?

24 A. Yes.

25 MR. CONNER: Thank you.

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1 JUDGE HOYT: Very well.

2 MR. MAYERSON: Satisfied, Mr. Conner?

3 MR. CONNER: Yes.

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4 BY MR. MAYERSON: (Resuming)

5 Q Mr. Feters, are you affiliated with any townships?

6 A Do you want me to finish the answer to the other
7 question?

8 Q Please.

9 A I am also the township constable and also the
10 management coordinator for Upper Uwchlan Township.

11 Q Do you have anything to do with the emergency plan
12 for Upper Uwchlan Township?

13 A Yes.

14 Q What is your position in reference to that?

15 A The emergency management coordinator.

16 Q Mr. Feters, I show you that which has been marked
17 Commonwealth Exhibit E-9 and ask if you are familiar with that?

18 A (Perusing documents.)

19 Yes, I have seen a copy of this.

20 JUDGE HOYT: I want to ask the witness a question,
21 Mr. Mayerson. There are two versions of this particular
22 document. One is dated June 1983 which is an evacuation plan
23 map and what you have there which as I recall is July 1984.
24 Is that the one that you have in front of you?

25 WITNESS FETERS: I have seen a copy of a map that

1 and you said June of 1983?

2 JUDGE HOYT: Yes, sir.

3 WITNESS FETTERS: I have a copy of a map similar
4 to this. Exactly whether it is June of 1983 or July of 1984
5 I am not positive unless I would see my copy.

6 JUDGE HOYT: Can you tell the difference between
7 the two maps? Mr. Conner, may I ask -- better still, let
8 me ask the NRC counsel. Do you have that copy of LEA E-16
9 on your table, sir?

10 MR. MCGURREN: We only have E-16 but there is
11 one right up by the witness.

12 JUDGE HOYT: All right. I didn't see it. Thank you.
13 What I want to know, sir, is which of those two maps do
14 you think you may have seen before and I want to know when
15 you saw it and under what circumstances you saw it?

16 (Witness perusing documents.)

17 WITNESS FETTERS: I would say that the copy that
18 I have would be the one for June of 1983 which I received
19 from the Energy Consultants.

20 JUDGE HOYT: Mr. Mayerson, what you have given the
21 witness and has been marked as Commonwealth Exhibit E-9
22 will be removed. He has not seen it.

23 MR. MAYERSON: May I refer to E-16 then, Your Honor?

24 JUDGE HOYT: Yes, sir, you may.

25 BY MR. MAYERSON: (Resuming)

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Q Mr. Feters, referring to LEA E-16, are you familiar with the entrances to your township?

A Yes.

Q Is there one entrance to your township that comes from St. Matthews Road?

A Yes.

Q Is it marked on this E-16?

WITNESS FETERS: Your Honor, is that June 1983, is that the E-16 map you are referring to?

JUDGE HOYT: Yes.

WITNESS FETERS: This one is not marked.

JUDGE HOYT: No, sir. It probably is not marked E-16.

WITNESS FETERS: But that is the map you are referring to.

JUDGE HOYT: It is our internal mechanism that we are using here which allegedly is going to identify this to someone, some time, somewhere. If you just remember that as being LEA-16 and I think that is what counsel is going to refer to I think in his examination.

WITNESS FETERS: All right, fine.

Yes, there is a road entering our township.

BY MR. MAYERSON: (Resuming)

Q St. Matthews leads into that road?

A Yes. It would be Redbone Lane.

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1 Q That road is indicated in this map in red, is
2 that correct?

3 A (Perusing document.)

4 Q When you narrow it down, could you keep your finger
5 on it, please?

6 A (Perusing document.)

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(Pause.)

JUDGE HOYT: Mr. Mayerson, do you know where it is
yourself?

MR. MAYERSON: He is pointing to it, your Honor.

THE WITNESS: I have it in front of me now.
It is tough to read, let me tell you.

BY MR. MAYERSON:

Q Mr. Fetters, it is marked in red, is it not?

JUDGE HOYT: If you would, counsel, would you
let the witness tell us where it is?

THE WITNESS: The road Redbone Lane that he
is speaking of comes from the West Vincent Township over
into Upper Uwchlan Township. I am trying to find a road
number.

MR. MAYERSON: Your Honor, if I may, there is
a number 664 immediately above the read line, 664 with an
arrow above that red line. And that red line is
St. Matthew's Road which leads into Redbone Road.

That is indicated by a heavy red line as an
evacuation route.

MR. CONNER: I am sorry. For clarification then,
is that the road that is 15079?

MR. MAYERSON: That is correct.

BY MR. MAYERSON:

Q Exactly where Mr. Connors has said 15079, do you

1 see that, Mr. Fetters?

2 A Yes, I do.

3 Q Is that immediately adjacent to the intersection
4 of 401 and that street?

5 A I don't see route 401 marked as such in that
6 area.

7 Q I'm sorry. Let's point out 401 up higher and
8 and trace it down.

9 JUDGE HOYT: Mr. Mayerson, you are going to have
10 to speak a little louder so the reporter can hear you.

11 BY MR. MAYERSON:

12 Q Let's look at 401 a little higher and trace it
13 down to there then.

14 MR. CONNER: Is that the road indicated as 15139?

15 BY MR. MAYERSON:

16 Q 15139, correct. See that? And then if you
17 follow that north you will see eventually the 401 signal,
18 right?

19 A Right.

20 Q Now, where this evacuation road is that we have
21 just pinpointed, would you please tell the panel what the
22 consistency of that road is?

23 A Redbone Lane is a dirt road. It is a third
24 of the width of this room.

25 Q It is a what kind of road?

1 A Dirt, gravel.

2 Q Are you sure of that?

3 A Positive.

4 Q Is it on a hill?

5 A There is a hill there, yes.

6 Q What happens to that road in the rain?

7 A It gets muddy.

8 Q Is there any way that that road could handle
9 an evacuation of 664 cars?

10 A That road, Redbone Lane, at this present time
11 is a one-car width.

12 MR. CONNER: While there is a pause, for
13 clarification, is Redbone 15079 on this map?

14 JUDGE HOYT: If it is the evacuation route,
15 it has to be.

16 MR. CONNER: I didn't know which was Redbone
17 and what was the other name that I missed.

18 JUDGE HOYT: Let's go off the record for a
19 few minutes.

20 (Discussion off the record.)

21 JUDGE HOYT: We are back on the record now.

22 Let the record reflect that during the brief time off
23 the record, intersections and route numbers were identified
24 for all the parties here so that the testimony of this
25 witness who is using LEA-16 for identification may follow

1 along.

2 I think that pretty much concludes everything
3 that was done off the record.

4 Mr. Mayerson, continue with your examination.

5 Thank you for your help, sir. That is
6 addressed to the witness.

7 MR. MAYERSON: Your Honor, we would like to
8 have the Uwchlan Township Traffic Engineering Master
9 Plan Study, Pennsylvania Route 100 and Pennsylvania Route 113
10 Corridors marked. What would the number be?

11 JUDGE COLE: I believe that would be LEA Exhibit
12 E-23.

13 END 18

14 MR. STONE: Yes. E-23.
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T19 MM/mm1 1 JUDGE HOYT: The document described by counsel will
2 be marked as LEA Exhibit E-23 for identification.

x 3 (The document referred to was
4 marked LEA Exhibit No. E-23 for
5 identification.)

6 MR. MAYERSON: Your Honor, here is a copy for the
7 Board. It has been served on other counsel attached to the
8 copy of the subpoena request.

9 (Document handed to Board.)

10 BY MR. MAYERSON:

11 Q I would like to show a copy to the witness, and ask
12 if the witness can identify this document.

13 (Document handed to witness.)

14 A Yes, I have seen the document.

15 MS. WRIGHT: Excuse me?

16 JUDGE HOYT: Yes?

17 MS. WRIGHT: Before counsel proceeds to examine,
18 could we get a copy of the document.

19 (Document handed to Staff counsel.)

20 JUDGE HOYT: Mr. Mayerson, if this is going to be
21 introduced into record, you understand you must have three
22 copies of it available for the reporter.

23 MS. ZITZER: Yes.

24 JUDGE HOYT: I think Ms. Zitzer understands that.
25 Proceed.

1 BY MR. MAYERSON:

2 Q What does this report cover, sir?

3 A This is a Traffic Master Plan and Engineering Study
4 for Route 113 and Route 100 Corridors, Resolution No. 84-17.

5 Q Is this a document that you used in your position
6 as Emergency Management Coordinator of your township?

7 A It is a document similar to the one we used.

8 Q Well this contains portions that LEA considers
9 relevant of the entire document. Does it give existing
10 traffic volumes?

11 A It gives estimated vehicle counts per hour.

12 Q And what are those counts?

13 A Pennsylvania Turnpike Interchange serves 8- to 9000
14 vehicles per day.

15 Traffic demand along Route 113 between 15,000 and
16 17,00 vehicles per day.

17 MR. CONNER: Could we have a reference to where
18 this --

19 BY MR. MAYERSON:

20 Q What page are you on, sir?

21 A Page 7.

22 MR. MAYERSON: Do you have that, Mr. Conner?

23 MR. CONNER: Yes.

24 BY MR. MAYERSON:

25 Q All right. Would you continue with the vehicle

1 count?

2 A Average daily traffic on Pennsylvania Route 100,
3 ranges from almost 20,000 vehicles per day.

4 Q What was the traffic demand along Pennsylvania
5 Route 113?

6 MR. CONNER: If the Board please, I rather object.

7 Is this document going to be offered? And if so,
8 some foundation laid for it. The witness's reading numbers
9 off of somebody else's report -- they are probably right --

10 MR. MAYERSON: I will withdraw the question and
11 rephrase it.

12 JUDGE HOYT: Very well.

13 BY MR. MAYERSON:

14 Q What is this Traffic Master Plan and Engineering
15 Study used for? What are the purposes of it?

16 A For evacuating people in the event of an emergency
17 situation.

18 Q My question is not what you might use it for --
19 strike that. Let me get back to that in a minute.

20 Are you familiar with traffic in Uwchlan and Upper
21 Uwchlan Township?

22 A Yes, I am.

23 Q What are the main roads that service that area?

24 A Route 100, Route 113.

25 Q And Route 100 is, in your area how many lanes wide

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1 is it?

2 A Two lanes; one north, one south.

3 Q And what speed limit is it?

4 A It is 55 miles per hour other than in the Village
5 of Eagle, which is posted 35-mile-an-hour speed limit.

6 Q Now are you familiar with traffic conditions in
7 bad weather?

8 A I am.

9 Q What happens with these routes in snow?

10 A Route 100 is paralyzed. So is Route 113.

11 Q How do you know that?

12 A We have school buses traveling that road. I have
13 been involved in it.

14 Route 100 is paralyzed as soon as you get any light
15 covering of snow. It is immediately blocked.

16 Q What snow removal work is done on Route 100?

17 A Well it is supposed to be done by PennDOT, if you
18 can find them.

19 Q Are the other roads, the local roads are they
20 snow removed prior to 100?

21 A Some of the local roads are done by the Pennsylvania
22 Department of Transportation.

23 The other roads are done by the township municipali-
24 ties.

25 Q Are you involved in any of that?

1 A Yes, I am.

2 Q How are you involved in it?

3 A Snow removal for Upper Uwchlan Township.

4 Q And what is your snow removal association with
5 Upper Uwchlan?

6 A We have -- we are in charge of removing the snow
7 and ice from the roads in Upper Uwchlan Township in the event
8 of bad weather.

9 Q Are you a contractor of some sort?

10 A That is correct.

11 Q And how many vehicles do you use to do that?

12 A Seven.

13 Q And at the same time you have buses on the road?

14 A That is correct.

15 Q Are you familiar with what happens to your buses
16 in a snowstorm?

17 A I am.

18 Q What happens to the buses in a snowstorm?

19 A If you are on a PennDOT road you might as well just
20 hang up and forget it.

21 Q What are your expectations of your bus drivers
22 serving in case of an evacuation?

23 A I have not approached my bus drivers in the event
24 of an evacuation. I have not been called in a meeting by
25 the Downingtown area school district to work on a plan as of

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1 this minute.

2 May I add on to that, your Honor.

3 JUDGE HOYT: If it is pertinent to the question, sir.

4 An explanation of it.

5 THE WITNESS: I have not done this. I have been
6 called by the Chester County Communications Department in
7 reference to whether or not we would hire buses to go to
8 other schools within the EPZ zone.

9 I did not do it because I figured if we had a
10 problem with Downingtown School District, that is where we
11 have a contract to start with.

12 But you have to remember, these people have
13 families living in the zone. And I felt that it was not
14 fair to ask them to go to another school district and haul
15 students when they would be more concerned with their own
16 children and families at home. That is why I have not called
17 a meeting for this.

18 BY MR. MAYERSON:

19 Q Did you advise us of how many buses you operate?

20 A Yes, we have 28.

21 Q What areas do those 28 service?

22 A They cover the portion of the Downingtown area
23 School District.

24 (Pause)

25 Q Do you have an opinion as to whether your bus

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1 drivers would be available in an evacuation emergency to run
2 your 28 buses pursuant to the evacuation plans?

3 MR. CONNER: I would object to that question as
4 asked.

5 The gentleman has said he is not a bus provider,
6 and therefore he would not be called upon to provide such
7 assistance, if that is what is meant by the question.

8 MR. MAYERSON: Mr. Conner is slightly mistaken, your
9 Honor.

10 In fact, his buses are called for use under the
11 evacuation plan. It is just that there has been no agreement
12 date with him to engage into that.

13 JUDGE HOYT: Your question wasn't directed to any
14 agreement that the witness had, Mr. Mayerson.

15 Your question was directed whether or not his drivers
16 would go. And I believe the witness just got through explaining
17 to me in explanation to a previous question that he doesn't
18 know, he has never asked them.

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1 MR. MAYERSON: I understand he asked him. I asked
2 if he has an opinion based on his expertise.

3 JUDGE HOYT: If he hasn't asked him and they are
4 his drivers I would question seriously the competence of
5 the witness to testify on that issue.

6 MR. MAYERSON: I thought he had indicated that
7 his opinion would be that they wouldn't serve, that they
8 have families to go to.

9 JUDGE HOYT: He had not asked them because in
10 his opinion they had families and would not go. He did
11 not think it was fair to ask them to go I believe is the
12 way it was answered. So the objection is sustained, sir.

13 (Counsel for LEA conferring off the record.)

14 BY MR. MAYERSON: (Resuming)

15 Q. What if any traffic problem areas exist in the
16 township on a day-to-day basis?

17 A. We have Marsh Creek State Park which is owned by
18 the Commonwealth of Pennsylvania. In the summertime on a
19 very hot day, they will have anywhere from 15,000 to 18,000
20 people at the Marsch Creek State Park, boating, swimming,
21 recreation and so forth and that amounts to anywhere from
22 750 to 1,000 cars. The Uwchian Police assisted by the park
23 rangers have to close the road off and turn people away.
24 That creates a problem.

25 Q. Does that create a problem on the basis of the

mn-21-2

1 people, initially on the basis of the people who are turned
2 away?

3 A. It creates a traffic problem for the people that
4 live or are residents of that township and it creates a
5 problem for the people that are turned away.

6 Q. Do you see that as creating a problem in the
7 evacuation plan?

8 A. I do.

9 Q. What is the problem that that will create in the
10 evacuation plan?

11 A. In my opinion there is no possible way that you
12 can empty these municipalities or my surrounding areas and
13 funnel them through route 100 and empty the Marsh Creek
14 State Park at the same time. We already have a traffic tie-
15 up now at route 100 and the turnpike interchange in the
16 morning which is approximately two and a half miles long
17 which is the peak hour for the people going to work.

18 Q. Would you describe visually what you have seen
19 in this particular tie-up?

20 A. Yes. I have seen traffic to the point of approximately
21 a mile and a half long constant cars and trucks heading south
22 in the same direction. I have been involved in it. School
23 buses, cars and so forth -- cars and trucks exiting from the
24 Pennsylvania Turnpike, cars and trucks, people going to work
25 heading south on route 100. It creates a tremendous traffic

mn21-3

1 hazard. We don't know what to do to eliminate it.

2 Q Describe the day-to-day traffic conditions
3 as you have observed them on route 100 between Eagle and
4 route 113?

5 A You have three bad times. One is in the morning
6 with the people going to work. You have school bus traffic
7 and the workers. The other time is in the evening when they
8 are coming home and also in the summer with the Marsh Creek
9 State Park that is open with people going and coming with
10 their boats and so forth creates a tremendous traffic hazard.
11 The other worse time of the year you have is when you have a
12 snow storm. You are completely paralyzed. They cannot move.

13 Q Are you familiar with the accident pattern on
14 route 100?

15 A In reference to what when you say accident pattern?

16 Q Car accidents?

17 A Yes.

18 Q Is that a dangerous or safe route?

19 A When you have bad weather in a snow storm, I would
20 say that it is extremely hazardous.

21 Q How about if you have rain?

22 MR. CONNER: Would you say that again, please?

23 I just didn't hear the last word.

24 MR. MAYERSON: Rain.

25 JUDGE HOYT: I think, Mr. Mayerson, the problem is

mn21-4

1 you don't have the microphone on and close enough to you or
2 some combination.

3 MR. MAYERSON: All right.

4 BY MR. MAYERSON: (Resuming)

5 Q. What type of traffic uses route 100?

6 A. You have cars, you have tractors and trailers,
7 school buses.

8 Q. Now do you know whether or not the tractors and
9 trailers lay down any film on the road?

10 A. They do.

11 Q. Does that film on the road have any effect in
12 wet weather?

13 A. It does. It makes the roadway extremely slippery.

14 Q. Is that a very hazardous highway on rainy nights?

15 A. I would say that it is especially with the road
16 film and so forth from the trucks.

17 Q. Can you describe the town of Eagle and how the
18 park road enters into the picture there?

19 A. If you would be coming north from route 113 from
20 north on route 100, you would come down to the village of
21 Eagle which is a 35 mile per hour speed zone. Little
22 Conestoga Road goes off to your left approximately two blocks
23 to the Park Road which is the main entrance to the Marsh
24 Creek State Park.

25 Your Honor, do you want those numbers?

mn21-5

1 JUDGE HOYT: No. I think I can follow you on that
2 one. Thank you.

3 WITNESS FETTERS: That makes a funnel when Little
4 Conestoga and Route 100 meet right in the middle of the village
5 of Eagle. In the summertime it creates a tremendous traffic
6 hazard. It really does.

7 BY MR. MAYERSON: (Resuming)

8 Q This particular funneling, how many streets empty
9 into 100 at that point within a 50-yard radius?

10 A There are two, Park Road and Little Conestoga.
11 You also have Byers Road which intersects.

12 JUDGE HOYT: You had better give us the numbers
13 for Little Conestoga and the identifications I am asking
14 the witness for are those that are found on LEA Exhibit E-16.

15 WITNESS FETTERS: Little Conestoga should be
16 15052. If you come south on 100 from that first white
17 circle, it should be the second white circle.

18 JUDGE HOYT: Thank you, sir.

19 BY MR. MAYERSON: (Resuming)

20 Q Now how far is this entrance to 100 with all the
21 streets from the turnpike entrance?

22 A Approximately three-quarters of a mile to seven-
23 eights of a mile.

24 Q This turnpike entrance is also an exit, is it not?

25 A That is correct, yes.

1 Q Is that the first exit west of the Philadelphia
2 Turnpike exit?

3 A Valley Forge interchange is exit 24. Downington
4 interchange is exit 23.

5 Q Exit 24 is the exit you get off if you want to
6 go to Philadelphia, is that correct?

7 A To get on the Schuylkill Expressway, yes.

8 Q Right.

9 JUDGE HOYT: Mr. Mayerson, it is five o'clock
10 and when you come to a logical point in your direct
11 examination of this witness, would you please notify the
12 Board.

13 MR. MAYERSON: Your Honor, I think five o'clock is
14 a logical point. I was scared to death, I thought it was six.

15 JUDGE HOYT: Very well. It is only five.

16 Mr. Feters, would you please be with us tomorrow morning
17 at nine o'clock, sir?

18 WITNESS FETERS: Here?

19 JUDGE HOYT: Yes, sir. I would chose elsewhere,
20 but we don't have a choice.

21 WITNESS FETERS: Yes, Your Honor.

22 JUDGE HOYT: At this time the hearing will adjourn
23 for testimony during this day, however please remain in your
24 seats. That is not for the witness. That is just for the
25 counsel. We will reconvene tomorrow morning at nine o'clock.

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1 We are off the record. Thank you.

2 (Whereupon, the hearing was recessed at 5:00 o'clock
3 p.m., to reconvene at 9:00 o'clock, Thursday, December 6, 1984.)
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CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceedings before the
UNITED STATES NUCLEAR REGULATORY COMMISSION in the matter of:

NAME OF PROCEEDING:

Philadelphia Electric Company
(Limerick Generating Station,
Units 1 & 2)

DOCKET NO.:

50-352-OL and 50-353-OL

PLACE:

Philadelphia, Pennsylvania

DATE:

Wednesday, December 5, 1984

were held as herein appears, and that this is the original
transcript thereof for the file of the United States Nuclear
Regulatory Commission.

Rebecca E. Eyster

Marilynn M. Nations

Mimie Meltzer

(Sigt)

(TYPED)

Rebecca Eyster, Mimie Meltzer
Marilynn M. Nations

Official Reporter

Reporter's Affiliation