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June 28, 1988

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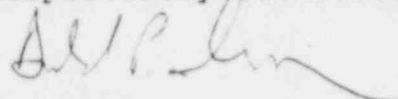
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Docket No. 50-322-OL-3  
Emergency Planning

Dear Judge Gleason and Members of the Board:

Enclosed is Attachment 1 to LILCO's Response to the June 24 Teleconference Order. As I indicated in the cover letter to our principal submission a couple of hours ago, it was held up in final editing. Once again, apologies for the delay.

Respectfully submitted,



Donald P. Irwin

Enclosure

cc w/enclosure: Service List

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PROPOSED WITNESS LIST

State Witnesses

1. Anthony Germano

Position: Deputy Director, State Emergency Management Office (SEMO)

Responsibilities: Second-ranking official at SEMO. SEMO is responsible for preparation and revision of New York State Disaster Preparedness Plan (NYS DPP), review and coordination of county disaster plans under Article 2B of New York Executive Law, review and coordination of local civil defense plans, and many aspects of responses to radiological emergencies at nuclear plants (such as activation of EBS) under the New York State Radiological Emergency Preparedness Plan (NYS REPP).

Facts: Mr. Germano authored a State guidance memorandum of generic applicability to "County Emergency Managers" concerning ingestion pathway planning and responses for nuclear plants (Attachment 1 to LILCO's Brief on the Appropriate Remedy for the Intervenor's Failure to Comply with Board Orders (June 15, 1988)); the State did not produce this memorandum to LILCO in discovery. LILCO believes that Mr. Germano has been employed by SEMO, or its predecessor agency the Office of Disaster Preparedness, since at least 1979; that he is or has been a liaison between SEMO and REPG for radiological planning; and that he has personally conducted extensive radiological training of local government personnel. The Office of Disaster Preparedness is specifically identified in the "State of New York, County of Suffolk, Emergency Operations Plan" (SC EOP) in the chain of command among federal, state and Suffolk County governments for emergency operations. Mr. Germano is specifically identified

in the Suffolk County Division of Emergency Preparedness Emergency Directory which was submitted as Attachment U to LILCO's May 6, 1988 testimony on the "Best Efforts" Contentions 1-2, 4-8, and 10.

Knowledge: Mr. Germano should have knowledge of whether Suffolk County Emergency plans (including the SC EOP) were provided to or received by the State, when, why, and who in the State government may have knowledge of such plans. He has knowledge of the NYS DPP, on which parts of the SC EOP reportedly are based; the NYS REPP; the relationships between the various State and county plans; and matters regarding local government training and ingestion pathway planning which were discussed in the REPG Affidavit dated February 10, 1988, upon which the Board relied in denying LILCO summary disposition on April 8, 1987.

2. James Papile, Lawrence Czech, James Baranski

Positions: Director and officials, NYS Radiological Emergency Preparedness Group (REPG)

Responsibilities: Preparation and revision of NYS REPP; review and preparation of county plans for radiological emergencies at nuclear plants; participation in training, drills, and exercises with counties for radiological responses; review of early LILCO and County plans for Shoreham.

Facts: Sponsored affidavit upon which the Board relied in denying LILCO summary disposition in this remand proceeding. Their deposition in this proceeding was cut short by the State's counsel, and the Board ordered that it be resumed.

Knowledge: LILCO believes these individuals have extensive knowledge of State and local emergency plans and planning, especially radiological plans and criteria. LILCO also believes that the REPG affidavit had material omissions or potentially misleading statements as to facts known or which should have been known to the State.

3. Karim Rimawi

Position: Official within NYS Department of Health

Responsibilities: Believed to be responsible for dose assessment and ingestion pathway planning and responses for the State, functioning as part of REPG.

Facts: Mr. Rimawi is specifically identified in the current Suffolk County Division of Emergency Preparedness, Emergency Directory (Attachment U to LILCO's May 6, 1988 testimony on Best Efforts). An outdated version of this Directory is included in the SC EOP. Mr. Rimawi was a recipient of the 1987 emergency plan for Brookhaven National Laboratory; the State did not produce that plan to LILCO in discovery.

Knowledge: Mr. Rimawi is believed to have extensive knowledge concerning State radiological plans and planning, including interfaces with local governments, and of facts which LILCO believes were not disclosed in discovery.

4. Marvin Silverman

Position: Employed by State as part of REPG

Responsibilities: Believed to have responsibility for communications and public warning systems for radiological emergencies at nuclear plants.

Facts: Mr. Silverman was involved in reviewing early versions of LILCO and Suffolk County plans for Shoreham.

Knowledge: Should have knowledge of State radiological plans and planning, including county plans, and related matters.

5. Donald Davidoff

Position: Director, Field Operations Management Group, New York State Department of Health, working as part of REPG in advising the New York State Disaster Preparedness Commission

Responsibilities: Believed to be responsible in part for review and evaluation of county and local government radiological plans for nuclear plants; advises DPC.

Facts: Mr. Davidoff was in charge of the State's review of the LILCO plan for Shoreham in 1982; filed an affidavit in a State court proceeding stating, in essence, that the State staff would recommend approval of the plan by the DPC and transmission to FFMA; and is believed to have reviewed and maintained copies of the LILCO Offsite Emergency Response Plan for Shoreham perhaps as late as 1982.

Knowledge: Should have knowledge of State emergency plans and planning information and criteria which may not have been disclosed to LILCO in discovery.

6. David Axelrod

Position: Chairman of the New York State Disaster Preparedness Commission since 1982; Commissioner of the Department of Health since 1979

Responsibilities: In charge of State emergency plans and planning for all types of emergencies, both radiological and nonradiological. Second in command to the Governor in directing State responses to emergencies. Oversees the operations of REPG and SEMC.

Facts: Sponsored proposed testimony on behalf of the Governor and the State in this proceeding. His deposition was cut short by the State's counsel, and was ordered to be resumed by the Board.

Knowledge: Should have knowledge of State emergency plans, including the NYS DPP, portions of which are incorporated in the recently produced SC EOP, and the relationship between such county plans and State plans. May have knowledge of any Suffolk County emergency plans provided to the State.

#### County Witnesses

1. John Bilello

Position: Acting Director, and former Deputy Director, Division of Emergency Preparedness

Facts: Proffered as a witness by the County

2. Richard Jones

Position: Radiological Defense Officer, Division of Emergency Preparedness

Facts: Proffered as a witness by the County

3. Frank Jones

Position: Supervisor, Town of Islip; Former Deputy County Executive (including 1982-83)



Facts: Proffered as a witness by the County

4. Frank Petrone

Position: Believed to be Commissioner, Department of Fire, Rescue and Emergency Services, which now includes the Division of Emergency Preparedness

Facts: Proffered as a witness by the County; deposition noticed by LILCO in this proceeding was cut short by counsel for the County, and the Board ordered that it be resumed.

5. William Regan

Position: Former Director, Suffolk County Division of Emergency Preparedness

Responsibilities: In overall charge of County emergency plans, planning and responses.

Facts: The facts are largely detailed in LILCO's Response to Motion to Quash Subpoenas, filed June 22, 1988, and will not be repeated here.

Knowledge: Mr. Regan should have extensive knowledge of County emergency plans, the SC EOP, the County's document productions in this proceeding in 1982-83 and 1988, and other matters.

6. Robert Sheppard

Position: Radiation Control, Liaison Staff, Division of Emergency Preparedness

Responsibilities: Believed to have responsibility for aspects of County radiological planning.

Facts: Mr. Sheppard is specifically identified in the SC EOP. He is believed to have knowledge of the SC EOP and its provisions, matters regarding State radiological planning, and the LILCO Plan.

7. Lee Koppelman

Position: Executive Director, Long Island Regional Planning Board, County of Suffolk

Responsibilities: Believed to be responsible for preparation of County emergency plans.

Facts: Mr. Koppelman was in charge of the preparation of an early Suffolk County plan for Shoreham. He is specifically identified in the SC EOP.

Knowledge: Should have knowledge of County emergency plans, the SC EOP, and perhaps State plans and the LILCO Plan.

8. Dr. David Harris

Position: Commissioner, Department of Health Services

Responsibilities: In charge of emergency response activities by the Department of Health Services

Facts: Dr. Harris is specifically identified in the SC EOP. LILCO noticed his deposition in this proceeding on April 5, 1988. The Board ordered his deposition on April 11 and April 18; he was not produced. The Board again ordered his deposition on May 26, June 3, and June 17; again, he was not produced.



Knowledge: Dr. Harris should have knowledge of the SC EOP as it relates to the Department of Health Services.

9. Richard Roberts

Position: Former Assistant Chief Inspector, Suffolk County Police Department

Responsibilities: Direction or implementation of emergency responses by the County police.

Facts: The facts are summarized in LILCO's Response to Motion to Quash Subpoenas, filed June 22, 1988, and will not be repeated here.

Knowledge: Detailed knowledge of police response capabilities; may have some knowledge of the SC EOP.

10. Patrick Halpin

Position: County Executive

Responsibilities: In charge of County emergency responses.

Facts: Sponsored proposed County testimony in the proceeding. His deposition was obstructed and cut short by the County's counsel; the Board ordered that the deposition be resumed.

Knowledge: In his truncated deposition, Mr. Halpin professed ignorance of County emergency plans except that he knew of the existence of a plan relating to hurricanes. Various items in Mr. Halpin's testimony remain, at this point, unexplained in light of the production of the SC EOP after his testimony was proffered and his deposition was cut short.