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LILCO, March 20, 1987

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

In the Matter of	)	
	)	
LONG ISLAND LIGHTING COMPANY	)	Docket No. 50-322-OL-3
	)	(Emergency Planning)
(Shoreham Nuclear Power Station, Unit 1)	)	
	)	

LILCO'S SECOND RENEWED MOTION FOR
SUMMARY DISPOSITION OF THE "LEGAL AUTHORITY" ISSUES
(CONTENTIONS EP 1-10)

LILCO hereby moves, pursuant to 10 C.F.R. § 2.749, for summary disposition of the "legal authority" issues (Contentions EP 1-10). LILCO asks that the Board decide these issues in LILCO's favor, and against the Intervenors, on the ground that no genuine triable issue of material fact exists, and that LILCO is entitled to judgment as a matter of law. LILCO bases this Motion on the Commission's decision in CLI-86-13, 24 NRC 22 (1986), on the evidentiary record that has already been compiled in this proceeding, on events that have rendered some of the contentions moot, and on a few additional facts as set out in the "statement of material facts" and affidavit attached hereto. This Motion does not rely on, and is independent of, the new emergency planning rule that the Commission proposed on March 6, 1987 (52 Fed. Reg. 6980).

The law applicable to summary disposition was summarized by this Board in its Order Ruling on LILCO's Motions for Summary Disposition of Contentions 24.B, 33, 45, 46 and 49, dated April 20, 1984, and by the Vogtle Board in its unpublished memorandum and order of October 3, 1985. Memorandum and Order (Ruling on Motion for Summary Disposition of Contention 8 re: Vogtle Quality Assurance), Georgia Power Co. (Vogtle

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Electric Generating Plant, Units 1 and 2), ASLBP No. 84-499-01-OL, Doc. Nos. 50-424OL & 50-425OL (Oct. 3, 1985), slip op. at 2-3. The movant must show "that there is no genuine issue as to any material fact." 10 C.F.R. § 2.749(d) (1986).[1/] For the purpose of this Motion the most important rule is that a party opposing summary disposition must put forth specific facts, not generalized denials:

> [A] party opposing the motion may not rest upon the mere allegations or denials of his answer; his answer . . . must set forth specific facts showing that there is a genuine issue of fact.

10 C.F.R. § 2.749(b) (1986); Virginia Electric and Power Co. (North Anna Nuclear Power Station, Units 1 and 2), ALAB-584, 11 NRC 451, 453 (1980). In this case, as we shall see this means that the Intervenors must set forth specific facts showing that, using their best efforts and the LILCO Plan, they would mishandle the Plan and harm the public.

I. The Groundrules Established By CLI-86-13

On August 6, 1984, LILCO moved for summary disposition of Contentions EP 1-10, which allege that LILCO by itself lacks "legal authority" to perform ten functions called for by its offsite emergency plan for the Shoreham Power Station.[2/] The ten functions are the following:

1/ The Commission has proposed to amend its rules of practice to permit motions for summary disposition at any time during a proceeding, instead of requiring them to be filed well in advance of the hearing and within such time as may be fixed by the presiding officer, as provided in the existing rule. 51 Fed. Reg. 24,365, 24,367 col. 3, 24,372 cols. 2-3 (July 3, 1986). This change would not affect this Motion.

2/ LILCO renewed its motion in 1985. LILCO's Renewed Motion for Summary Disposition of Legal Authority Issues on Federal-Law Grounds (Feb. 27, 1985).

(1) guiding traffic;

(2) blocking roadways, erecting barriers in roadways, and channeling traffic;

(3) posting traffic signs on roadways;

(4) removing obstructions from public roadways, including towing private vehicles;

(5) activating sirens and directing the broadcasting of emergency broadcast system messages;

(6) making decisions and recommendations to the public concerning protective actions;

(7) making decisions and recommendations to the public concerning protective actions for the ingestion exposure pathways;

(8) making decisions and recommendations to the public concerning recovery and reentry;

(9) dispensing fuel from tank trucks to automobiles along roadsides; and

(10) performing access control at the Emergency Operations Center, the relocation centers, and the EPZ perimeters.

CLI-86-13, 24 NRC at 30-31. (The numbers in parentheses, above, correspond to the EP contention numbers.) For the purposes of its August 1984 motion LILCO assumed that it is indeed prohibited by state law from performing these functions by itself, just as the Commission has assumed in CLI-86-13.[3/] Id. However, LILCO presented several

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3/ Subsequent to the August 1984 motion a New York State judge has ruled that certain enumerated acts contemplated by LILCO in implementing the Plan are prohibited by state law. Cuomo v. LILCO, Consol. Index No. 84-4615 (Sup. Ct. Feb. 20, 1985) (Geller, J.S.C.). The New York State Supreme Court, Appellate Division, Second Department, affirmed this decision on February 9, 1987. LILCO will appeal. Also, LILCO's petition for review of the Appeal Board's decision in ALAB-818, 22 NRC 651 (1985), that the Atomic Energy Act does not preempt state law prohibiting a utility emergency plan is now before the Commission. See CLI-86-13. Accordingly, although Cuomo v. LILCO may eventually be reversed or overidden, for the purpose of this motion LILCO continues to accept it as the law of New York.

reasons why this presumed lack of legal authority is of no consequence.

One of these reasons is the "realism" principle, so-named to distinguish between what would happen in a "real" emergency from what happens in a purely fictional scenario in which State and local authorities do not lift a finger to help people in danger. "Realism" is simply LILCO's name for the reason why the lack of "legal authority" is an academic issue of no practical importance. In a real emergency, any government would in fact try to protect the public: no one denies this, and no one ever has. Thus, since everyone with "legal authority" would respond to the emergency, there would be no gap in "legal authority."

The Commission accepted this argument in CLI-86-13. In so doing it established two presumptions to govern the resolution of the legal authority issues:

> (1) The State and County will respond in an emergency and use their "best efforts" to protect the public.
>
> (2) They will use the LILCO Plan as the source for basic emergency planning information and options."

CLI-86-13, 24 NRC at 31, 33; see also ALAB-847, 24 NRC ___, slip op. at 26-28 (Sept. 19, 1986).[4/] The first of these presumptions is beyond dispute and indeed is not disputed. The second is simply a corollary of the first, since it is self-evident that using a plan, particularly one approved by the NRC, is preferable to using no plan at all, and the LILCO Plan is the only one there is for the Shoreham Station. Id. at 31.[5/]

4/ ALAB-847 became final agency action on March 6, 1987, when the Commission let expire the period for reviewing it.

5/ Besides being true, the two presumptions are fully consistent with New York State law. Upon the threat or occurrence of a disaster, a County Executive is directed by State law to "use any and all facilities, equipment, supplies, personnel and other resources of his political subdivision in such manner as may be necessary or appropriate to cope with the disaster . . . ." N.Y. Exec. Law, Art. 2-B, § 25.1 (McKinney 1982).

(footnote continued)

In addition to these groundrules, the Commission defined the issue left to be decided by this Board.[6/] The issue remanded by CLI-86-13 is to what extent, if any, the best-efforts government response, combined with the LILCO Plan, would result in "lesser dose savings" or "protective actions foreclosed":

> [T]here are questions about the familiarity of State and County officials with the LILCO plan, about how much delay can be expected in alerting the public and in making decisions and recommendations on protective actions, or in making decisions and recommendations on recovery and reentry, and in achieving effective access controls. The record tells us that an evacuation without traffic controls would be delayed from 1½ to 3 hours, but how important is this time delay? For which scenarios, if any, does it eliminate evacuation as a viable protective action?
>
> To answer these questions, more information is needed about the shortcomings of the LILCO plan in terms of possible lesser dose savings and protective actions foreclosed, assuming a best effort State and County response using the LILCO plan as the source for basic emergency planning information and options.

CLI-86-13, 24 NRC at 31-32 (emphasis added).

In deciding this issue, the Commission directed the Board to "use the existing evidentiary record to the maximum extent possible" and to take additional evidence only "where necessary." CLI-86-13, 24 NRC at 32. As is shown below, no additional evidence is necessary; the existing record, viewed in light of the "best-efforts"

(footnote continued)

Likewise, State policy is that "state and local plans, organizational arrangements, and response capability required to execute the provisions of [Article 2-B] shall at all times be the most effective that current circumstances and existing resources allow." Id. § 20.1.e.

6/ This Board (Judges Margulies, Kline, and Shon) has jurisdiction over this issue pursuant to the remand in CLI-86-13, 24 NRC 22 (1986), and the Notice of Reconstitution of Board: Clarification (October 17, 1986), issued by Chief Administrative Judge B. Paul Cotter, Jr.

presumption, tells us all we need to know. Based on the existing record, there are no lesser dose savings at all, and no protective actions foreclosed, by a best-efforts government response using the LILCO Plan as the source for information and options.[7/] The reason is that there would be no delay[8/] in either sheltering or evacuating resulting from the best-efforts participation of the State and County.

II. The Basic Reason Why There Is No Genuine Issue As To Any Material Fact

The LILCO plan was designed to provide a complete response to a radiological emergency; its planning basis conservatively assumes no help from the State and County. The LILCO-only implementation of the Plan has already been litigated and found, with certain minor exceptions, to meet NRC requirements, but for the lack of "legal authority." See Partial Initial Decision on Emergency Planning, LBP-85-12, 21 NRC 644 (Apr. 17, 1985); Concluding Partial Initial Decision on Emergency Planning, LBP-85-31, 22 NRC 410 (Aug. 26, 1985); ALAB-818, 22 NRC 651 (Oct. 18, 1986), rev'd in part,

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7/ A fortiori, then, LILCO meets the criterion stated in CLI-86-13 that the LILCO Plan should be capable of achieving dose savings "generally comparable to" what might be accomplished with government cooperation. CLI-86-13, 24 NRC at 30, 32. LILCO shows here that there is little or no difference in the timing of protective actions between the LILCO-only response already litigated and the "best-efforts" government response called for by realism, and therefore virtually no difference between the timing under a typical governmental plan and the "best-efforts" realism response.

LILCO does not address the "immateriality" argument here; this Motion addresses only the "realism" argument. This allows us to put aside the question raised by the Commission of the significance of potential differences in evacuation times between 1½ and 3 hours. It does not mean, however, that LILCO intends to waive the immateriality argument, only that the argument is not necessary for this Motion.

8/ No delay, that is, compared to the typical governmental plan, which would involve coordination between the onsite (utility) people and the offsite governmental personnel. There might be some minor delays inherent in a best-efforts utility-governmental response as compared to a utility-only response, simply because a utility-only response, assuming such a thing would ever occur, would be inherently speedier than a typical governmental plan. See n. 11 below.

CLI-86-13, 24 NRC 22 (1986); ALAB-832, 23 NRC 135 (1986), review taken, Order of September 19, 1986; ALAB-847, 24 NRC___(Sept. 19, 1986); ALAB-855, 24 NRC __ (Dec. 12, 1986) (petition for review pending). Thus the LILCO-only plan, by itself, provides a full complement of people and equipment to respond to an emergency and to meet NRC requirements, and any physical resources (as distinguished from legal authority) provided by the State or County are "extras." Since the litigation already completed proves that an adequate response can occur, physically, even without the State and County, the only question left is whether the State and County, using their best efforts, would make things worse -- that is, detract from the existing Plan.

The three parts of LILCO's argument, then, are as follows:

(1) The State and County would use their best efforts in an emergency;

(2) The LILCO Plan, if allowed to operate without the State and County, complies with NRC requirements; and

(3) Therefore the State and County cannot oppose this Motion without showing how they themselves, doing their best, would spoil an adequate plan and harm the public. This they cannot do.

On its face this last is an absurd proposition -- that adding the resources of a state and county to an already adequate plan would somehow make things worse. In fact, in addition to legal authority the State and County would bring enormous resources to the aid of the public. For example, Suffolk County alone, as of the end of 1985, had a police force of 2,599 people, not counting civilian members and crossing guards (1).[9/] The State and County both have sophisticated communications systems,

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9/ Source: Suffolk County Police Annual Report 1985, at 13. Throughout this Motion, the numbers in parentheses refer to the numbers of the statements in the at-

(footnote continued)

including mobile communications vans (2, 3, 4, 5). The addition of these resources could not hurt, and should help, the emergency response.

All that LILCO needs from the State and County is the intangible resource of "legal authority," and that can be provided by telephone. So long as there is a means of contacting the State and County in an emergency, therefore, the "best-efforts" presumption compels the conclusion that the emergency response would be about as prompt as under the LILCO-only response already litigated.

With the State and local governments involved, as with the LILCO-only plan, the only protective actions available are sheltering and evacuation. Sheltering is never foreclosed (nor are dose savings from sheltering lessened) so long as (1) the sirens are sounded and (2) an EBS advisory to shelter is broadcast as promptly as under the LILCO-only plan that has already been proved adequate. Likewise, evacuation is never foreclosed (and dose savings from evacuation are never lessened), so long as (1) the sirens are sounded, (2) an EBS advisory to evacuate is broadcast, and (3) traffic is controlled as promptly as under the LILCO-only plan. This would in fact be the case, as we shall show.

Because there has been much misunderstanding about the realism principle, LILCO wishes to make it understood that realism does not mean that the State or County would step in at the time of an accident, "take over" the plan using State and County employees, and send LERO home. Rather, what realism contemplates is a partnership in which LERO would continue, with official approval, to manage the emergency response; the County and State would provide legal authority plus whatever resources

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(footnote continued)

tached "Statement of Material Facts" (Attachment A) and "Affidavit of John A. Weismantle" (Attachment J).

they could provide on short notice. Obviously the State and County would have the power to override a LERO decision, and ultimate authority would reside with them; but in an extremely fast-breaking (and extremely unlikely) accident, it might be that the government officials could do little more than authorize LERO to carry out the emergency plan, at least in the early stages.

A. Sirens (Contention 5)

The first step in notifying the public is to sound the sirens, which alert the public to turn on their radios for further information from the Emergency Broadcast System (EBS). The sirens are already in place (6). They can be activated by LILCO or LERO from the LERO Emergency Operations Center (EOC), from the Shoreham control room, or from LILCO's Brookhaven Substation (7). All that is needed to provide "legal authority" is for either the State or County to direct LILCO to sound the sirens.

This oral authorization can be promptly had, because the means of communication between LILCO and the State and County, like the sirens, are already in place. The Radiological Emergency Communications System (RECS) line connects the Shoreham Control Room, LERO (both the Supervising Service Operator and the LERO EOC), the Suffolk County Police Department Headquarters in Yaphank, the Suffolk County Department of Fire, Rescue, and Emergency Services, the New York State Radiological Emergency Preparedness Group in Albany,[10/] and the New York State Office of Disaster Preparedness Southern District Warning Point in Poughkeepsie (8). When

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10/ LILCO currently maintains three RECS drops in Albany: one to the State Department of Health, one to the State EOC, and one to the building in which the State police maintain a 24-hour Warning Point (9). (This Warning Point was recently moved from one part of the building to another part.) A communications officer for New York State's Radiological Emergency Preparedness Group has asked LILCO to remove the RECS line to the State. See the reports in Newsday, Dec. 7, 1986, at 39, and the New York Times, Dec. 6, 1986, at 32. But LILCO does not plan to do so and believes that the State would violate the law if it were to insist on the line's being removed.

the RECS line receiver is picked up in the Shoreham Control Room (or in the LERO EOC, once it is activated) and the ring button is depressed, the RECS phones ring simultaneously in the other locations (10). Consequently, notification of Suffolk County and the State of New York takes no longer[11/] than notification of LERO.[12/]

11/ In some very improbable circumstances the response of the public might be slightly slower with State and local government participation than without it. These circumstances would occur only when (1) a very unlikely accident requiring immediate public action occurred and (2) it took longer than 15 minutes to reach a State or local official. This potential for delay reflects the fact that a utility-only plan is inherently faster than a governmental plan. Under the LILCO-only plan, in a fast-breaking accident the sounding of the sirens is never delayed beyond 15 minutes, because the Plan calls for the warning sirens to be sounded by the onsite organization if the Supervising Service Operator in Hicksville cannot reach the LERO Director of Local Response within that time. Since for the purposes of this Motion the sounding of the sirens without governmental permission is presumed to be illegal, this provision of the LILCO plan could not be implemented, and the sirens could not be legally sounded, until a State or local official could be reached to give the go-ahead; it is possible that this would take more than 15 minutes.

But this possibility is inherent in any governmental plan. In any plan, there may be delays caused by the interface between the onsite and the offsite organizations, and there may be delays while the offsite governmental authorities make up their minds. For example, NRC Staff witness Sears testified that he has observed government officials delaying decisions in order to call meetings of other government personnel. Sears, ff. Tr. 15,143, at 7-8; Tr. 15,213 (Sears); see also 15,170 (Schwartz). The potential delay factor of bringing in governmental decisionmakers has prompted Mr. Sears to recommend that emergency plans provide for the sounding of sirens by the utility if there is a delay in getting a decision from offsite authorities. But one licensing board has found this proposal to go against NRC regulations. See Consolidated Edison Co. (Indian Point, Unit Nos. 2 and 3), LBP-83-68, 18 NRC 811, 936-37 (1983), reviewed, CLI-85-6, 21 NRC 1043 (1985).

12/ Counsel for the State has said that the State has unplugged its RECS phone and placed it "in storage." Affidavit of Fabian G. Palomino in Opposition to Motion to Dismiss and in Support of Plaintiff's Cross Motion for Summary Judgment, Con. Index No. 4615 (Sept. 12, 1984), at 6, Attachment D to Opposition of Suffolk County and the State of New York to LILCO's Motion for Summary Disposition of Contentions 1-10 (the "Legal Authority" Issues), Sept. 24, 1984; Transcript of oral argument to the Commission, June 4, 1985, at Tr. 18. However, the "best efforts" presumption requires the Board to conclude that the phone would be plugged in at the time of an emergency. See Tr. 13,737-41 (Daverio). Indeed, the State would surely plug the RECS phone back in as soon as the plant began operating above five percent power; no responsible government would keep communications severed with an operating nuclear plant. The Nuclear Reg-

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In short, the material facts necessary to resolve the issue of the legal authority to alert the public are not in dispute. First, the State and County can be notified quickly, using the RECS line or back-up commercial telephones, both of which systems are already in place.[13/] Second, the State and County will agree promptly to alert the public, because they will use "best efforts" to protect them. Third, they will authorize the use of the existing sirens because it would simply not be "best efforts" to leave those sirens unused when the public needed to be notified. Thus, there is no litigable issue about the legal authority to alert the public.

B. EBS Messages (Contention 5)

As is documented in the Licensing Board's initial decision, LILCO originally relied on radio station WALK-FM to trigger a special, Shoreham-only Emergency Broadcast System (EBS) consisting of WALK and 11 other local radio stations. See LBP-85-12, 21 NRC 644, 764 (1985).

EBS messages were to be broadcast by WALK-FM upon receipt of a phone call from LERO giving an authentication number. This number is kept both in the Shoreham

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(footnote continued)

ulatory Commission has recognized this, saying that "we are confident that if the Commission upholds the Licensing Board's finding that an adequate emergency plan is feasible with state and local participation, the State and County will accede to that judgment and will provide the participation needed to make the plan successful." Long Island Lighting Co. (Shoreham Nuclear Power Station, Unit 1), CLI-85-12, 21 NRC 1587, 1589 (1985).

Even if the State did refuse to plug the phone back in, commercial phones are available as a back-up (11). See the LILCO Onsite Plan, EPIP 1-5, § 5.2.2. LILCO could either call the State directly by commercial phone or call one of the other nuclear plants in New York State and have it pick up its own RECS phone to tell the State officials to plug in the RECS phone for Shoreham (12).

13/ There is also a dedicated telephone line from the Shoreham control room to the Suffolk County Police Department (13).

control room and the LERO EOC. Lack of legal authority could not have prevented this system from working, because in a real emergency LERO could have told the State or County the authentication number so that they could call WALK themselves. (Alternatively, the State or County could have given LERO permission to start the EBS message process precisely as under the LILCO-only plan already litigated.) There would be no abdication of governmental responsibility in doing this, because the private volunteers in LERO would be acting at the government's direction.

However, by letter of August 8, 1986, the President and General Manager of WALK-FM informed LILCO that "on the advice of counsel, we find it necessary at this time to withdraw from participation in the Shoreham Emergency Response Plan." Letter from Alan S. Beck to Ira Freilicher, August 8, 1986. In light of this development, LILCO will rely instead in this Motion on the existing New York State EBS (14).14/

The State EBS includes a Common Program Control Station-1 (CPCS-1) (15) and a large number of "primary stations" on Long Island, including all 12 of the stations in the special EBS that was set up for Shoreham (16). The CPCS-1 has a 50 kw, AM station that covers the entire Shoreham 10-mile EPZ (17). When the CPCS-1 receives an appropriately validated call from an authorized State or local official in an emergency, it activates its EBS tone generator (18, 19). Every other station in the system (including WALK) has a single-frequency tuner set at the frequency of the CPCS-1 (20). The tuner is coupled with an EBS-tone-activated switch (21). When an EBS signal is transmitted from the CPCS-1, it opens a switch and gives a signal in the control room of each primary station (22). Each station operator can trigger his station's own EBS signal

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14/ LILCO continues to pursue alternative methods for informing the public, and indeed alternatives do exist. But for the purposes of this Motion, LILCO relies on the existing State EBS. Presumably the State will not attempt to dismantle its EBS in the way it has apparently attempted to disable the RECS connection.

generator, and the EBS signal can then be transmitted on the station's own frequency (23). With appropriate switching, each primary station can then rebroadcast EBS messages originating from the CPCS-1 (25). The EBS generator at WALK would trigger the tone alert radios that have already been provided to schools and other institutions in the Shoreham EPZ (24).

In a radiological emergency at Shoreham, LERO or LILCO would call New York State and Suffolk County and ask them to activate the State EBS (28, 29). Each of the following five people is authorized to activate the State EBS; each has the necessary authentication codes to accomplish activation:

1. The Governor of New York or his designee15/
2. The Suffolk County Executive
3. The Suffolk County Director of Emergency Preparedness
4. The Nassau County Executive
5. The Nassau County Director of Emergency Preparedness (26).

The LERO Director of Local Response would ask that an official designated to activate the EBS phone the LERO Director (29). When such a County or State official called back, the LERO Director would inform him that immediate action was required and ask him to contact the CPCS-1, authenticate his identity, and request that the CPCS-1 call the LERO Director immediately for the EBS message (29). When the radio station called, the LERO Director, using a prepared EBS message into which he had entered emergency-specific information, would be prepared to read the message live over the air (29).

15/ The Governor or his designee calls the Office of Disaster Preparedness in Albany; the ODP has a dedicated line to the CPCS-1 (27).

EBS messages are prewritten in the LILCO plan (OPIP 3.8.2, Att. 4) (30); these include an early message telling the public to stay tuned for further information (Message A) (31).[16/] The information for EBS messages is provided, initially by the onsite LILCO organization, on the New York State Radiological Emergency Data Form that is used by every other nuclear plant in the State (OPIP 3.8.2 §5.2.2) (see Attachment B to this Motion) (32). See Tr. 14,568-69 (Keller).[17/] Accordingly, there would be no delay in broadcasting EBS messages, so long as the State or County used their best efforts and the LILCO Plan as the source of emergency planning options and information.

There is no federal requirement that there be an agreement with the EBS radio station. There used to be a federal guideline to that effect. In FEMA-43, "Standard Guide for the Evaluation of Alert and Notification Systems for Nuclear Power Plants" (September 1983), the Acceptance Criteria for Planning Standard E, relating to procedures for notification and instruction to the public, included a criterion that there be "some form of agreement":

> An emergency plan will typically be acceptable under this evaluation criterion provided that it clearly describes a system of disseminating information that meets the following criteria:

16/ Message A does not make a protective action recommendation (31). It is purely informational, telling the public that there is an emergency and that they should stay tuned to the EBS system for "official information and advisories." It is thus not illegal under Cuomo v. LILCO, n.3 above, any more than a LILCO press release would be.

17/ LILCO has made only three changes to the State form. First, it has substituted letters of the alphabet in place of numbers to designate the emergency planning zones. Second, it has added a footnote at the bottom of the second page. See Attachment B. Third, it has typed in the name "Shoreham" (33). (Shoreham used to be listed along with other New York plants on the standard State form, along with a box for "other." A few months ago the State revised the form to relabel the Shoreham box "other," so now there are two "others" on the official State form.) Also, the third page to the State form is nonuniform, varying from plant to plant.

. . . .

> 3. References or includes some form of agreement, available for review, which states the station's or broadcast system's willingness to participate in the public notification process.

FEMA-43, at E-2 (September 1983) (emphasis added). In 1985, however, FEMA-REP-10 superseded FEMA-43. FEMA-REP-10 changed the acceptance criterion to specify, not some form of "agreement", but rather some form of "documentation":

> An acceptable emergency plan under Evaluation Criterion E.5 should describe a system of disseminating information to the public that meets the following criteria:
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> . . . .
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> 3. References or includes some form of documentation, available for review, that states the station's or broadcast system's ability to participate in the public notification process.

FEMA-REP-10, Guide for Evaluation of Alert and Notification Systems for Nuclear Power Plants, at E-2 (November 1985) (emphasis added).

This revision was prompted by FEMA's recognition, and acceptance, of the fact that stations able to participate effectively in an emergency might not be willing to agree in advance to do so, as FEMA made clear in its Notice of Availability of FEMA-REP-10:

> One utility industry group also noted that since individual radio station participation in the EBS is voluntary, it may not be possible to obtain the formal participation agreements required in FEMA-43.

> In response to these comments, FEMA has . . . replaced the requirement for written agreements that individual broadcasting stations will participate in the EBS with a requirement for documentation indicating that they are able to participate in the EBS.

50 Fed. Reg. 43,084, 43,085 col. 1 (Oct. 23, 1985).

Thus, what LILCO needs to carry its burden is "some sort of documentation." LILCO has provided that documentation in the attached Affidavit (Attachment J) and in the attached written description of the State EBS (Attachment I). Once again, there is no litigable issue over legal authority to inform the public.

C. Decisions and Recommendations (Contention 6)

Before a siren is sounded or a protective action recommendation made, someone must make a decision to do so. Under Judge Geiler's opinion in Cuomo v. LILCO (n.3 above), this "decisionmaking" function must be done by a governmental official. The decisions required are (1) to alert the public to stand by for further information (that is, to sound the sirens), (2) to decide whether the public should shelter or evacuate, and (3) to inform the public of this decision. No government official would decide against informing the public, given a recommendation from the plant operator that the public be informed; deciding not to inform the public would not be a "best efforts" response. Similarly, the decision to inform the public of the protective action recommendation is cut-and-dried; once a decision is made that the public should shelter or evacuate, no government official would delay informing them. Hence the issue of Contention 6 boils down to whether the State or County would, using their best efforts, be able to make a timely decision about whether the public should shelter or evacuate.

Clearly the answer is yes -- so clearly that there is no litigable issue. The basic reasons are these: First, the State (leaving aside Suffolk County) is fully prepared to make protective action decisions by virtue of its plan for radiological emergencies at

several nuclear plants other than Shoreham (34,35). Second, in an extremely fast-breaking accident the State (or County) would have no choice but to implement the recommendation from the onsite organization; this is the case for any offsite plan in the country, and it is a conclusion demanded by the "best efforts" presumption. Third, in slower-moving accidents in which the State or County might want to assess the information and exercise their own judgment, there would be time to do so, and the LERO organization would be prepared to assist, as would the DOE RAP Team. We will discuss each of these three points in turn.

1. The State, And To Some Extent The County, Are Already Prepared

The State, in particular, is already prepared to make decisions. The New York State Radiological Emergency Preparedness Plan (Rev. July 1984)[18/] applies to five operating nuclear plants in New York State (two of them owned and operated by the State) and 12 more in other states (34,35). Because of this existing State Plan, the State has personnel who are qualified to make protective action decisions based on dose projections and other data (36). The State Plan provides that the State Commissioner of Health will recommend "Protective Action options" based on the State monitoring, assessment and evaluation personnel, equipment, and resources (37). Moreover, the State Plan provides for the State to take over management of the response from a county:

> In those instances where a county does not have the capability to implement all or part of its Radiological Emergency Response Plan, or the Chief Executive of a county does not elect to put such a plan into effect, State agencies under the direction of the Disaster Preparedness Commission will implement the county's plan using State and local resources and personnel.

18/ References to the State Plan are to the version provided to LILCO by the State as part of discovery in this proceeding in 1984. It bears the legend "Includes all revisions thru 7/84."

(38). The State Plan also provides for State management of a response in those instances in which the Governor declares a state of emergency (39).

Moreover, both the State and County are familiar with the LILCO Plan (40,41), if only because of the prolonged litigation over it. At present the State has seven controlled copies of the Plan and procedures; the County has 18 (42,43). Various County witnesses testified that they have reviewed the Plan.[19/]

2. In A Fast-Breaking Emergency, The Authorities Would Have To Rely On The Onsite Recommendation

Even if the State and County were not already familiar with the emergency plan,[20/] they could still make timely decisions to shelter or evacuate because they could use the information and options offered by LILCO (onsite) or LERO (offsite). In an emergency requiring protective actions the State and County would receive a recommendation to either shelter or evacuate from LILCO or LERO. If the State and County lacked other information, or if they could not decide what to do on their own,

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19/ See, e.g., Harris (Role Conflict), ff. Tr. 1218, at 3 ("Yes, [I have reviewed the LILCO Transition Plan] particularly those portions pertinent to protective actions for hospitals, special facilities and handicapped persons at home"); Harris and Mayer, ff. Tr. 9574, at 3 ("We have reviewed, among others, those portions of the LILCO Plan that concern relocation centers and proposed protective actions for the homebound"); see also Regensburg et al. (Notification to the Public), ff. Tr. 5416 (discussing backups to siren system, the tone alerts, and WALK); Roberts et al. (Amended) (Contentions 65 and 23.H), ff. Tr. 2260 (discussing "deficiencies and inaccuracies in the traffic control scheme").

The Board may recall that in their proposed findings the Intervenors argued that the testimony of their witnesses should be given "added weight" because of their "actual hands-on experience concerning conditions in Suffolk County." Suffolk County and State of New York Proposed Findings of Fact and Conclusions of Law on Offsite Emergency Planning (Oct. 26, 1984), at 7-8.

20/ The assumption that a responsible County Executive or State official would deliberately remain untrained and uninformed about emergency planning once Shoreham began operating above 5% power would be contrary to the "best efforts" presumption and to CLI-85-12. See n.12 above.

they would have no choice but to pass on the LERO recommendation to the public. The only circumstances in which they would advise something different would be if they knew that something different would be better for the public. In either case, the public would be as fully protected as under a LILCO-only response.

This is particularly true in an extremely fast-breaking emergency (the only kind the Intervenors have been interested in addressing). In such an emergency the authorities would have to act on the recommendation of the onsite organization. This onsite recommendation is based on plant conditions, which at first only the plant operator is in a position to assess. It is based on Emergency Action Levels (EAL's) that are in the onsite plan and approved by the NRC. See Tr. 2004-05 (Weismantle).

This need to rely initially on the onsite recommendation is no different from Shoreham than for any other nuclear plant in the country. Thus NRC regulations require that "State and local response plans call for reliance on information provided by facility licensees for determination of minimum initial offsite response measures." 10 C.F.R. § 50.47(b)(4) (1986). Likewise, the New York State Radiological Emergency Preparedness Plan provides that the nuclear facility operator has the "first line responsibility for assessing the magnitude of a radiological emergency and its potential consequences" (44). Moreover, in this particular proceeding the Intervenors cannot raise litigable issues about the recommendation by the onsite organization, because it was a "Phase I" issue that they chose not to litigate when they had a chance.[21/] Finally, the premise that the State and County would use their "best efforts" requires the conclusion

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21/ In any event, even in Phase I before the County's default no one ever raised any substantial questions about the EAL's. Onsite contention EP13, which asserted only that some information was omitted from the EAL's, was not admitted. Supplemental Prehearing Conference Order (Phase I -- Emergency Planning), LBP-82-75, 16 NRC 986, 1008-09 (1982).

that, if LILCO informed them, based on plant conditions, that there was a radiological emergency and that the public should immediately evacuate (or shelter), they would authorize LILCO to advise the public.

3. In A Slow-Moving Accident There Would Be Time To React

All that is left to consider, then, is the slower-moving emergency. If the State and County oppose this motion they must do so on the ground that both of them, using their best efforts in a slow-breaking emergency, would be unable to make a timely or correct decision. This is simply not credible. In a slow-breaking emergency (as in a fast one), "best efforts" would demand that the County or State adopt the LILCO/LERO recommendation, if they had no other reliable information to go on or if they could not otherwise make up their minds. It is simply not credible, nor consistent with a "best efforts" response, that any government, faced with a recommendation by the plant operator that the public evacuate or shelter, would keep this recommendation a secret from the public, ignore it, or do less to protect the public than the plant operator recommended.

This fact is reinforced by the fact that in a slow-breaking emergency the federal government would be participating in protective action recommendations. The State and County are aware (if for no other reason than that it is in the record of this proceeding) that a U.S. Department of Energy Radiological Assistance Program (RAP) Team is involved in making dose projections and that the NRC reviews the utility's recommendations. See Order Ruling on LILCO's Motion for Summary Disposition of Contentions 24.B, 33, 45, 46 and 49 (Apr. 20, 1984) (finding no genuine issue of fact with respect to almost all the Intervenors' contentions about the inability of DOE to do its job); Schwartz, ff. Tr. 15,143 at 3; 15,230-32 (Schwartz), 15,233-36 (Schwartz, Sears), 15,241-48 (Schwartz, Sears); Tr. 10,510-13 (Weismantle, Cordaro); see also Tr. 10,616-19

(Clawson), Tr. 10,604 (Mileti), Tr. 10,496-97 (Weismantle). It is incredible, and inconsistent with a "best efforts" response, that in a slow-moving accident the State and County would ignore or overrule without good cause a recommendation based on data from DOE.

If, hypothetically, the State and County wanted to make their own decision, a slow-moving accident would allow them to do so by using information supplied by LILCO and the RAP Team and applying very straightforward decision criteria. County and State officials know that the purpose of radiological emergency planning is to minimize radiation doses (45).[22/] The information conveyed to them by LILCO or LERO during an emergency, as noted above, uses the standard New York State reporting form, which is likewise used at every other nuclear plant in the State (see Attachment B). There are basically two possible protective actions, sheltering or evacuation, and the decisionmaker chooses the one that minimizes radiation exposure to the public. LILCO, LERO, and DOE provide dose projections, and any decisionmaker can compare them to EPA Protective Action Guidelines to determine what action should be taken (see Attachment H).

During an emergency, a "best-efforts" response would require the State and County to stay in more-or-less continuous contact with LERO, if only by phone at first (46).[23/] Major decisions would be discussed, as they were during the February 13 FEMA-graded exercise,[24/] with State and County representatives.[25/] Since LERO is

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22/ The choice between evacuation and sheltering is based on the action that affords the greater dose savings. Cordaro et al. (Protective Actions), ff. Tr. 8760, at 27.

23/ The New York State Radiological Emergency Preparedness Plan provides that "[a]fter the initial notification, technical personnel from the nuclear facility will remain in contact with the representatives of the State Commissioner of Health and local officials for consultation and ongoing assessment of the emergency" (47).

24/ FEMA found that the exercise objective of demonstrating the ability to coordinate the emergency response with County and State officials was met with the role of

(footnote continued)

set up to do by itself everything that needs to be done in an emergency, LERO personnel could talk to State and County officials and "walk them through" any unfamiliar procedure.26/

D. Traffic Control (Contentions 1 and 2)

(footnote continued)

State and/or County officials being simulated. FEMA Region II, Post Exercise Assessment, April 17, 1986, at 31.

25/ The rules of emergency planning at all levels of government call for coordination with the private sector. Thus the Suffolk County Charter makes the Department of Fire, Rescue. and Emergency Services "responsible for maintaining operational liaison, in accordance with federal, state and local directives, with all cooperating private agencies; that is, salvation army, red cross, private industry, brookhaven national laboratory, utility companies . . . etc." (48). Suffolk County Charter, Art. XI, § 1102(8). The Department is also required to "identify, locate and plan for the intergration [sic] with emergency service teams all privately owned construction and health service equipment, all trained construction, radiological, health home service and sanitation personnel, and all public utility installation and maintenance personnel . . . " (49). Id. § 1102(10).

As noted above, the State Radiological Emergency Preparedness Plan provides that "after the initial notification, technical personnel from the nuclear facility will remain in contact with the representatives of the State Commissioner of Health and local officials for consultation and ongoing assessment of the emergency." New York State Radiological Emergency Preparedness Plan at III-1 (Rev. July 1984) (47). The State Plan also provides that the Office of Disaster Preparedness is to coordinate the assistance furnished by various federal and State agencies, emergency forces from political subdivisions, and quasi-public and private organizations (50). Id. at III-4 to -5.

Likewise, the New York State Disaster Preparedness Plan (which covers nonradiological emergencies) says that State services "will be coordinated to the maximum extent with comparable activities of local governments, other states, the federal government, and voluntary/private agencies of many types" (51). New York State Disaster Preparedness Plan (Rev. Sept. 1982), at 1-3.

Finally, State policy is that "state and local natural disaster and emergency response functions be coordinated in order to bring the fullest protection and benefit to the people." N.Y. Exec. Law, Article 2-B, § 20.1.c (McKinney 1982).

26/ The LERO Radiation Health Coordinator, an independent consultant, could provide information needed by State or County officials, as could the RAP Team (52).

Finally, there would be no delay in directing traffic. In an emergency the LERO traffic guides would mobilize and proceed to their designated traffic posts as planned; there is nothing illegal in this, so long as they do not begin to direct traffic until the County or State give permission. In the meantime, since the County Police Headquarters would have been alerted by RECS line simultaneously with LERO, it could begin dispatching police patrol cars[27/] to the designated traffic posts, assuming once again that the police were engaging in a best-efforts response and therefore using the LILCO plan as the source of information. There is no dispute that traffic control is desirable in a mass evacuation (54).[28/] The traffic control strategy for each traffic post is described in the Plan's procedures[29/]; the traffic posts are listed, in order of their importance, in Attachment 7 of OPIP 3.6.3 (see Attachment E to this Motion). This information can be transmitted to the police officers by radio (59),[30/] or orally by the LERO traffic guides as soon as they arrive at their posts.[31/] Indeed, each LERO traffic guide

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27/ "Approximately 250 officers are assigned to the Sixth Precinct, which is broken down into 21 patrol sectors." Roberts et al., ff. Tr. 2260, at 4. "[B]ecause we are a 24-hour a day operation, a good portion of our emergency response force is already on duty" (53). Deposition of Kenneth J. Regensburg, Sept. 8, 1983, at 153. In a simulated notification/mobilization, the Police Department was able to reach about 99 off-duty officers in 43 minutes. Regensburg et al. (Contention 26), ff. Tr. 4442, at 18.

28/ Indeed, Suffolk County witnesses seemed to feel that LILCO had not provided enough traffic guides. See Tr. 2318 (Roberts).

29/ Attachment 4 to OPIP 3.6.3 lists the traffic posts and the traffic movements to be encouraged and discouraged at each post (56). It is Attachment F to this Motion.

30/ The Suffolk County Police Commissioner has access to a copy of the LILCO Plan and procedures (57). Also, several police officers are familiar enough with the Plan to have testified about it in considerable detail (58). See Roberts et al., ff. Tr. 2260, at 18-19. If necessary, the LERO Traffic Control Point Coordinator can provide information to the police by phone.

31/ LERO traffic guides are trained to assist the police if police participate. Plan, OPIP 3.6.3, p. 11 of 46; Babb et al. (Training), ff. Tr. 11,140, at Vol. 5, Att. 20, Module 12. There is a procedure specifically for this purpose (see Attachment G).

is given a diagram of the traffic movements to be facilitated and discouraged (55) (an example is Attachment D to this Motion); the police officer could simply look at the diagram and see what he needed to know. Police officers already know how to direct traffic[32/] and need no further training to do so (60).

For extremely fast-breaking accidents (the only kind the Intervenors have been interested in), there is no litigable issue because the parties are all in agreement that LERO could not be fully mobilized in time and that the result would be a longer evacuation time. See PID, 21 NRC at 723-25. The Board has already found this to be acceptable. Id., at 725. Participation by police might improve the situation; it could not hurt.

For other accidents, under a "best-efforts" assumption one of two things would happen at each designated traffic post in the LILCO plan: either a police officer would direct traffic (in accordance with the LILCO Plan, at least as soon as a LERO traffic guide arrived to help him), or no police officer would arrive at a particular post, in which case LERO would need permission from the State or County to have a LERO traffic guide direct traffic at that post until a policeman arrived. Assuming the State and County were using a best-efforts approach and the LILCO plan, they would give LERO permission to direct traffic until a policeman could be dispatched.[33/] And there would be ample time to get this oral authorization; approximately two hours is estimated for complete LERO mobilization. PID, 21 NRC at 723. In that amount of time even the slowest of local governments could dispatch some police officers and authorize

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32/ See, for example, Tr. 13,114-15 (Fakler), 13,116 (Cosgrove).

33/ The Intervenors may deny this, but such a denial would be directly contrary to the "best-efforts" presumption. It would also contradict representations Suffolk County made during discovery in 1983, when it represented that it could not, in advance of the actual event, say whether it would or wouldn't permit LILCO to perform response functions in an emergency. See Attachment C to this Motion.

volunteers to direct traffic temporarily where police officers were not able to. Accordingly, the mobilization of people to direct traffic could be no slower, and might even be faster,[34/] than for a LILCO-only response.

In short, there is no litigable issue over whether traffic control could be exercised promptly. Both LERO traffic guides and Suffolk County police officers know how to direct traffic. The traffic control measures recommended for each traffic post are readily available both in the LILCO Plan and in the hands of the LERO traffic guides. The State and County have it in their power both to dispatch policemen to direct traffic and to authorize LERO traffic guides to do so. With a "best-efforts" governmental effort, therefore, there is no litigable issue over whether the traffic plan will work as designed and litigated.

Of the 10 functions listed in CLI-86-13 for which LILCO presumably lacks legal authority, the above analysis resolves the issues of Contentions 1 (guiding traffic), 2 (blocking roadways, erecting barriers in roadways, and channeling traffic), 5 (activating sirens and directing the broadcasting of EBS messages), and 6 (making decisions and recommendations to the public concerning protective actions). Still to be resolved are the remaining Contentions (3, 4, and 7-10). They can be dismissed in short order.

E. Functions Performed In The Aftermath Of The Emergency (Contentions 7 And 8)

Two of the functions for which LILCO presumptively lacks legal authority are 7 (making decisions and recommendations to the public concerning protective actions for the ingestion exposure pathway) and 8 (making decisions and recommendations to the

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34/ A faster mobilization than LERO can accomplish alone is not likely to help much, because the presence of traffic guides becomes important only after traffic congestion occurs, approximately one hour after the evacuation notice for an evacuation of the entire EPZ. Cordaro et al. (Contention 65), ff. Tr. 2337, at 58.

public concerning recovery and reentry). Both of these activities take place in the aftermath of an emergency, when there is ample time to carry out the Plan.

1. Ingestion Pathway (Contention 7)

Planning for the ingestion pathway EPZ, in particular, does not deal with "immediate life threatening situations" and does not require immediate response. Pacific Gas & Electric Co. (Diablo Canyon Nuclear Power Plant, Units 1 and 2), LBP-82-70, 16 NRC 756, 766 (1982); Southern California Edison Co. (San Onofre Nuclear Generating Station, Units 2 and 3), ALAB-717, 17 NRC 346, 373 (1983); LILCO Plan, OPIP 3.6.6, p. 1 of 50; see NUREG-0396, at 13-14.

This Board has already found that "[t]he LILCO Plan contains protective actions [for the ingestion pathway EPZ] . . . which if implemented would be effective in preventing the public from eating contaminated foodstuffs." PID, LBP-85-12, 21 NRC 644, 876 (1985), aff'd, ALAB-832, 23 NRC 135 (1986). Suffolk County alleged in essence "only one flaw in LILCO's plans for the ingestion pathway," id., and that was lack of legal authority to compel compliance. Id. The Board rejected the County's argument and found reasonable assurance that the Plan is workable. Id. at 878. Thus this issue has already been decided.

Even if it had not, it is apparent that the LILCO arrangements for the 50-mile EPZ would work with governmental "best-efforts" participation. The LILCO Plan provides, in § 5.1.3.6, that the Director of Local Response will contact New York State and provide the LERO ingestion pathway protective action recommendation. The resources necessary for the State to use have already been put in place. For example, LILCO has compiled listings of names, addresses, and (where available) telephone numbers of dairy farms, poultry farms, hog farms, vegetable and fruit growers, and farm stands in the New York part of the 50-mile EPZ as well as food and dairy processors using

agricultural commodities produced in the 50-mile EPZ. Cordaro et al, ff. Tr. 13,563, at 10, 23-24, 37-38, Att. 1-6. LILCO maintains maps showing key land use data, dairies, food processors, surface water intakes, reservoirs, treatment plants, and ground water sources. Id., at 25-26. LILCO also maintains a comprehensive list of community wells and surface water sources. Id., at 26-29.

These resources could be used by New York State as well as LERO. As noted above, the State already has a radiological plan for other plants, and the functions performed under that plan are no different in kind for Shoreham than for any other nuclear plant in the State. Therefore, a "best-efforts" response by the State would unquestionably meet the NRC requirement of reasonable assurance.

2. Recovery And Reentry (Contention 8)

As with ingestion pathway decisions, recovery and reentry decisions would be made without much time pressure. Recovery and reentry decisions are made by a committee; the Plan calls for LERO to set up this committee and to invite the State and County to participate. PID, 21 NRC at 878.[35/] Decisions about recovery and reentry, by definition, are made after people have evacuated and are safe.[36/] The Board has found that the "Committee would have time to deliberate and decide what it should recommend." Id., at 880. Given this finding, and the presumption that the State and County would exercise "best efforts," there is no litigable issue over whether the Plan would work.

35/ Similarly, the New York State Plan calls for the Disaster Preparedness Commission to appoint a Recovery Committee (61). New York State Radiological Emergency Preparedness Plan (Rev. July 1984), Part I, § IV.A, at IV-1.

36/ Following any major emergency at a nuclear plant, many government entities would step forward to decide what to do next. Tr. 10,509-10 (Weismantle); Cordaro et al. (Ingestion Pathway), ff. Tr. 13,563, at 38-39; Tr. 13,702-06 (Daverio, Watts); see also Federal Radiological Emergency Response Plan, 49 Fed. Reg. 3578 (1984).

In short, the two issues of ingestion pathway and recovery/reentry are particularly appropriate for summary disposition for two reasons. First, they represent features of the Plan that are carried out under less time pressure than evacuation or sheltering. Second, they are functions in which the State, as opposed to the local government, traditionally exercises a strong role. Since the State has an established plan for radiological emergencies, the State's "best efforts" would be sufficient to authorize the necessary activities. The State already knows how to deal with an emergency if it has site-specific information (62); LERO is prepared to provide that information.

F. Issues That Have Been Mooted In Whole Or In Large Part (Contentions 3, 9, And 10)

1. Trailblazer Signs (Contention 3)

Three of the functions for which LILCO lacks legal authority are no longer live issues, because they have been mooted by subsequent events. Contention 3 addresses the posting of traffic signs on roadways. The traffic signs (called trailblazer signs) have been eliminated from the Plan. See ALAB-818, 22 NRC 651, 677 n.105 (1985).

2. Fuel (Contention 9)

Contention 9 is about dispensing fuel from tank trucks to automobiles along roadsides. This Board has already ruled that this function is not required by NRC regulations or guidelines.[37/] If the County or State wished to make use LILCO's fuel trucks, it could give permission at the time of the emergency. In an emergency LERO would simply mobilize its trucks and drivers and await word from the authorities as to

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37/ PID, LBP-85-12, 21 NRC 644, 816 (1985). Dispensing fuel is not required by NRC rules or even suggested by NUREG-0654. Tr. 12,818 (Keller). Even without fuel trucks, cars running out of gas could coast off the roadway so as not to impede traffic. Cordaro et al. (Contention 66), ff. Tr. 6,685, at 8.

whether they wished to use them. The "best-efforts" presumption dictates that the State and County would use the LERO resources -- unless, of course, they were satisfied at the time that State and County resources[38/] could do as good a job or better and that the LERO fuel trucks were not needed.

3. Access Control (Contention 10)

Contention 10 is about the performing of "access control" at the Emergency Operations Center, the relocation centers, and the EPZ perimeter. The Emergency Operations Center and relocation centers are now private facilities owned by LILCO (63).[39/] Accordingly, there is no longer any issue of LILCO's right to provide access control.

As for the EPZ perimeter, again there is no genuine issue. Since a very early revision of the Plan (left over from the days when the original version was being written by Suffolk County planners), LILCO has not proposed to stop anyone from entering the EPZ. Traffic guides are to discourage but not prohibit or screen entry to the EPZ. PID, 21 NRC at 804. The Board has found this proposal to be acceptable. Id., at 804-05. Thus to the extent, if any, that this issue is not mooted altogether, it is resolved identically to the issue of traffic control discussed above.[40/] Again, there is no litigable issue.

38/ "Suffolk County Police Department patrol vehicles on the Long Island Expressway carry empty gas cans to assist many of the 10,000 disabled vehicles to which the Department responds each year on the Long Island Expressway alone." Monteith et al. (Contention 66), ff. Tr. 6868, at 5.

39/ See Revision 8 to the Plan, filed with the NRC September 18, 1986.

40/ Indeed, LILCO's Plan has always contemplated that if security difficulties arose at the EOC, EPZ perimeter, or relocation centers, the police would be called. Tr. 11,344 (Varley).

G. Towing Stalled Cars (Contention 4)

Function 4 for which LILCO presumably lacks "legal authority" is removing obstructions from public roadways, including towing private vehicles. Again, precisely the same analysis applies as applies to dispensing fuel and directing traffic. The Suffolk County or State government would either take it upon themselves to remove obstructions, authorize LERO to do so, or use both their own resources and LERO's -- whichever was the "best effort" for removing obstructions in a particular case. Given the presence of LILCO's resources, plus the State's and County's, "best efforts" would produce at least as good a result as a LILCO-only response. Again there is no litigable issue.

III. LILCO's Request For Leave To File A Reply

The Commission's summary disposition rule, 10 C.F.R. § 2.749(a), expressly forbids replies to answers to motions for summary disposition. In this case, however, LILCO asks the Board to allow it to file a reply, pursuant to the Board's authority under 10 C.F.R. § 2.718(e) to "[r]egulate the course of the hearing and the conduct of the participants" as well as its general powers to conduct a fair and impartial hearing according to law. The basis for this request is as follows.

First, since the Intervenors have always kept secret as much as possible what they would do in a real emergency, LILCO has no way of anticipating how they will respond to this motion. See, e.g., Attachment C to this Motion; see also Suffolk County and State of New York Response to ASLB Memorandum and Order Dated October 22, 1984 (Nov. 19, 1984), at 88-99 (dismissing as "speculation" any attempt to address what the State and County would do in an actual emergency). Up until now, the Intervenors have relied on unsworn, extra-record statements that they "would not work in concert with LILCO" and the like[41/] -- statements that the Commission has already said cannot

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41/ Perhaps the most recent version is a letter of March 10, 1987, to Victor Stello of the NRC from the Presiding Officer of the Suffolk County Legislature and the Suffolk

(footnote continued)

be taken at face value. CLI-86-13, 24 NRC at 29 n.9. The County has also suggested at times that its hands are tied by local law (particularly County Resolution No. 111-1983). But that cannot be the case in a real emergency, because State law gives both the Governor and the County Executive the power to suspend laws that interfere with emergency response. See N.Y. Exec. Law, Art. 2-B, §§ 24.1.f, 29-a (McKinney 1982). It is therefore impossible for LILCO to foresee how the Intervenors will attempt to show that they would, despite their best efforts, foil attempts to protect the public. A reply will almost surely be necessary to address whatever novel theory the Intevenors create.

Second, the "legal authority" issue is exceptionally important. It is, in fact, the only major substantive obstacle left to full-power operation. Accordingly, LILCO requests leave to file a reply within ten days of receiving the Intervenors' answer.

(footnote continued)

County Executive. This letter does not, of course, say that the County government would not do its best to protect its people. It does say that "the government of Suffolk County would never use LILCO's emergency plan, or work in concert with LILCO, or rely upon LILCO's advice or judgment in a nuclear emergency." This follows up an earlier letter in which the County Executive said that "Suffolk County has determined . . . that under no circumstances would it follow LILCO's emergency plan or work in concert with LILCO to effect an emergency response to an accident at Shoreham" Letter from Michael A. LoGrande to Victor Stello, January 16, 1987, at 1. These statements, like others of their kind, are unsworn, untested by cross-examination, contrary to New York State law, and contrary to at least two NRC decisions (CLI-85-12 and CLI-86-13).

Respectfully submitted,

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DATED: March 20, 1987

Attachments

A -- Statement of Material Facts as to Which There is No Genuine Issue to be Heard

B -- New York State Radiological Emergency Data Form (Part I)

C -- Cover letter and pages 16-18 from Suffolk County's responses to LILCO's informal discovery requests, Aug. 3, 1983

D -- Sample diagram of traffic control strategy for a particular intersection

E -- Attachment 7 to OPIP 3.6.3 (Order in Which Traffic Control Posts Are Activated During Evacuation)

F -- Attachment 4 to OPIP 3.6.3 (Traffic Control Posts Listing)

G -- Attachment 15 to OPIP 3.6.3 (Procedure for Participation of Suffolk County Police Department During a Radiological Emergency)

H -- Attachment 4 to OPIP 3.6.1 (Thyroid and Whole Body Guidance Charts)

I -- Description of State EBS (2 documents, with one page retyped)

J -- Affidavit of John A. Weismantle in Support of LILCO's Second Renewed Motion for Summary Disposition of the "Legal Authority" Issues (Contentions EP 1-10)

STATEMENT OF THE MATERIAL FACTS AS TO WHICH LILCO CONTENDS
THERE IS NO GENUINE ISSUE TO BE HEARD ON CONTENTIONS EP 1-10

The following are the material facts as to which LILCO contends there is no genuine issue to be heard under Contentions EP 1-10:

Basic Reason Why There Is
No Genuine Issue

1. At the end of 1985, Suffolk County had a police force of 2,599 people, not counting civilian members and crossing guards. (Source: Suffolk County Police Annual Report 1985, at 13.)

2. New York State has communications systems, including but not limited to the following:

a. The State has a mobile emergency communications vehicle (DPC-1), which was designed to provide communication to and from the scene of an emergency to state officials in Albany. (Source: Brochure by New York State Disaster Preparedness Commission entitled "DPC-1 Mobile Emergency Communications Vehicle," dated 5/86.)

b. The Office of Disaster Preparedness has the National Warning System (NAWAS) to all counties and some cities. (Source: New York State Radiological Emergency Preparedness Plan (Rev. July 1984), at III-5.)

c. The Office of Disaster Preparedness district offices have radio systems on State agency networks of the Department of Transportation, Department of Environmental Conservation, Department of State (Fire Prevention and Control), and the Division of State Police. (Source: New York State Radiological Emergency Preparedness Plan (Rev. July 1984), at III-5.)

d. The Division of State Police has statewide police teletype systems and radio systems that interconnect with the Office of Disaster Preparedness district offices. (Source: New York State Radiological Emergency Preparedness Plan (Rev. July 1984), at III-5.)

3. The Suffolk County Police communications network is in effect an emergency plan. (Source: Tr. 5421 (Regensburg).)

4. The Suffolk County Police communications system has built-in redundancy: alarms, fail-safe devices, standby channels, extra transmitters, extra receivers, extra generators at key locations, and qualified and FCC-licensed technicians on duty six days a week. (Source: Tr. 6203 (Snow).)

5. Suffolk County has communications systems including a Local Government network, which includes the County Executive and the Department of Emergency Preparedness, and a mobile communcations van that can be used as a command post on the scene of an emergency or disaster. (Source: 1976 Annual Report of the Suffolk County Department of Emergency Preparedness.)

A. Sirens (Contention 5)

6. Emergency warning sirens to alert the public in a radiological emergency at Shoreham are already installed.

7. The emergency warning sirens can be activated by LILCO or LERO from the LERO Emergency Operations Center (EOC), from the Shoreham Control Room, or from LILCO's Brookhaven Substation.

8. The Radiological Emergency Communications System (RECS) line connects the Shoreham Control Room; LERO (both the Supervising Service Operator and LERO EOC); the Suffolk County Police Department Headquarters in Yaphank; the Suffolk County Department of Fire, Rescue, and Emergency Services; New York State officials in Albany (see no. 9 below); and the New York State Office of Disaster Preparedness Southern District Warning Point in Poughkeepsie.

9. LILCO is currently maintaining (that is, paying the telephone company for) three RECS lines to State officials in Albany:

a. one line to the State Radiological Emergency Preparedness Group in the State Department of Health,

b. one line to the building in which the State Police operate the State Warning Point, and

c. one line to the State EOC.

10. When the RECS line receiver is picked up in the Shoreham Control Room (or in the LERO EOC once it is activated) and the ring button is depressed, the RECS phones ring simultaneously in the other locations.

11. The Suffolk County Police Department headquarters at Yaphank, the Suffolk County Department of Fire, Rescue, and Emergency Services, and the New York State Radiological Emergency Preparedness group in Albany all have commercial phones.

12. All the other operating nuclear power plants in New York State have a RECS line from the power plants to the New York State Radiological Emergency Preparedness Group in Albany.

13. There is a dedicated telephone line from the Shoreham Control Room to the Suffolk County Police Department.

B. EBS Messages (Contention 5)

14. There is an existing New York State Emergency Broadcast System (EBS).

15. The State EBS has a Common Program Control Station-1 (CPCS-1).

16. The State EBS includes a large number of primary stations on Long Island, including the 12 stations that were in the special EBS set up for Shoreham alone.

17. The CPCS-1 has a fifty kw AM station that covers the entire Shoreham 10-mile EPZ.

18. In an emergency the State EBS is activated when the CPCS-1 receives an appropriately validated call from an authorized State or local official.

19. When the CPCS-1 receives such a call, it activates its EBS tone generator.

20. Every other station on the system (including WALK) has a single-frequency tuner set at the CPCS-1's frequency.

21. This tuner is coupled with an EBS-tone activated switch.

22. When an EBS signal is transmitted from the CPCS-1, a switch opens and a signal is given in the control room of each primary station.

23. Each station operator can trigger the station's own EBS signal generator, and the EBS signal can then be transmitted on the station's own frequency.

24. The EBS generator at station WALK triggers the tone alert radios that have been provided to schools and other institutions in the Shoreham EPZ.

25. With appropriate switching, each primary station can rebroadcast EBS messages originating from the CPCS-1.

26. The following people are authorized to activate the EBS system and have the authentication codes necessary to accomplish activation:

a. The Governor of New York or his designee

b. The Suffolk County Executive

c. The Suffolk County Commissioner of the Department of Fire, Rescue, and Emergency Services

d. The Nassau County Executive

e. The Nassau County Director of Emergency Preparedness

27. The State Office of Disaster Preparedness in Albany has a dedicated telephone line to the CPCS-1.

28. For all classes of emergency (Unusual Event, Alert, Site Area Emergency, and General Emergency), written procedures for the Shoreham onsite emergency plan direct the Control Room/TSC/EOF Communicator to notify New York State and Suffolk County. EPIP 1-5 § 5.2 (Rev. 1, 11/15/83).

29. Before Shoreham operates above five percent of rated power, LILCO will provide, for both the offsite and onsite emergency plans, a written procedure that provides substantially as follows:

a. Upon declaration of an Alert or higher emergency the LERO Director of Local Response will request the Suffolk County police (or other established Suffolk County contact) to have an official capable of activating the EBS contact the Director.

b. The LERO Director will make the same request of the State.

c. When such a County or State official calls, the LERO Director will inform him that an emergency has been declared at Shoreham, ask for permission to activate the emergency warning sirens and to broadcast an EBS message, and ask the official to contact the CPCS-1, authenticate his identity, and request that the CPCS-1 call the LERO Director immediately for the EBS message.

d. When the CPCS-1 radio station calls, the LERO Director of Local Response, using a prepared EBS message into which he has entered the emergency-specific information, will be prepared to read the message live over the air.

e. The LERO Director will then re-establish contact with State and/or County officials and coordinate with them the implementation of the emergency plan.

f. The LILCO Supervising Service Operator (SSO) will monitor the CPCS-1.

g. When the SSO hears the emergency tone on the CPCS-1, he will call the Shoreham Control Room and direct that the sirens be activated.

30. EBS messages are pre-written in the LILCO Plan (OPIP 3.8.2. Att. 4).

31. Message A of the pre-written EBS messages tells the public to stay tuned for further information and does not make a protective action recommendation.

32. The information for EBS messages is provided, initially by the onsite LILCO organization, on the New York State Radiological Emergency Data Form that is used by every nuclear plant under every radiological emergency plan in the State (OPIP 3.8.2 Section 5.2.2).

33. LILCO has made only three changes to the first two pages of the State Radiological Emergency Data Form. First, LILCO has substituted letters of the alphabet in place of numbers to designate the emergency planning zones. Second, it has added a footnote at the bottom of the second page. Third, it has typed in the name "Shoreham."

C. Decisions and Recommendations (Contention 6)

34. The State of New York has a New York State Radiological Emergency Preparedness Plan for nuclear power plants other than Shoreham.

35. The New York State Radiological Emergency Preparedness Plan applies to five operating nuclear plants in New York State (two of them owned and operated by the State) and twelve more in other states.

36. The State has personnel who are qualified to make protective action decisions based on dose projections and other data.

37. The State Radiological Emergency Preparedness Plan provides that the State Commissioner of Health will recommend "Protective Action Options" based on the State monitoring assessment and evaluation personnel, equipment, and resources. New York State Radiological Emergency Preparedness Plan (Rev. July 1984), at I-9.

38. The State Plan provides for the State to take over management of the response from a county in the following words:

> In those instances where a county does not have the capability to implement all or part of its Radiological Emergency Response Plan, or the Chief Executive of a county does not elect to put such a plan into effect, State agencies under the direction of the Disaster Preparedness Commission will implement the county's plan using State and local resources and personnel.

New York State Radiological Emergency Preparedness Plan (Rev. July 1984), at I-9.

39. The State Radiological Emergency Preparedness Plan provides for State management of a response in those instances in which the Governor declares a state of emergency. Id. at III-2.

40. Some employees and/or officials of the State of New York are familiar with the LILCO Plan.

41. Some employees and/or officials of Suffolk County are familiar with the LILCO Plan.

42. The State has seven controlled copies of the LILCO Plan and procedures.

43. Suffolk County has eighteen controlled copies of the LILCO Plan and procedures.

44. The New York State Radiological Emergency Preparedness Plan provides that the nuclear facility operator has the "first line responsibility for assessing the magnitude of a radiological emergency and its potential consequences." New York State Radiological Emergency Preparedness Plan (Rev. July 1984), at III-1, I-8, III-29.

45. Suffolk County and New York State officials know that an important purpose of radiological emergency planning is to minimize radiation dose.

46. If a radiological emergency were in progress at Shoreham, New York State and Suffolk County would attempt to stay in contact with LILCO or LERO or both.

47. The New York State Radiological Emergency Preparedness Plan provides that "[a]fter the initial notification, technical personnel from the nuclear facility will remain in contact with the representatives of the State Commissioner of Health and local officials for consultation and ongoing assessment of the emergency." New York State Radiological Emergency Preparedness Plan (Rev. July 1984), at III-1 (Part I, Section III.A.1.a).

48. The Suffolk County Charter makes the Department of Emergency Preparedness [now called the Department of Fire, Rescue, and Emergency Services] "responsible for maintaining operational liaison, in accordance with federal, state and local directives, with all cooperating private agencies; that is, salvation army, red cross, private industry, brookhaven national laboratory, utility companies . . . etc." Suffolk County Charter, Art. XI, § 1102(8).

49. The Suffolk County Charter provides that the Department of Emergency Preparedness "[s]hall identify, locate and plan for the intergration [sic] with

emergency service teams all privately owned construction and health service equipment, all trained construction, radiological, health service and sanitation personnel, and all public utility installation and maintenance personnel . . . ." Id. § 1102(10) (footnote omitted).

50. The New York State Radiological Emergency Preparedness Plan provides that the Office of Disaster Preparedness is to coordinate the assistance furnished by various federal and state agencies, emergency forces from political subdivisions, and quasi-public and private organizations. New York State Radiological Emergency Preparedness Plan (Rev. July 1984), at III-4, -5.

51. The New York State Disaster Preparedness Plan says that services provided to prevent, minimize and respond in recovery after a disaster "will be coordinated to the maximum extent with comparable activities of local governments, other states, the federal government, and voluntary/private agencies of many types." New York State Disaster Preparedness Plan (Rev. Sept. 1982), at 1-3.

52. The LERO Radiation Health Coordinator, an independent consultant to LERO, is available to provide protective action information and advice to State and County officials in an emergency, as is the Department of Energy Radiological Assistance Program (RAP) Team.

D. Traffic Control (Contentions 1 and 2)

53. Because the Suffolk County police are a twenty-four-hour-a-day operation, a good portion of their emergency response force is always on duty. Deposition of Kenneth J. Regensburg, Sept. 8, 1983, at 153.

54. In a mass evacuation, traffic control is desirable.

55. Each LERO traffic guide is given a package of information, including a diagram of the traffic movements to be facilitated and discouraged at his post.

56. Attachment 4 to OPIP 3.6.3 lists the traffic control posts in the LILCO Plan and the traffic movements to be encouraged and discouraged at each post.

57. The Suffolk County Police Commissioner has access to a copy of the LILCO Plan and procedures.

58. Several Suffolk County police officers are familiar with the LILCO traffic control plan.

59. Suffolk County police vehicles are equipped with two-way radios.

60. Suffolk County police officers are trained to direct traffic.

E. Functions Performed in the Aftermath of the Emergency (Contentions 7 and 8)

61. The New York State Radiological Emergency Preparedness Plan calls for the Disaster Preparedness Commission to appoint a Recovery Committee. New York State Radiological Emergency Preparedness Plan (Rev. July 1984), at IV-1.

62. The State has officials who are trained to direct State resources to assist in recovery from a radiological emergency.

F. Issues That Have Been Mooted in Whole or in Large Part (Contentions 3, 9, and 10)

63. The Emergency Operations Center and reception centers for an emergency at Shoreham are private property owned entirely by LILCO. LILCO Plan (Rev. 8) (filed Sept. 18, 1986).

RADIOLOGICAL EMERGENCY DATA FORM

PART I - GENERAL INFORMATION

1. Message transmitted at:
   Date _____ Time _____
   Via _____
2. Facility providing information:
   - [A] Indian Point Unit No. 2
   - [B] Indian Point Unit No. 3
   - [C] Ginna Station
   - [D] Nine Mile Point Unit No. 1
   - [E] FitzPatrick Plant
   - [F] Shoreham Station
   - [G] Other _____
3. Reported by:
   Name _____
   Title _____
   Phone _____
   (if given)
4. This ... A is ... an exercise.
   B is NOT
5. Emergency Classification
   - [A] Unusual Event
   - [B] Alert
   - [C] Site Area Emergency
   - [D] General Emergency
   - [E] Transportation Incident
   - [F] Other _____
6. This classification declared at
   Date _____ Time _____
7. Brief Event Description/
   Initiating Condition: _____
   _____
   _____
   _____
   _____
   _____
8. There has:
   - [A] NOT been a release of radioactivity.
   - [B] been a release of radioactivity to the ATMOSPHERE.
   - [C] been a release of radioactivity to a BODY OF WATER.
   - [D] been a GROUND SPILL release of radioactivity.
9. The release is:
   - [A] continuing.
   - [B] terminated.
   - [C] intermittent.
   - [D] NOT applicable.
10. Protective Actions:
    - [A] There is NO need for Protecti Actions outside the site boun ary.
    - [B] Protective Actions are under consideration.
    - [C] Recommended Protective Action Shelter within _____ miles/ _____ sectors/or ERPA's.
      Evacuate within _____ miles _____ sectors/or ERPA's.
11. Weather:
    - [A] Wind speed _____ miles per h or _____ meters per second.
    - [B] Direction (from) _____ degr
    - [C] Stability class _____ (A-G/or stable, unstable, neutral)
    - [D] General Weather Condition (if available) _____

Message received by _____

Rev.

Attachment C

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

1900 M STREET, N. W.

WASHINGTON, D. C. 20036

TELEPHONE (202) 452-7000
CABLE: KIPHI
TELEX 440806 KIPH UI
WRITER'S DIRECT DIAL NUMBER
(202) 452-7097

IN PITTSBURGH
KIRKPATRICK, LOCKHART, JOHNSON & HUTCHISON
1500 OLIVER BUILDING
PITTSBURGH, PENNSYLVANIA 15222
(412) 355-6500

August 3, 1983

Jessine A. Monaghan, Esq.
Hunton & Williams
707 East Main Street
Richmond, Virginia 23212

Dear Jessine:

Please find enclosed additional responses from Suffolk County to LILCO's informal discovery requests of June 29 and July 6, 1983, with attached documents, and copies of additional informal discovery requests sent by Suffolk County to the NRC Staff.

To our knowledge, all of the documents listed in the enclosed responses, other than those attached to the responses, are either publicly available or are already in LILCO's possession. We have provided appropriate citations to assist you in obtaining those which you do not already have. If you are unable to locate any of the documents listed, please let me know.

If you have any questions concerning discovery-related matters, please do not hesitate to call me.

Sincerely,

John E. Birkenheier

Encls.

cc w/o attachments to enclosures:
David A. Repka, Esq.
Stephen B. Latham, Esq.
James B. Dougherty, Esq.
Ralph Shapiro, Esq.

- Discriminate Analysis of Responses to Shoreham Evacuation Survey
- Chi-Square Analysis of Responses to Shoreham Evacuation Survey
- Regression Analysis of Responses to Shoreham Evacuation Survey

These printouts comprise several thousand pages and will be extremely expensive to copy. All of the information in the computer printouts is reflected in Johnson and Zeigler, Further Analysis And Interpretation Of The Shoreham Evacuation Survey (Nov. 1982), which has been provided to LILCO. However, if LILCO wishes copies of the printouts, please inform us. The County will arrange for copying if LILCO agrees to bear all copying expenses.

The results of discovery and further analyses and studies by the County's consultants may provide further support for the referenced statement.

LILCO Request 102:

Are there any local emergency evacuation plans or similar local plans drafted by Suffolk County, any village or any town, for Brookhaven National Laboratory, Millstone, or Connecticut Yankee? If such plans do exist, please provide copies. If no such plans exist, please explain why Suffolk County does not consider such plans to be necessary.

Response:

Suffolk County cannot respond to this interrogatory to the extent that it pertains to "any village or any town." The County objects to this interrogatory on the grounds that it seeks irrelevant information, but notes that the County has drafted no evacuation plan for Brookhaven National Laboratory, Millstone, or Connecticut Yankee. The County understands that Brookhaven has a plan and that Fishers Island has a plan which was drafted by the Millstone utility. The County further objects to the interrogatory to the extent that it requests the County to "explain why Suffolk County does not consider such plans to be necessary." First, this question is not relevant and is not calculated to lead to any relevant data concerning whether LILCO's plan meets NRC regulatory requirements. Second, the County, as a governmental entity, has not formally considered whether it should or should not prepare such plans and thus cannot "explain" why such plans do not exist. Any answer attempting to "explain" would be purely speculative.

LILCO Request 103:

If emergency planning is deemed by the NRC to be possible for Long Island and a plan is approved by the NRC, will Suffolk County or any of Suffolk County's officials take action to prohibit county employees from responding in an emergency other than by appealing the NRC's decision to the courts?

Response:

This question is objectionable because it calls for speculation rather than for data relevant to whether the LILCO offsite plan meets NRC regulatory requirements. Indeed, the question talks only in general terms about whether "planning is deemed . . . to be possible" and if "a plan is approved by the NRC . . . ." The County cannot describe what action(s) might be taken by a government when and if speculative future events take place. If events take place in the future, the County government will evaluate the events and take the action(s) which are agreed to be appropriate in light of the events which in fact occur. We, of course, do not know what actions might be taken until those events occur. This question also is objectionable for the further reason that it does not pertain to the adequacy of the LILCO offsite plan which is the focus of the instant proceeding. See also Resolutions 262-1982, 456-1982, 457-1982, and 111-1983 which prohibit County involvement in implementing or adopting any plan other than one approved by the Legislature.

LILCO Request 104.

If emergency planning is deemed by the NRC to be possible and a plan is approved by the NRC, will the County adopt regulations, ordinances, or provide LILCO with a permit to conduct any of the activities necessary to execute the emergency plan which the County, in its contentions, has classified as illegal?

Response:

Objectionable. See response to LILCO Request 103. Further, the County cannot speculate whether it will or will not adopt any "regulations, ordinances or provide LILCO with a permit to conduct any of the activities necessary to execute the emergency plan which the County, in its contentions, has classified as illegal." The County, as a party in this proceeding, cannot possibly predict what action(s) its Legislature or executive agencies might take if LILCO asked for permits, etc.

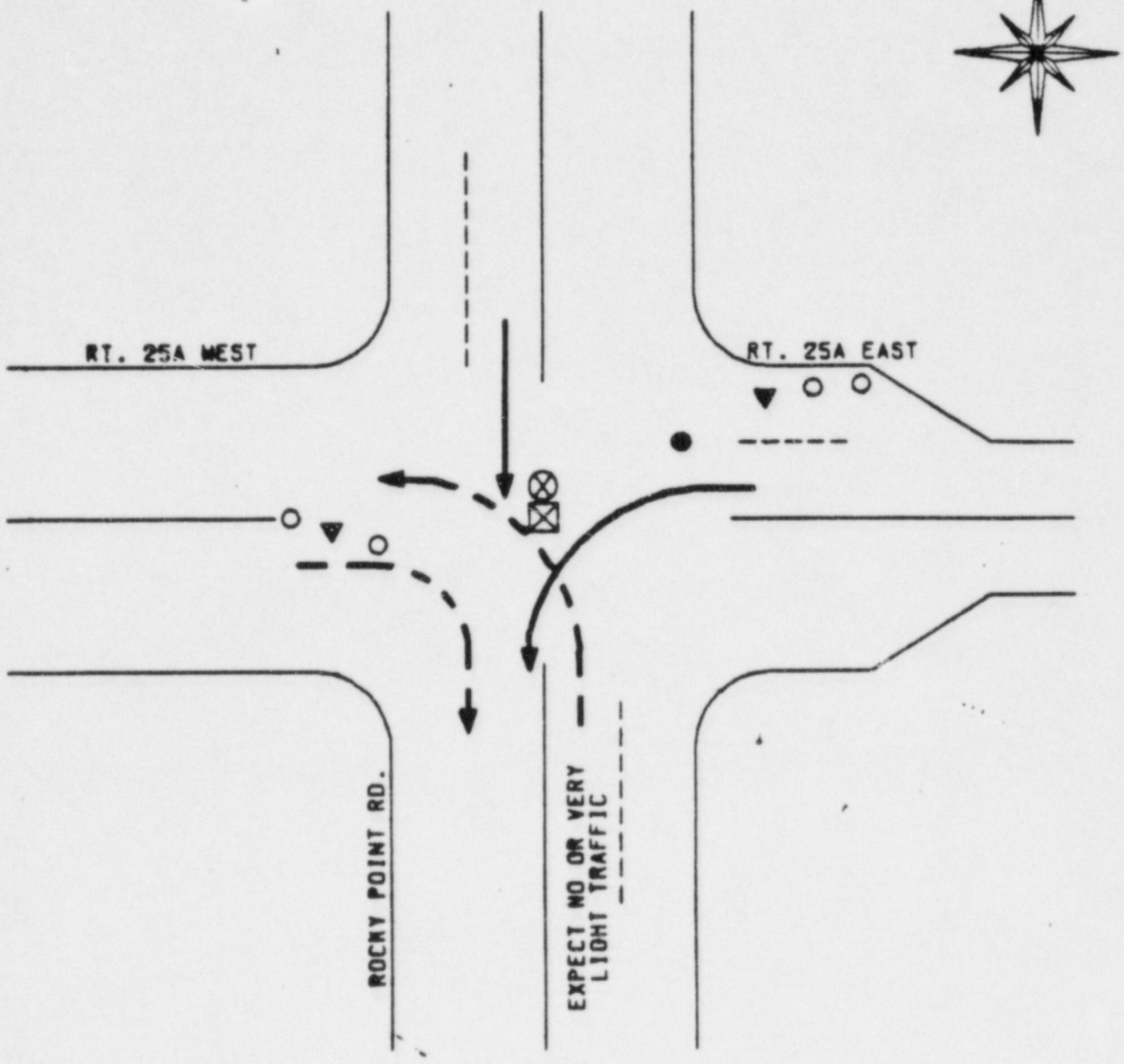
LILCO Request 105:

Provide copies of all documents and information communicated, submitted or provided to Governor Cuomo's Shoreham Commission, to any member of that Commission or to any staff personnel affiliated with that Commission by Suffolk County, its consultants or its agents.

Response:

This interrogatory is overly broad and thus is objectionable. It is not narrowly drawn to request data related to the emergency planning contentions which have been filed but, rather, is a request for all documents relating to any subject (emergency planning, economics, and other topics) addressed by the Cuomo Commission. Such a broad, unfocused request is improper.

TRAFFIC CONTROL POINT # 38



LEGEND

- CONES
- FLASHING LIGHT ON TOP OF CONE
- TRAFFIC GUIDE
- TRAFFIC SIGNAL
- STOP SIGN
- YIELD SIGN
- ROAD SIGN
- EVACUATION ROUTE
- MOVEMENTS TO BE ACCOMMODATED

EVACUATION MOVEMENT TO BE FACILITATED		MOVEMENTS TO BE DISCOURAGED	
FROM	TO	FROM	TO
E	S	ALL	E
N	S	ALL	N

NOTES:

- PLACE CONES TO ALLOW SUFFICIENT GAP FOR VEHICLES TO PASS THROUGH.

ORDER IN WHICH TRAFFIC CONTROL POSTS ARE ACTIVATED DURING EVACUATION

Zones	Wind Direction (From)	Staging Areas		
		Riverhead	Patchogue	Port Jefferson
0 - 2 Miles				
A, B, C, D, E	Any	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 115, 127, 73, 108, 8, 9, 33, 39, 34, 36, 11, 27, 14, 28, 16, 15, 87, 62, 18	126, 31, 32, 35, 130, 65, 66, 54, 53, 124, 75, 70, 77	4, 86, 6, 5, 38
0 - 5 Miles				
A - E, F	SE	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 62, 18, 115, 127, 73, 108, 8, 9, 33, 39, 34, 94, 36, 11, 27, 14, 28, 16, 15, 87	126, 31, 32, 35, 130, 65, 66, 67, 123, 101, 53, 54, 124, 75, 70, 68, 79, 24, 80, 84, 77	4, 86, 6, 5, 81, 85, 43, 82, 83, 110, 42, 109, 107, 106, 56, 57, 41, 58, 91, 92, 37, 38, 118, 40, 1, 104, 103, 100, 121, 122, 117, 44, 74, 113, 45, 105, 46, 47, 50, 52, 49, 55, 48, 98, 114, 97, 90, 96, 89, 102
A - E, F, G	E ENE ESE	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 62, 18, 115, 127, 73, 108, 8, 9, 33, 39, 34, 94, 36, 11, 27, 14, 28, 16, 15, 87	126, 31, 32, 35, 130, 65, 66, 67, 123, 101, 53, 54, 124, 75, 70, 68, 63, 64, 79, 24, 80, 84, 78, 77	4, 86, 6, 5, 81, 85, 43, 82, 83, 110, 42, 109, 107, 106, 56, 57, 41, 120, 122, 93, 58, 91, 61, 59, 60, 92, 37, 38, 118, 40, 1, 104, 103, 100, 121, 117, 44, 74, 113, 45, 105, 46, 47, 50, 52, 49, 88, 55, 119, 48, 98, 114, 97, 90, 96, 89, 102

ORDER IN WHICH TRAFFIC CONTROL POSTS ARE ACTIVATED DURING EVACUATION
(continued)

Zones	Wind Direction (From)	Staging Areas		
		Riverhead	Patchogue	Port Jefferson
0 - 5 Miles (continued)				
A - E, F, G, H	NE	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 62, 18, 115, 127, 73, 108, 8, 9, 33, 39, 34, 94, 36, 11, 27, 28, 14, 16, 15, 87	126, 31, 32, 35, 130, 30, 65, 66, 67, 123, 53, 54, 124, 75, 70, 101, 69, 68, 63, 64, 79, 24, 80, 84, 78, 77, 71, 76	4, 86, 6, 5, 81, 85, 43, 82, 83, 110, 42, 109, 107, 106, 56, 57, 41, 120, 122, 93, 58, 91, 61, 59, 60, 92, 37, 38, 118, 40, 1, 104, 103, 100, 121, 117, 44, 74, 113, 45, 105, 46, 47, 50, 52, 49, 88, 55, 119, 48, 98, 114, 97, 90, 96, 89, 102
A - E, G, H	NNE	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 62, 18, 115, 127, 73, 108, 8, 9, 33, 39, 34, 94, 36, 11, 27, 28, 14, 16, 15, 87	126, 31, 32, 35, 130, 30, 65, 66, 67, 123, 53, 54, 124, 75, 70, 101, 69, 68, 63, 64, 79, 24, 80, 84, 78, 77, 71, 76	4, 86, 6, 5, 38, 40, 92, 41, 121, 120, 122, 93, 37, 57, 56, 88, 50, 91, 58, 119, 61, 59, 60, 97, 52
A - E, G, H, I	N	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 62, 18, 115, 127, 73, 108, 8, 9, 33, 39, 34, 14, 16, 15, 87, 94, 36, 11, 27, 28, 111, 17, 19, 72, 29	126, 31, 32, 35, 130, 30, 65, 66, 67, 123, 53, 54, 124, 75, 70, 101, 69, 68, 63, 64, 79, 24, 80, 84, 78, 77, 71, 76	4, 86, 6, 5, 38, 40, 92, 41, 121, 120, 122, 93, 37, 88, 58, 119, 61, 59, 60, 50, 91

ORDER IN WHICH TRAFFIC CONTROL POSTS ARE ACTIVATED DURING EVACUATION
(continued)

Zones	Wind Direction (From)	Staging Areas		
		Riverhead	Patchogue	Port Jefferson
0 - 5 Miles (continued)				
A - E, H, I, J	WNW NW	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 62, 18, 115, 127, 73, 108, 8, 9, 33, 39, 34, 14, 16, 15, 87, 94, 36, 11, 27, 28, 111, 17, 19, 72, 29, 116	126, 31, 32, 35, 130, 30, 65, 66, 67, 123, 53, 54, 124, 75, 70, 77, 71, 76	4, 86, 6, 5, 38
A - E, I, J A - E, J	W SW WSW	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 115, 127, 73, 108, 8, 9, 33, 39, 34, 14, 15, 16, 87, 17, 116, 72, 19, 29, 94, 36, 11, 27, 28, 111, 62, 18	126, 31, 32, 35, 130, 65, 66, 67, 123, 53, 54, 124, 75, 70, 77	4, 86, 6, 5, 38
A - E, G, H, I, J	NNW	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 62, 18, 115, 127, 73, 108, 8, 9, 33, 39, 34, 14, 16, 15, 87, 94, 36, 11, 27, 28, 111, 17, 19, 72, 29, 116	126, 31, 32, 35, 130, 30 65, 66, 67, 123, 53, 54, 124, 75, 70, 101, 69, 68, 63, 64, 79, 24, 80, 84, 78, 77, 71, 76	4, 86, 6, 5, 38, 40, 92, 41, 121, 120, 122, 93, 37, 88, 58, 119, 61, 59, 60, 50, 91

ORDER IN WHICH TRAFFIC CONTROL POSTS ARE ACTIVATED DURING EVACUATION
(continued)

Zones	Wind Direction (From)	Staging Areas		
		Riverhead	Patchogue	Port Jefferson
Complete 0 - 5 Mile Evacuation				
A - J	Any	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 62, 18, 115, 127, 73, 108, 8, 9, 33, 39, 34, 14, 16, 15, 87, 94, 36, 11, 27, 28, 111, 17, 19, 72, 29, 116	126, 31, 32, 35, 130, 30, 65, 66, 67, 123, 53, 54, 124, 75, 70, 101, 69, 68, 63, 64, 79, 24, 80, 84, 78, 77, 71, 76	4, 86, 6, 5, 38, 81, 85, 43, 82, 83, 110, 42, 109, 107, 106, 56, 57, 41, 120, 122, 93, 92, 37, 118, 40, 1, 104, 103, 100, 121, 117, 44, 74, 113, 45, 105, 46, 47, 50, 52, 49, 88, 55, 119, 58, 91, 61, 59, 48, 60, 98, 114, 97, 90, 96, 89, 102
0 - 10 Miles	The following Traffic Control Points are to be activated in addition to and after those activated for the 0 - 5 mile area: Zones A - J			
A - J, K, Q	SE ESE			51
A - J, K, L, Q, R	E			51
A-J, K, L, M, Q, R	ENE			51
A - J, K, L, M, N, Q, R	NE	26		51

ORDER IN WHICH TRAFFIC CONTROL POSTS ARE ACTIVATED DURING EVACUATION
(continued)

Zones	Wind Direction (From)	Staging Areas		
		Riverhead	Patchogue	Port Jefferson
0 - 10 Miles (continued)	The following Traffic Control Points are to be activated in addition to and after those activated for the 0 - 5 mile area: Zones A - J			
A - J, K, L, M, N, O, R	N NNE	20, 21, 22, 23, 25, 26, 112		51
A - J, L, M, N, O, S	NNW	20, 21, 22, 23, 25, 26, 112		
A - J, N, O, P, S	NW	20, 21, 22, 23, 25, 26, 112		
A - J, O, P, S	WSW WNW W	20, 21, 22, 23, 25, 26, 112		
A - J, P	SW	20, 21, 22, 23, 25, 26, 112		
Complete 0 - 10 Mile Evacuation				
A - S	Any	2, 3, 99, 95, 10, 7, 13, 12, 129, 128, 125, 62, 18, 115, 127, 73, 108, 8, 9, 33, 39, 34, 14, 16, 15, 87, 94, 36, 11, 27, 28, 111, 17, 19, 72, 29, 116, 20, 21, 22, 23, 25, 26, 112	126, 31, 32, 35, 130, 30, 65, 66, 67, 123, 53, 54, 124, 75, 70, 101, 69, 68, 63, 64, 79, 24, 80, 84, 78, 77, 71, 76	4, 86, 6, 5, 38, 81, 85, 43, 82, 83, 110, 42, 109, 107, 106, 56, 57, 41, 120, 122, 93, 92, 37, 118, 40, 1, 104, 103, 100, 121, 117, 44, 74, 113, 45, 105, 46, 47, 50, 52, 49, 88, 55, 119, 58, 91, 61, 59, 48, 60, 98, 114, 97, 90, 96, 89, 102, 51

TRAFFIC CONTROL POSTS LISTING

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
1	Lower Rocky Point Road	Sound Beach Blvd.	Port Jefferson	1	0	0	NE	W	SE W	NE NE
2	North Country Road	Pheasant Run	Riverhead	1	3	1	—	—	E S	W W
3	North Country Road	Valentine Road	Riverhead	1	3	1	N	SW	N SW	E E
4	North Country Road	Randall Road	Port Jefferson	1	4	1	NE	S	SW S	NE NE
5	North Country Road	Woodville Road	Port Jefferson	2	8	2	N	S	All	N
	Route 25A						N W	E E	All	NE
6	Route 25A	Ridge Road	Port Jefferson	1	4	1	W N	S S	All All	N W
7	Whiskey Road	Ridge Road	Riverhead	1	0	0	N E	S S	All All	N E
8	William Floyd Parkway	Whiskey Road	Riverhead	2	8	2	N	S	S W	W N
9	Middle Country Road (Route 25)	Ridge Road	Riverhead	2	11	4	N N	S W	All All	N E
10	Middle Country Road (Route 25)	Wading River Manor Road	Riverhead	1	6	2	N E	S S	All All	N W

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
11	Wading River Manor Road	Grumman Boulevard	Riverhead	1	6	2	N E	S S	S E	N N
12	Route 25A	Hulse Landing Road	Riverhead	1	5	1	N	SE	SE	NW
13	Middle Country Road (Route 25)	Route 25A (North Country Road)	Riverhead	1	8	2	NW W	E E	All	NW
14	Middle Country Road (Route 25)	Edwards Avenue	Riverhead	1	8	2	W N	S E	All All	N W
15	Edwards Avenue	River Road	Riverhead	1	3	1	N W N	S S E	All All	N W
16	Edwards Avenue	LIE, Exit 71 Westbound Entrance Ramp	Riverhead	1	4	1	N	W	All	N
17	Nugent Drive	Toppings Path	Riverhead	1	3	1	—	—	All	W
18	Route 25 W/B	William Floyd Parkway S/B on ramp	Riverhead	1	4	1	E	S	E	W
19	Route 25	LIE, Exit 72 W/B on ramp	Riverhead	1	6	2	SE	SW	All	NW
20	Route 25	Court Street	Riverhead	1	6	2	W	S	All All	W NE
21	Route 25	Peconic Avenue	Riverhead	1	3	1	All	S	All	W

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
22	Old Country Road	Osborne Avenue	Riverhead	1	10	3	All	S	All All	W N
23	Route 58 Old Country Road	Roanoke Avenue	Riverhead	2	9	2	N W	E E	All All	N W
24	Patchogue Mount-Sinai Rd (CR 83)	Horseblock Road	Patchogue	1	0	0	N	S	—	—
25	Sunrise Highway (Route 27)	East Moriches - Riverhead Road	Riverhead	2	10	5	NE	W	—	—
26	Wading River Road/ Chichester Avenue	Sunrise Highway W/B on Ramp Exit #59	Riverhead	1	7	2	N	W	All	N
27	Wading River Road	LIE, Exit 69, W/B on ramp	Riverhead	1	7	2	N	W	All	N
28	Center Moriches Road/ Wading River Road	North Street	Riverhead	1	0	0	N	S	All S E	N W W
29	Route 25	River Road	Riverhead	1	0	0	All	SE	SW	NW
30	William Floyd Parkway	Victory Avenue	Patchogue	1	0	0	N E	W W	All	N
31	Long Island Expressway	William Floyd Parkway	Patchogue	4	10	5	N (Ramp) E (Expy)	W (Expy) W (Expy)	— —	— —

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
32	Long Island Expressway	William Floyd Parkway	Patchogue	1	4	1	N (Ramp) E (Svc. Rd.)	W (Expy) W (Expy)	— —	— —
33	William Floyd Parkway	Longwood Road	Riverhead	3	20	7	N W	S S	All	W
34	Longwood Road	Smith Road	Riverhead	1	0	0	N	E	All	N
35	Middle Country Road (Route 25)	Rocky Point Road	Patchogue	2	8	3	N E	W S	All All	N E
36	Smith Road	Medford Road	Riverhead	1	0	0	E	S	All	E
37	Route 25A	Broadway	Port Jefferson	1	4	1	All	E	All	N
38	Route 25A	Rocky Point Road	Port Jefferson	1	7	2	E N	S S	All All	E N
39	Middle Country Road (Route 25)	Randall Road	Riverhead	1	0	0	N	W	All	N
40	Route 25A	North Country Road	Port Jefferson	1	0	0	NW E	W W	NW	E
41	Route 25A	Miller Place Road	Port Jefferson	1	14	4	All	W	All	N
42	Lower Rocky Point Road	North Country Road	Port Jefferson	2	0	0	N	SW	All All	N E

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
43	North Country Road	Pipe Stave Hollow Road	Port Jefferson	2	4	1	All	SW	All	NE
44	North Country Road	Mt. Sinai - Coram Road	Port Jefferson	1	8	2	E	W	All All	N E
45	North Country Road	Crystal Brook Hollow Road	Port Jefferson	1	0	0	E N	W S	All	E
46	North Country Road	Oakland Avenue	Port Jefferson	1	0	0	All	W	All	E
47	North Country Road	Main Street	Port Jefferson	1	3	1	All	W	All	E
48	Main Street (Route 25A)	Broadway	Port Jefferson	1	3	1	E S	W W	All All	E S
49	Route 112	Hallock Avenue	Port Jefferson	2	15	3	—	—	All	E
50	Route 112	Nesconset Road	Port Jefferson	2	25	5	All	W	All	E
51	Terryville Road	At Terryville Elementary School	Port Jefferson	1	0	0	—	—	All	N
52	Nesconset Road	Jayne Boulevard	Port Jefferson	2	6	2	All	W	All All	E N
53	Yaphank Middle Island Rd.	Bartlett Road	Patchogue	1	3	1	NE	S	All	NE
54	Yaphank Middle Island Rd.	Longwood Road	Patchogue	1	3	1	All	SW	All	NE

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
55	Route 25A	Mt. Sinai - Coram Road	Port Jefferson	1	8	2	E W	W S	All	N
56	Route 25A	Route 83 (Patchogue - Mt. Sinai Road)	Port Jefferson	4	34	11	E E	W S	All	E
57	Route 25A	Echo Avenue	Port Jefferson	2	12	3	E NE	W W	W NE	NE E
58	Route 83 (Patchogue - Mt. Sinai Road)	Canal Road	Port Jefferson	2	7	2	N N E	W S S	All	N
59	Route 83 (Patchogue - Mt. Sinai Road)	Route 112 (Port Jefferson - Patchogue Rd.	Port Jefferson	1	8	2	E E N	W S W	All All	E N
60	Old Town Road	Patchogue - Mt. Sinai Road (Route 83)	Port Jefferson	1	4	1	NE	SW	All	NE
61	Route 83 (Patchogue - Mt. Sinai Road)	Pine Road	Port Jefferson	1	7	2	N	S	All	N
62	William Floyd Parkway S/B	Ramp to W/B Route 25	Riverhead	1	5	1	N	S	N	W
63	Middle Country Road (Route 25)	Route 83 (Patchogue - Mt. Sinai Road)	Patchogue	2	14	4	N E N	S W W	All All E	N E S
64	Route 83 (Patchogue - Mt. Sinai Road)	Mooney Pond Road	Patchogue	1	0	0	N	S	All All	E N

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
65	Route 25 (Middle Country Road)	Route 112 (Port Jefferson-Patchogue Road)	Patchogue	2	7	2	NW E	SE W	All All	E NW
66	Route 112 (Port Jefferson - Patchogue Road)	Grand Smith Road	Patchogue	2	8	2	NW N	S S	All All	SE N
67	Route 25 (Middle Country Road)	Mt. Sinai - Coram Road	Patchogue	1	4	1	E N	W W	All All	N E
68	Route 112 (Port Jefferson - Patchogue Road)	Granny Road	Patchogue	2	0	0	N E E	W W S	All All	N E
69	Mill Road (Coram Road)	Bellport Avenue	Patchogue	1	0	0	—	—	All	NW
70	ratchogue - Yaphank Road	LIE, Exit 66, W/B Entrance Ramp	Patchogue	1	7	2	N	W	All	N
71	Horseblock Road	Yaphank Ave.	Patchogue	1	4	1	NE	SW	All	NE
72	Old Country Road	LIE, Exit 73, W/B on ramp	Riverhead	1	6	1	SE	W	SE	NW
73	North Country Road	Wading River - Manorville Road	Riverhead	1	5	2	SE NW	S S	All	NW
74	Shore Road	Old Post Road	Port Jefferson	1	4	1	NE	NW	All	NE

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
75	Sills Road	Coram Road & Patchogue - Yaphank Road	Patchogue	1	3	1	E	S	All	E
76	Bellport Avenue	Patchogue - Yaphank Road	Patchogue	1	0	0	—	—	All All	N NE
77	Port Jefferson - Patchogue Road (Route 112)	LIE, Exit 64, W/B Entrance Ramp	Patchogue	1	7	2	N	W	All	N
78	Port Jefferson - Patchogue Road (Route 112)	Horseblock Road	Patchogue	2	8	2	N	S	All All	N E
79	Patchogue - Mt. Sinai Road (CR 83)	Granny Road	Patchogue	1	9	3	NE N	S S	All	NE, N
80	Patchogue - Mt. Sinai Road (CR83)	LIE, Exit 63, W/B Entrance Ramp	Patchogue	2	0	0	N N	W S	—	—
81	North Country Road	Shore Road	Port Jefferson	2	15	5	E E	NW SW	All	E
82	North Country Road	Ravine Drive/Engle Court	Port Jefferson	2	0	0	E	W	All	E
83	North Country Road	Honey Lane	Port Jefferson	1	0	0	E	W	All	E
84	Sunrise Highway (Route 27)	North Ocean Avenue	Patchogue	1	0	0	E N	W W	—	—

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
85	Lower Rocky Point Road	Woodhull Landing Road	Port Jefferson	1	3	1	E	W	All	E
86	Randall Road	Route 25A	Port Jefferson	1	7	2	N	E	N All All	W S N
87	Edwards Ave.	Long Island Expressway Westbound Entrance Ramp	Riverhead	2	10	5	NE E	W W	—	—
88	Whiskey Road	Canal Road	Port Jefferson	1	3	1	E	NW	All	E
89	Nesconset Road (Route 347)	Belle Meade Road	Port Jefferson	1	3	1	N NE	SW SW	All	N NE
90	Lower Sheep Pasture Road	Upper Sheep Pasture Road	Port Jefferson	1	6	2	E	SW	All	E
91	Rose Lane	Port Jefferson & Patchogue Rd. (Rt. 112)	Port Jefferson	1	6	2	E S	N N	All All	S E
92	North Rocky Point Landing Road	Route 25A	Port Jefferson	1	6	2	NW	W	All	E
93	Miller Place - Yaphank Road	Jonah Road/Radio Avenue	Port Jefferson	1	3	1	E	S	All All	N E
94	Route 25 (Middle Country Road)	Wading River Hollow Road	Riverhead	1	0	0	E	W	All	E

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
95	Route 25 E/B	Ramp to S/B William Floyd Parkway	Riverhead	1	7	2	—	—	W	E
96	Upper Sheep Pasture Road	Belle Meade Road	Port Jefferson	1	6	2	E	S	All	E
97	Nesconset Road (Route 347)	Old Town Road	Port Jefferson	1	0	0	E	W	All	E
98	Old Town Road	Sheep Pasture Road	Port Jefferson	2	0	0	NE	SW	All	NE
99	Route 25 W/B	Ramp to N/B William Floyd Parkway	Riverhead	1	6	2	E	W	E	N
100	Echo Avenue	North Country Road	Port Jefferson	1	0	0	NE	SW	All All	NE SE
101	Yaphank Road	Granny Road	Patchogue	1	0	0	N E	W W	All All	E N
102	Nicolls Road	North Country Road (Route 25A)	Port Jefferson	1	6	2	E	W	All	E
103	Sound Beach Boulevard	Northport Avenue & New York Avenue	Port Jefferson	1	0	0	—	—	—	—
104	Rocky Point Road	North Rocky Point Landing Road	Port Jefferson	1	0	0	—	—	All	N

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
105	Nesconset Road (Route 347)	Hallock Avenue	Port Jefferson	1	0	0	E	W	All	NW
106	Lower Rocky Point Road	Daisy Lane	Port Jefferson	1	0	0	E N	W W	All	E
107	Lower Rocky Point Road	Gully Landing Road	Port Jefferson	1	0	0	E N	S S	All	E
108	North Country Road	Sound Avenue	Riverhead	1	6	2	—	—	All All	NW W
109	Lower Rocky Point Road	Grandview Boulevard	Port Jefferson	1	0	0	N	S	All	N
110	North Country Road (Route 27)	Sylvan Avenue	Port Jefferson	1	0	0	E	W	All	E
111	Port Jefferson - West Hampton Road	LIE, Exit 70, W/B on ramp	Riverhead	1	6	2	N	W	All	N
112	Roanoke Avenue	Middle Road	Riverhead	1	6	2	—	—	All All	N W
113	Crystal Brook Hollow Road	Old Post Road/E. Broadway	Port Jefferson	1	0	0	E N	W S	All	E
114	Sheep Pasture Road	Comsequogue Road	Port Jefferson	1	0	0	E	W	--	--

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
115	Whiskey Road	Randall Road	Riverhead	1	0	0	N	W	All	N
116	Sound Avenue	Doctor's Path	Riverhead	1	4	1	—	—	All	W
117	Echo Avenue	Miller Place Road	Port Jefferson	1	0	0	NE E	S,SW S,SW	All All	NE N
118	Bellock Landing Road	North Rocky Point Landing Road	Port Jefferson	1	0	0	N	S	All All	N NW
119	Canal Road	Mt. Sinai - Coram Road	Port Jefferson	1	0	0	E N	W S	All All	N E
120	Whiskey Road	Miller Place - Yaphank Road	Port Jefferson	1	0	0	E N	W,S W,S	All All	E N
121	Whiskey Road	Rocky Point Road	Port Jefferson	1	0	0	N N	S W	All All	W E
122	Rocky Point Road	Miller Place - Yaphank Road	Port Jefferson	1	8	2	N	S	All All	N NW
123	Route 25 (Middle Country Road)	East Bartlett Road	Patchogue	2	8	2	E E	W S	All	E
124	Yaphank - Middle Island Road	Main Street	Patchogue	2	8	2	N N	W SE	All	N

TRAFFIC CONTROL POSTS LISTING
(continued)

TCP No.	Location		Staging Area	Number of Traffic Guides	Equipment		Evacuation Movements to be Facilitated		Movements to be Discouraged	
					Cones	Flashing Lights	From	To	From	To
125	Route 25A	William Floyd Parkway	Riverhead	2	20	5	E W	S S	All All	W E
126	William Floyd Parkway S/B	LIE, Exit 68, NW ramp	Patchogue	2	4	1	N N	W S	— —	— —
127	North Wading River Road	North Country Road	Riverhead	1	7	2	E NW	S S	All	NW
128	Route 25A	Wading River - Manorville Road	Riverhead	1	3	1	N	S	All	N
129	Hulse Landing Road	Sound Avenue	Riverhead	1	6	2	N	S	All	W
130	Route 25 (Middle Country Road)	Grand Smith Road	Patchogue	1	0	0	E E	W S	All	E

PARTICIPATION OF SUFFOLK COUNTY POLICE DEPARTMENT DURING A RADIOLOGICAL EMERGENCY

Traffic Control Point Coordinator

A Suffolk County Police Department Representative will be arriving at the EOC.

1. Brief the SCPD Representative on the status of the emergency.

2. Describe the types of assistance that SCPD could provide as listed below:

   - Traffic Guidance
   - Route Alerting
   - Evacuation Route Spotting

3. Instruct SCPD Representative to contact the Police Dispatcher to determine available police officers and provide them with the following instructions:

   a. Proceed to nearest staging area. Staging area locations are as follows:

      - Riverhead, LILCO Operations Center on Doctor's Path
      - Patchogue, LILCO District Office on E. Main Street and Conklin Drive
      - Port Jefferson, Port Jefferson Power Station

   b. At staging area, report to Lead Traffic Guide for further instructions.

4. Contact Lead Traffic Guides at staging areas and inform them of SCPD's participation during the evacuation and of the number of police officers reporting to each location.

5. Instruct SCPD Representative to maintain contact with police in field and relay information to EOC staff.

6. The following traffic control points are located in the town of Riverhead and are staged out of the Riverhead Staging Area:

10	15	23	112
11	19	29	116
12	20	72	127
13	21	73	128
14	22	108	129

   All other traffic control points are located in the town of Brookhaven.

PARTICIPATION OF SUFFOLK COUNTY POLICE DEPARTMENT DURING A RADIOLOGICAL EMERGENCY

(continued)

Lead Traffic Guide(s)

1. Brief police on the status of the emergency.

2. Assign police to the following duties, as practicable:

   - Traffic Guide
   - Evacuation Route Spotter
   - Route Alert Driver

3. Brief the police on general job responsibilities and the radiation monitoring equipment issued to LERO workers. Arrange for linkage with counterpart LERO workers to assure appropriate radiation monitoring and job information for police.

4. If police have received dosimetry equipment and training in radiation fundamentals, they may work independently and need not be accompanied by a LERO worker.

THYROID GUIDANCE CHART

IF	THEN
Projected dose (Item 19) is less than 5 rem	No action
Shelter dose (Item 23) is less than 25 rem	Shelter*
Shelter dose (Item 23) is equal to or greater than 25 rem and evacuation dose (Item 21) is equal to or greater than shelter dose	Shelter*
Shelter dose (Item 23) is equal to or greater than 25 rem and evacuation dose (Item 21) is less than shelter dose	Evacuate

* Shelter is to be with ventilation control. Ventilation control means turning off air conditioners or fans, closing doors and windows thus preventing access of outside air. Proceed to a basement if available.

WHOLE BODY GUIDANCE CHART

IF	THEN
Projected dose (Item 16) is less than 1 rem	No action
Shelter dose (Item 22) is less than 5 rem	Shelter*
Shelter dose (Item 22) is equal to or greater than 5 rem and evacuation dose (Item 20) is equal to or greater than shelter dose	Shelter*
Shelter dose (Item 22) is equal to or greater than 5 rem and evacuation dose (Item 20) is less than shelter dose	Evacuate

* Shelter is to be with ventilation control. Ventilation control means turning off air conditioners or fans, closing doors and windows thus preventing access of outside air. Proceed to a basement if available.

EPA PAG GUIDE

Projected Dose (Rem) to the Population	Recommended Actions[a]	Comments
Whole body <1 Thyroid <5	No planned protective actions.[b] LERO may issue an advisory to seek shelter and await further instructions. Monitor environmental radiation levels.	Previously recommended protective actions may be reconsidered or terminated.
Whole body 1 to <5 Thyroid 5 to <25	Seek shelter as a minimum. Consider evacuation. Evacuate unless constraints make it impractical. Monitor environmental radiation levels. Control access.	If constraints exist, special consideration should be given for evacuation of children and pregnant women.
Whole body 5 and above Thyroid 25 and above	Conduct mandatory evacuation. Monitor environmental radiation levels and adjust area for mandatory evacuation based on these levels. Control access.	Seeking shelter would be an alternative if evacuation were not immediately possible.
Projected Dose (Rem) to Emergency Team Workers		
Whole body 25 Thyroid 125	Control exposure of emergency team members to these levels except for lifesaving missions. (Appropriate controls for emergency workers, include time limitations, respirators, and stable iodine.)	Although respirators and stable iodine should be used where effective to control dose to emergency team workers, thyroid dose may not be a limiting factor for lifesaving missions.
Whole body 75	Control exposure of emergency team members performing lifesaving missions to this level. (Control of time of exposure will be most effective.)	

(a) These actions are recommended for planning purposes. Protective action decisions at the time of the incident must take existing conditions into consideration.

(b) At the time of the incident, officials may implement low-impact protective actions in keeping with the principle of maintaining radiation exposures as low as reasonably achievable.

Attachment I

THE STATE OF NEW YORK
EMERGENCY BROADCAST SYSTEM (EBS) OPERATIONAL PLAN

JULY, 1981

MAY 2 8 1991

THE STATE OF NEW YORK

EMERGENCY BROADCAST SYSTEM OPERATIONAL PLAN

This plan was prepared by the New York State Emergency Communications Committee in cooperation with the New York State Office of Disaster Preparedness and the National Weather Service.

NOTE: Internal local operating procedures of the broadcasters, State officials or the National Weather Service, relating to the State EBS Operational Plan may be attached as an Annex.

April, 1981

TABLE OF CONTENTS

PURPOSE

The purpose of this document is to explain and provide procedures for the broadcasting industry and the New York State Office of Disaster Preparedness to disseminate emergency information and instructions in threatened or actual Statewide emergencies.

AUTHORITY

Title 47 U.S.C. 151, 154(i), (o), and 303(r); Chapter I, Part 73, Subpart G, Federal Communications Commission Rules and Regulations, Radio Broadcast Services, Emergency Broadcast System (EBS) as pertains to day-to-day emergency operations.

INTRODUCTION

These procedures were prepared by the New York State Emergency Communications Committee Chairman, the New York State Office of Disaster Preparedness, the Federal Communications Commission-Emergency Communications Division and the National Weather Service. It provides background data and prescribes specific procedures for the broadcast media to issue emergency information and warning to the general public in New York, at the request of the New York State Office of Disaster Preparedness.

Acceptance of/or participation in this plan shall not be deemed to prohibit a licensee from exercising his independent discretion and responsibility in any given situation. The concept of management of each broadcast station to exercise discretion regarding the broadcast of emergency information and instructions to the general public, is provided by the Federal Communications Commission Rules and Regulations, Part 73, Subpart G. Stations originating emergency communications shall be deemed to have conferred rebroadcast authority. (Refer to FCC Rules §73.935(6).

These procedures shall be considered an Appendix to and part of the Basic Emergency Broadcast System (EBS) Plan.

Detailed procedures have been agreed upon by the broadcast industry and the New York State Office of Disaster Preparedness which will permit the Governor to issue emergency information and instructions via the State EBS Network in threatened or actual emergencies. Local jurisdictions in conjunction with local broadcasters have agreed on detailed procedures that were approved to permit local officials to issue emergency information and instructions who will operate in accordance with the established EBS Plan in the event of a national emergency or State emergency.

GENERAL CONSIDERATIONS

The listening and viewing habits of the general public are inherent factors for consideration and are conducive to the positive effectiveness of the New York State Emergency Broadcast System (EBS). The instinctive reaction of the average person is to turn on his radio or television set in time of emergency. However, continuing public education is required to increase public awareness of the New York State Emergency Broadcast System (EBS) as an established medium for the receipt and/or distribution of emergency information to the general public at the local, State and National levels.

DEFINITIONS

EMERGENCY: A situation posing an extraordinary threat to the safety of life and property. Examples are, but not limited to: attack, tornadoes, flash floods, icing conditions, heavy snows, widespread fires, discharge of toxic gases, widespread power failures, industrial explosions, civil disorders and nuclear incidents.

SEVERE WEATHER WATCH: A severe weather WATCH indicates that the probabilities of a particular severe weather storm are high, and is an alert to the public of such severe weather conditions.

SEVERE WEATHER WARNING: A severe weather WARNING indicates that a particular severe weather storm has actually been sighted in an area or indicated by radar, and serves notice to the public that severe weather conditions are almost certain to occur.

DESIGNATED GOVERNMENT OFFICIALS: The person or persons designated by governments signatory to this procedure to request activation of the Emergency Broadcast System (EBS) and to make emergency announcements/broadcasts.

ACTIVATION

The New York Emergency Broadcast System (EBS) is activated by a request from authorized officials to the State's Originating Primary Relay Stations (ORIG PRI RELAYS). The "ORIG PRI RELAYS": WABC, WCBS, WNBC in New York City are the key stations with respect to activation of the EBS at the State level.

Each Common Program Control Station-1 (CPCS-1) and/or Primary Relay in the State shall monitor WABC, WCBS, WNBC in New York City or according to the monitor assignment list on Page 3 for further dissemination of State level emergency information to other Primary Station and the public.

GENERAL PROCEDURES FOR USE OF BROADCASTING FACILITIES

A. When a severe weather WATCH is issued by the National Weather Service (NWS) for the State of New York, many radio stations in New York State can receive copy of the WATCH over the following networks: Associated Press (AP), United Press International (UPI), the NOAA Weather Wire, or the NOAA Weather Radio.

B. When a severe weather WARNING is issued by the National Weather Service (NWS) for the State of New York, the Governor or his designee, will notify the Originating Primary Relay Stations (ORIG PRI RELAYS), Radio Stations WABC, WCBS, WNBC in New York City.

C. When any situation exists such as widespread fires, the Governor or his designee, will determine whether or not to request activation of the New York State Emergency Broadcast System through the Originating Primary Relay Stations (ORIG PRI RELAYS), Radio Stations WABC, WCBS, WNBC in New York City.

D. For emergency situations not involving the entire State, local authorities may request activation of the Emergency Broadcast System through the Operational Area Common Program Control Station or Primary Station(s) serving the affected area.

E. The New York State Emergency Communications Committee and the New York State Office of Disaster Preparedness will develop authentication procedures required to request activation of the New York State Emergency Broadcast System.

COMMUNICATIONS BETWEEN THE NEW YORK STATE OFFICE OF DISASTER PREPAREDNESS, THE NATIONAL WEATHER SERVICES IN NEW YORK STATE AND THE BROADCAST STATIONS IN NEW YORK STATE

1. Commercial telephone exists between the New York State Office of Disaster Preparedness and all the National Weather Service facilities in New York State and all broadcast stations in New York State.

2. A direct two-way radio RPU (Remote Pickup Unit) communications capability exists between the New York State Office of Disaster Preparedness and WGY as back up.

3. Dedicated telephone lines connect the New York State Office of Disaster Preparedness with WABC, WCBS, WNBC in New York City and the following radio stations in New York State: WGY, WBEN, WEEN, WHAM, WHEN, WPTR, WROC, WRUN, WSYR and WTRY.

4. TELEPHONE NUMBERS

New York State Office of Disaster Preparedness - (518) 457-2200.

The State Emergency Committee Chairman (SECC) for the State of New York is Mr. Charles B. King, G.E. Broadcasting Company - (518) 385-1234.

NATIONAL WEATHER SERVICE OFFICES

ALBANY	(518) 472-6586
BINGHAMTON	(607) 773-2796
BUFFALO	(716) 632-2223
NEW YORK CITY	(212) 399-5571
ROCHESTER	(716) 328-7633
SYRACUSE	(315) 455-1214

NEW YORK STATE NETWORK STATIONS

CITY	MONITORS	STATION	TELEPHONE NUMBER
Albany	WGY	WROW (AM/FM)	(518) 436-7232/462-6474
Binghamton	WNDS	WNBF, WQYT (FM)	(607) 772-8400
Buffalo	WKBW	WBEN (AM/FM), WBAM (AM)	(716) 876-1344
Elmira	WHAM	WENY, WLEE (FM)	(607) 739-0344
New York	WNBC	WCBS (AM/FM)	(212) 765-4321
New York	WCBS	WABC, WPLJ (FM)	(212) 581-7777
New York	WABC	WNBC, WNWS (FM)	(212) 664-4444
Plattsburgh	WVMT	WEAV, WGFB (FM)	(518) 561-0960
Potsdam	WNCQ	WPDM, WBSM (FM)	(315) 265-5510
Rochester	WNTQ	WHAM, WEFM (FM)	(716) 454-4884
Schenectady	WROW/WNBC	WGY, WGFM (FM)	(518) 385-1385
Syracuse	WFBL	WSYR (AM/FM), WTRY (AM)	(315) 474-3911
Utica	WGY	WIBX, WIBQ (FM)	(315) 736-9313
Watertown	WSYR	WTNY	(315) 788-0790

IMPLEMENTATION

A. Procedures for Activating EBS

1. Request activation of the EBS facilities through the New York State Office of Disaster Preparedness - Telephone Number: (518) 457-2200 using prearranged authentication procedures (See Annex A) as soon as possible.

2. Work out broadcast details (i.e., live or recorded, immediate or delayed) with broadcast station personnal.

3. It is recommended that State government officials use the following format when delivering the emergency announcement. The format is deliberately general in nature to allow for the uniqueness of each emergency situation, yet broad enough to insure completeness.

   a. "This is _____ with a request to activate
   (Name/Title)
   the New York Emergency Broadcast System. I authenticate as follows:

   _____.

   b. Situation summary (describe the nature of the emergency).

   c. Instructions or message to the public.

   d. Actions being taken by State.

4. Keep line open if necessary.

5. Issue New York State EBS Termination.

B. Procedures for Broadcast Industry

1. Upon receipt of a request to activate the EBS at the State level, the master control operator at WABC, WCBS, WNBC in New York City will begin recording all emergency messages and proceed as follows:

   a. Broadcast the following announcement:

   "WE INTERRUPTTHIS PROGYAM BECAUSE OF A STATE EMERGENCY. IMPORTANT INFORMATION WILL FOLLOW."

   b. Transmit the Emergency Broadcast System Attention Signal: (FCC Regulations, Part 73, Subpart G, 73.906).

   c. "WE INTERRUPT THIS PROGRAM TO ACTIVATE THE NEW YORK STATE EMERGENCY BROADCAST SYSTEM AT THE REQUEST OF _____ AT
   (Authority)
   _____."
   (Time)

   d. Make the emergency announcement. Repeat as necessary and include the source of information and time received.

2. Each broadcast station, upon receipt of a State level emergency action notification will, at the discretion of station management, perform as necessary the same procedures as outlined in B 1a, b, c and d above, including recording of all emergency messages.

3. To avoid unnecessary escalation of public confusion, all broadcast stations must be cautious in providing information and news pertaining to the emergency. All messages must be based on definite and confirmed facts. The listener must not be left to decide for himself what is or is not factual.

4. Upon completion of the above transmission procedures, resume normal programming. Appropriate notations should be made on the station operating log of all significant events as they transpire. These records should be carefully preserved in the event they are required at some later date. (Refer to FCC Regulations, Part 73, Subpart G, 73.937) Stations may send very brief summary to FCC for information purposes only.

5. Upon receipt of termination notice from the Office of Disaster Preparedness, make the following announcement:

   "THIS CONCLUDES OPERATION UNDER THE NEW YORK STATE EMERGENCY BROADCAST SYSTEM. ALL BROADCAST STATIONS MAY NOW RESUME NORMAL BROADCAST OPERATIONS."

   Repeat announcement.

TESTS

Tests of the New York State Emergency Broadcast System procedures, shall be conducted at the discretion of designated State officials in concurrence with broadcast stations that are listed on Page 3.

APPROVAL AND CONCURRENCES

APPROVED:

Vito J. Castellano — 4/27/81 (Date)
Mr VITO J. CASTELLANO — Chief of Staff to the Governor

J.R. Fogarty — 7-14-81 (Date)
Defense Commissioner
Federal Communications Commission

William Irwin — 5/11/81 (Date)
WILLIAM IRWIN
President, New York State
Broadcasters Association, Inc.

Richard P. Augulis — 6/25/81 (Date)
RICHARD P. AUGULIS
Director
Eastern Region Headquarters
National Weather Service

Charles B. King — 5/4/81 (Date)
CHARLES B. KING
Chairman, New York State
Emergency Communications Committee

ANNEX A

State will have current authentication information in the "Emergency Procedures Radbook" located at the Control Console, State Headquarters, OEP where requests for activation of the New York State Emergency Broadcast System from Authorized State Officials (See Annex B) will be verified.

WHEN requesting activation of the New York State Emergency Broadcast System, the current authentication code must be used:

EMERGENCY:

The authentication code for an emergency effective _____ is CULPEPPER
(Date)

TESTS:

Tests of the New York State Emergency Radio Network shall be conducted at the discretion of Authorized State Officials in concurrence with Key CPCS-1 Broadcast Stations

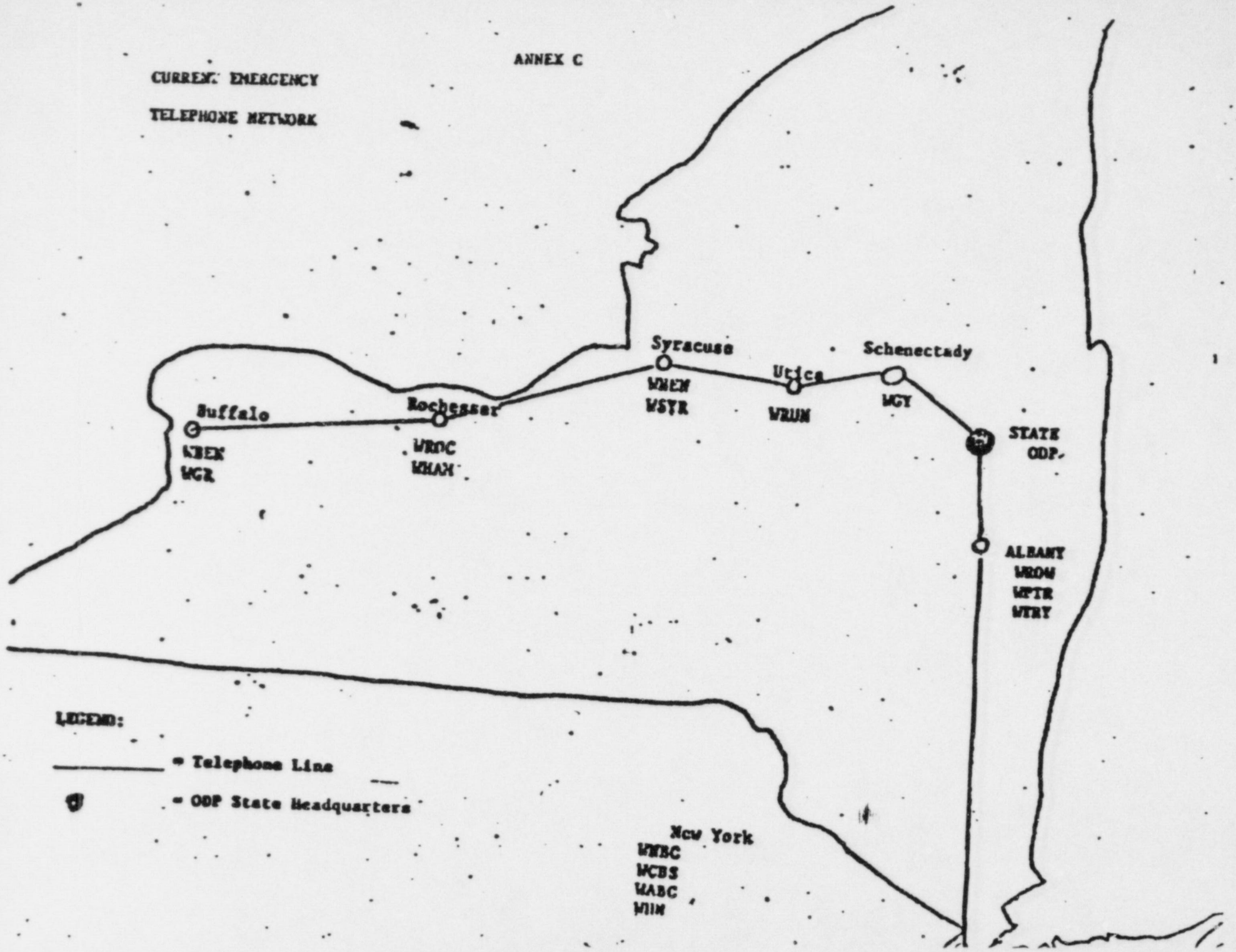
The authentication code for test effective _____ is MUSTANG
(Date)

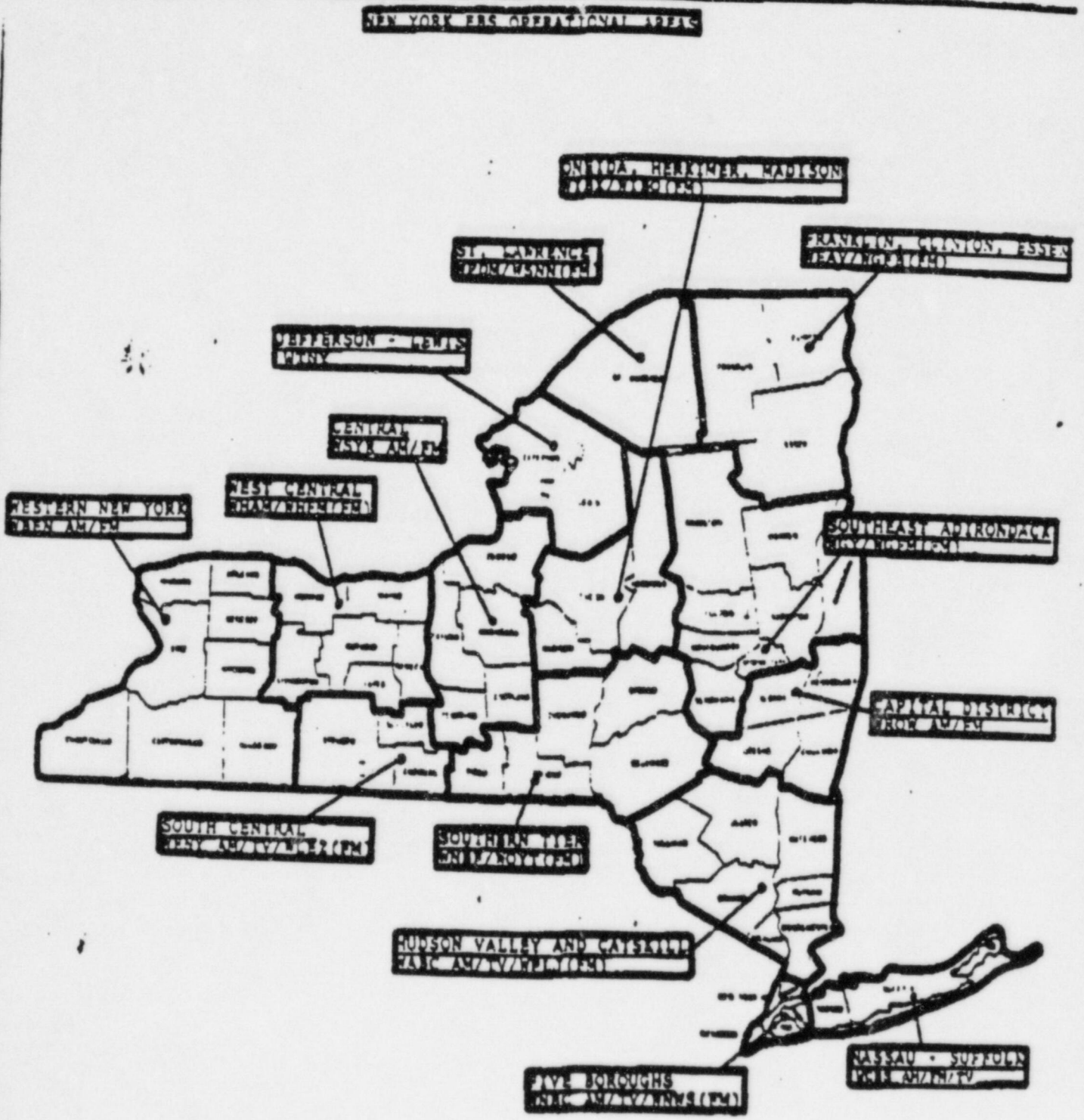
ANNEX B

AUTHORIZED OFFICIALS

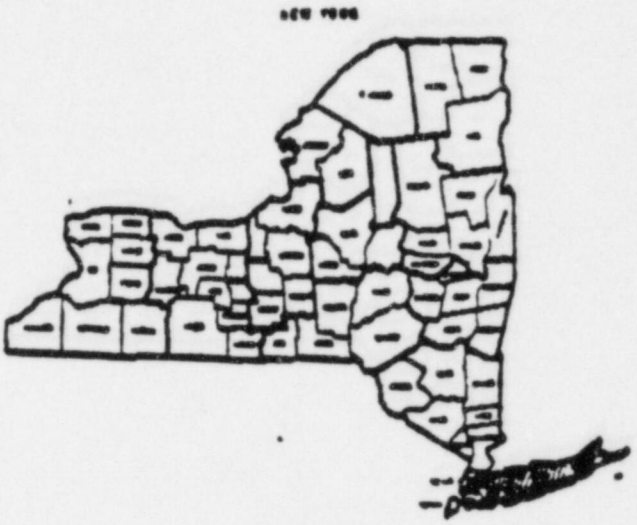
The official authorized to activate the New York State Emergency Broadcast System is the Governor of the State of New York. The Governor must call the Office of Disaster Preparedness - (518) 457-2200 - to arrange for activation of this Network. He may also delegate one of his aides to activate the system on his authority.

ANNEX C


CURRENT EMERGENCY
TELEPHONE NETWORK
Syracuse
WNEM
WSYR
Utica
WRUN
Schenectady
WGY
Buffalo
WBEN
WGR
Rochester
WROC
WHAM
STATE
ODP
ALBANY
WROW
WPTR
WTRY
New York
WNBC
WCBS
WABC
WHN
LEGEND:
= Telephone Line
= ODP State Headquarters


NEW YORK ERS OPERATIONAL AREAS

DETAILED NEW YORK EBS OPERATIONAL PLAN - NASSAU AND SUFFOLK COUNTIES OPERATIONAL AR

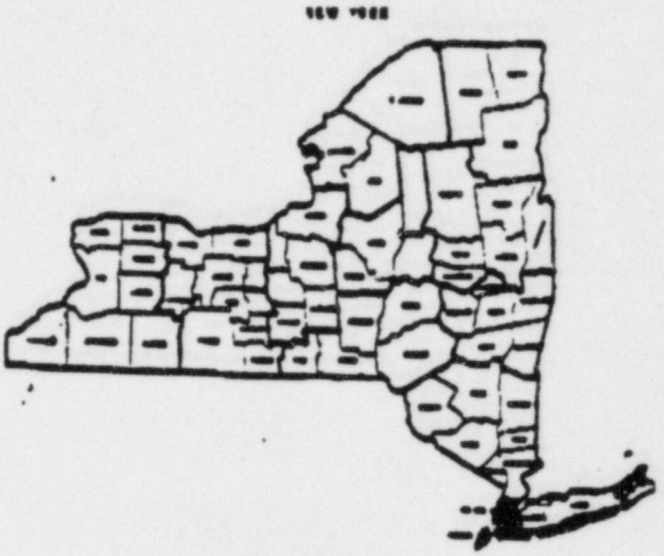


STATION FACILITIES	FREQUENCY EBS DESIGNATION
WBAB-FM Babylon 3 kW 115 ft	102.3 PRIMARY
WKBA(FM) Brentwood 0.01 kW 52 ft	88.5 PRIMARY
WCWP(FM) Brookville 0.1 kW 190 ft	88.1 PRIMARY
WBAU(FM) Garden City 0.39 kW 155 ft S WHPC(FM)	90.3 PRIMARY
WHPC(FM) Garden City 0.39 kW 155 ft S WBAU(FM)	90.3 PRIMARY
WLIX(FM) Garden City 3 kW 285 ft	98.7 PRIMARY
WKJY(FM) Hempstead 3 kW 330 ft	98.3 PRIMARY
WVHC(FM) Hempstead .47 kW 190 ft	88.7 NON-EBS
WSHR(FM) Lake Ronkonkoma 1.85 kW 143 ft	91.9 PRIMARY
WTFM(FM) Lake Success 7.1 kW 980 ft	103.9 PRIMARY
WCBS-FM New York 3.0 kW 1420 ft PRI CPCS-1	101.1
WALK-FM Patchogue 15 kW 320 ft	97.5 PRIMARY
WBLI(FM) Patchogue 10 kW 470 ft	106.1 PRIMARY
WPOS(FM) Plainview 0.01 kW	88.5 PRIMARY
WRCN-FM Riverhead 2.6 kW 320 ft	103.9 PRIMARY
WLNG-FM Sag Harbor 3 kW 125 ft	92.1 PRIMARY
WCTO(FM) Smithtown 3 kW 300 ft	94.3 PRIMARY
WWRJ-FM Southampton 2.4 kW 330 ft	95.3 PRIMARY
WEVE(FM) Syosset 0.01 kW 90 ft	88.3 PRIMARY
WUSB(FM) Stonybrook 4 kW 225 ft	90.1 PRIMARY

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WHYG Babylon 1 kW D	1440 PRIMARY
WGLI Babylon 1/5 kW DA-2 U	1290 PRI CPCS-3
WGBB Freeport 0.25/1 kW U	1240 PRI CPCS-2
WHLI Hempstead 10 kW DA-D	1100 PRIMARY
WGBB Huntington 5 kW DA-D	740 PRIMARY
WLIX Islip 0.25 kW D	540 PRIMARY
WTHE Mineola .25/1 kW D (CH)	1520 PRIMARY
WCBS New York 50 kW U	880 PRI CPCS-1
WALK Patchogue 0.9 kW D	1370 PRIMARY
WLIM Patchogue 5/10 kW DA (CH)	1380 PRIMARY
WRCN Riverhead 1 kW DA-D	1370 PRIMARY
WRIV Riverhead 1 kW D	1390 PRIMARY
WLNG Sag Harbor 0.5 kW D	1600 PRIMARY
WBAS(FM) Southold	
WWRB(FM) Hampton Bays 3 kW 300 ft	107.1 PRIMARY
WPBE(FM) Southampton	
WSHR(FM) Southampton	Primary
WBLJ(FM) Elm Hills	98.9 PRIMARY

STATION FACILITIES	FREQUE EBS DESIGNAT
WLIW(TV) Garden City 1220 kW 380 ft	CH PRIM
WCBS-TV New York 42 kW 1300 ft	CH PRI CPCS
WSNL-TV Patchogue 1280 kW 440 ft	CH PRIMA

DETAILED NEW YORK EBS OPERATIONAL PLAN
THE FIVE BOROUGHS OF NEW YORK CITY OPERATIONAL AREA



STATION FACILITIES	FREQUENCY EBS DESIGNATION
WADO New York 5 kW DA-1 U	1280 PRIMARY
WBNX New York 5 kW DA-1 S-WAMZ	1360 NON-EBS
WNYM New York 5 kW DA-2 S-WFOV	1330 PRIMARY
WHN New York 50 kW DA-1 U	1050 PRI CPCS-4
WINS New York 50 kW DA-1 U	1010 PRI CPCS-3
WJLT New York 5 kW DA-2 U	1480 NON-EBS
WLIB New York 10 kW DA-1 U	1190 PRIMARY
WHCA New York 5 kW DA-1 U	970 PRIMARY
WNBC New York 50 kW U	660 PRI CPCS-1
WNEW New York 50 kW DA-N U	1130 PRI CPCS-5
WNYC New York 1 kW DA-1	830 PRI CPCS-2
WOR New York 50 kW DA-1 U	710 PRIMARY
WPOW New York 5 kW DA-1 S-WEVD/WAAZ	1330 PRIMARY
WQXR New York 50 kW DA-2 U	1560 PRIMARY
WWRL New York 5 kW DA-1 U	1600 PRIMARY

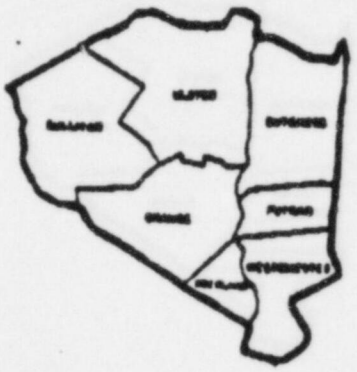
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WNYE(FM) Brooklyn 20 kW 430 ft	91.5 NON-EBS
WBAI(FM) New York 5.4 kW 1220 ft	99.5 PRIMARY
WBLS(FM) New York 2 kW 1220 ft	107.5 PRIMARY
WEVD-FM New York 5.3 kW 1220 ft	97.9 PRIMARY
WFUV(FM) New York 50 kW 215 ft	90.7 PRIMARY
WKTU(FM) New York 5.4 kW 1220 ft	92.3 NON-EBS
WKCR-FM New York .7 kW 1370 ft	89.9 PRIMARY
WYNY-FM New York 6 kW 1450 ft	97.1 PRI CPCS-1
WNCN(FM) New York 5.4 kW 1220 ft	104.3 NON-EBS
WNEW-FM New York 4.1 kW 1360 ft	102.7 PRI CPCS-5
WNYC-FM New York 3.6 kW 1440 ft	93.9 PRI CPCS-2
WNYU-FM New York 8.3 kW 255 ft	89.1 PRIMARY
WPIX-FM New York 3.6 kW 1420 ft	101.9 PRIMARY
WQXR-FM New York 5.4 kW 1220 ft	96.3 PRIMARY
WRFM(FM) New York 5.4 kW 1220 ft	105.1 PRIMARY
WRKR(FM) New York 5.4 kW 1220 ft	106.7 PRIMARY
WRKS(FM) New York 5.4 kW 1220 ft	98.7 PRIMARY

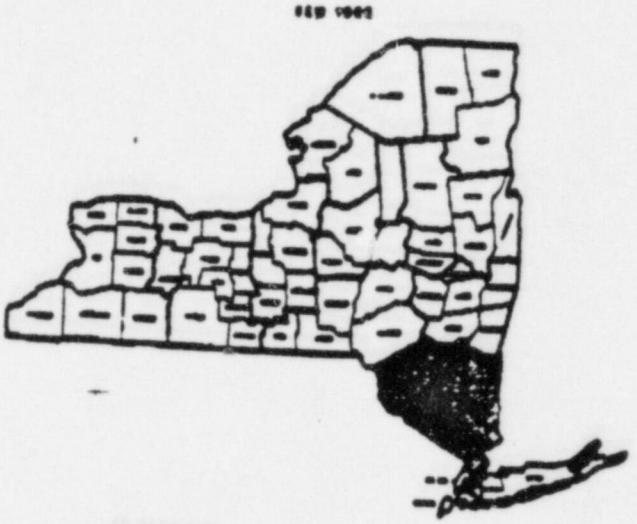
STATION FACILITIES	EBS DES
WNBC-TV New York 25.7 kW 1440 ft	PR
WNEW-TV New York 37.1 kW 1330 ft	PR
WNYC-TV New York 29.1 kW 1290 ft	PR
WNYE-TV New York 589 kW 377 ft	
WOR-TV New York 159 kW 1240 ft	
WPIX-TV New York 59 kW 1663 ft	

WSIA(FM) Staten Island	
WKRB(FM) Brooklyn .01 kW	P

Note: WABC New York, WPLJ(FM) New York, and WABC-TV New York are used to serve the Hudson Valley and Catskill Operational Area. WCBS New York, WCBS-FM New York and WCBS-TV New York are used to serve the Nassau

DETAILED NEW YORK EBS OPERATIONAL PLAN - HUDSON VALLEY AND CATSKILL OPERATIONAL AREA



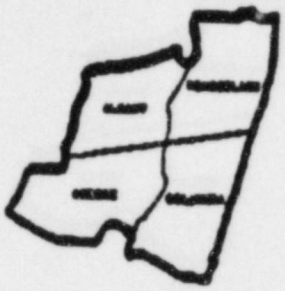


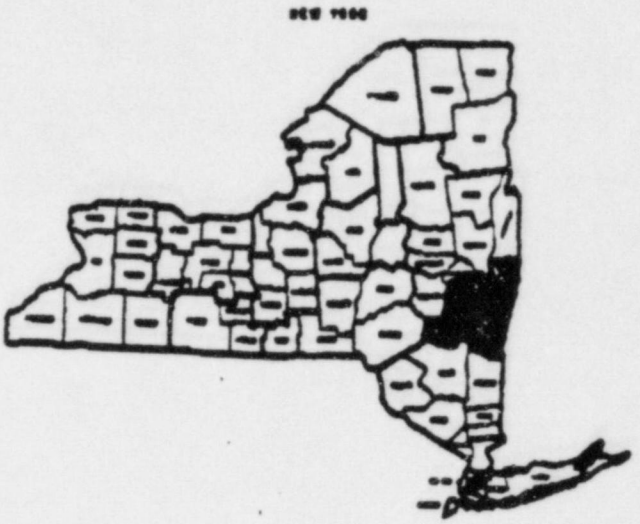
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WBNR Beacon 1 kW DA-D	1260 PRIMARY
WPUT Brewster 1 kW	1510 PRIMARY
WCRB Cornwall 1 kW DA-D	1170 PRIMARY
WELV Ellenville 0.5 kW D	1370 PRIMARY
WHPN Hyde Park .5 kW D	950 PRIMARY
WGHQ Kingston 5 kW DA-D	920 PRIMARY
WKNY Kingston 0.25/1 kW U	1490 PRIMARY
WKOT Kingston 0.5 kW D	1350 PRIMARY
WVOS Liberty 0.25/1 kW U	1240 PRI CPCS-5
WALL Middletown .25/1 kW U	1340 PRI CPCS-3
WVIP Mount Kisco 5 kW DA-D	1310 PRIMARY
WGNY Newburgh 5 kW DA-D	1220 PRIMARY
WRKL New City 1 kW DA-D	910 PRIMARY
WVOX New Rochelle 0.5 kW D	1460 PRIMARY
WABC NEW YORK 50 kW U	770 PRI CPCS-1
WLNA Peekskill 1 kW D	1420 PRIMARY
WDLC Port Jervis 0.25/1 kW U	1480 NON-EBS
WEOK Poughkeepsie 5 kW DA-D	1390 PRIMARY
WKIP Poughkeepsie 0.25/1 kW DA-D U	1450 PRI CPCS-4
WCRC Spring Valley .5 kW DA-D	1300 PRIMARY
WTBQ Warwick 0.25 kW D	1110 PRIMARY
WPAS White Plains 0.25/1 kW U	1230 PRI CPCS-2

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WRNW(FM) Briarcliff Manor 1.5 kW 330 ft	107.1 PRIMARY
WDRE(FM) Ellenville 99 kW -320 ft	99.3 PRIMARY
WHVS(FM) Hyde Park 3 kW 300 ft	97.7 PRIMARY
WEBN(FM) Kingston 0.76 kW 940 ft	94.3 PRIMARY
WVOS-FM Liberty 3 kW 390 ft	99.9 PRI CPCS-5
WEOL(FM) Middletown 3 kW 190 ft	92.7 PRI CPCS-3
WVIP-FM Mount Kisco 1.2 kW 440 ft	106.3 PRIMARY
WPDH(FM) Newburgh 3 kW 300 ft	103.1 NON-EBS
WRTN(FM) New Rochelle 3 kW 148 ft	93.5 PRIMARY
WPLJ(FM) NEW YORK 6.8 kW 1300 ft	95.5 PRI CPCS-1
WOSR(FM) Ossining 0.01 kW	90.3 PRIMARY
WHUD(FM) Peekskill 50 kW 500 ft	100.7 PRIMARY
WDLC-FM Port Jervis 3 kW 300 ft	98.7 NON-EBS
WPDR(FM) Poughkeepsie 14 kW 830 ft	101.5 PRIMARY
WSPK(FM) Poughkeepsie 5 kW 1250 ft	104.7 PRIMARY
WARY(FM) Valhalla .04 kW 338 ft	88.5 PRIMARY
WWYD(FM) White Plains 0.5 kW 670 ft	103.9 PRI CPCS-2
WRVR(FM) Peterson	
WSUL(FM) Monticello 2 kW 360 ft	98.3 PRIMARY
WDST(FM) Woodstock	
WVKR(FM) Poughkeepsie	91.3

STATION FACILITIES	FREQUENC EBS DESIGNATIO
WABC-TV New York 110 kW 1380 ft	CH PRI CPCS-
WRVR(FM) Rhyack	

CAPITAL DISTRICT NEW YORK EBS OPERATIONAL AREA





AM

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WABY Albany 0.25/1 kW U	1400 PRIMARY
WOKO Albany 5 kW DA-N U	1460 PRIMARY
WPTR Albany 50 kW DA-1 U	1540 PRI CPCS-2
WROW Albany 1/5 kW DA-2 U	590 PRI CPCS-1
WCKL Catskill 1 kW DA-D	540 PRIMARY
WHUC Hudson 0.25/1 kW U	1230 PRIMARY
WQBK Rensselaer 5 kW DA-D	1300 PRIMARY
WHAZ Troy 1 kW D	1300 PRIMARY
WTRY Troy 5 kW DA-1 U	980 PRIMARY

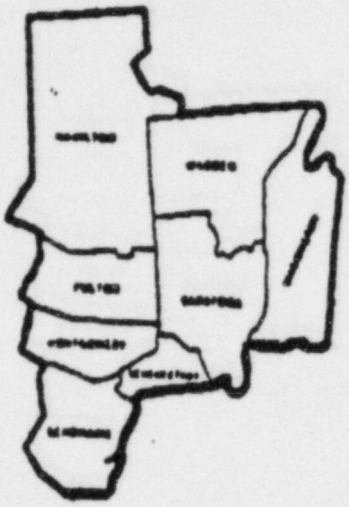
FM

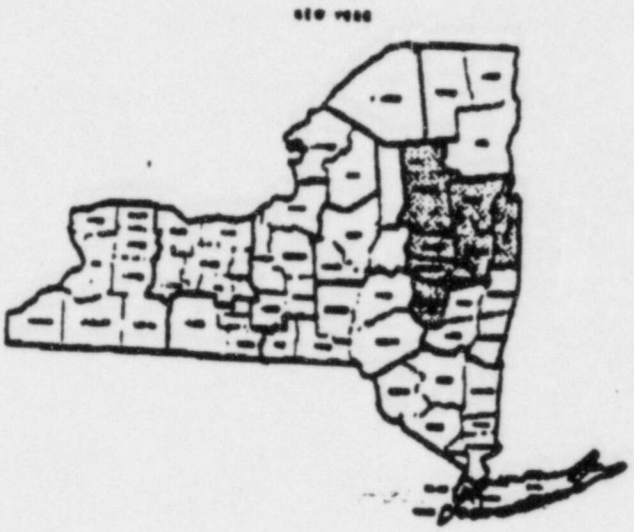
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WAMC(FM) Albany 10 kW 1970 ft	90.3 PRIMARY
WGNA(FM) Albany 8.8 kW 980 ft	107.7 PRIMARY
WHRL(FM) Albany 1.45 kW 400 ft	103.1 PRIMARY
WPYX(FM) Albany 11.5 kW 900 ft	106.5 PRIMARY
WROW-FM Albany 22.5 kW 950 ft	95.5 ORIG PRI RELAY/PRI CPCS-1
WWOM(FM) Albany 3 kW 300 ft	100.9 PRIMARY
WHUC-FM Hudson 3 kW -15 ft	93.5 PRIMARY
WVCR-FM Loudonville .36 kW 860 ft	88.3 PRIMARY
WQBK-FM Rensselaer 3 kW 87 ft	103.9 PRIMARY
WPLY(FM) Troy 13 kW 840 ft	92.3 PRI CPCS-2
WRPI(FM) Troy 10 kW 370 ft	91.5 PRIMARY

TV

STATION FACILITIES	FREQUEN EBS DESIGNATI
WAST(TV) Albany 110 kW 1210 ft	CH 1 PRIMAI
WTEN(TV) Albany 200 kW 100 ft	CH 1 PRIMAI

SOUTHEAST ADIRONDACK NEW YORK EBS OPERATIONAL AREA





AM

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WCSS Amsterdam 0.25/1 kW U	1490 PRIMARY
WKOL Amsterdam 1 kW D	1570 PRIMARY
WSCA Glens Falls 1 kW D	1410 PRIMARY
WWSC Glens Falls 0.25/1 kW U	1450 PRIMARY
WENT Gloversville 0.25/1 kW U	1340 PRI CPCS-2
WMYL Johnstown 1 kW D	930 PRIMARY
WMVI Mechanicville 0.25 kW D	1170 PRIMARY
WKAJ Saratoga Springs 0.25 kW D	900 PRIMARY
WGY SCHENECTADY 50 kW U	810 PRI CPCS-1
WWWD Schenectady 0.25/1 kW U	1240 PRIMARY
WSCM Cobeskill	

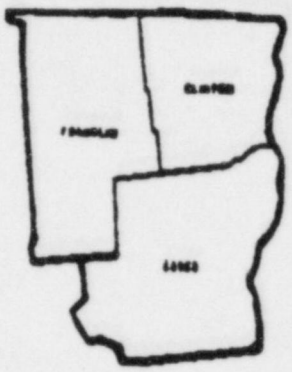
FM

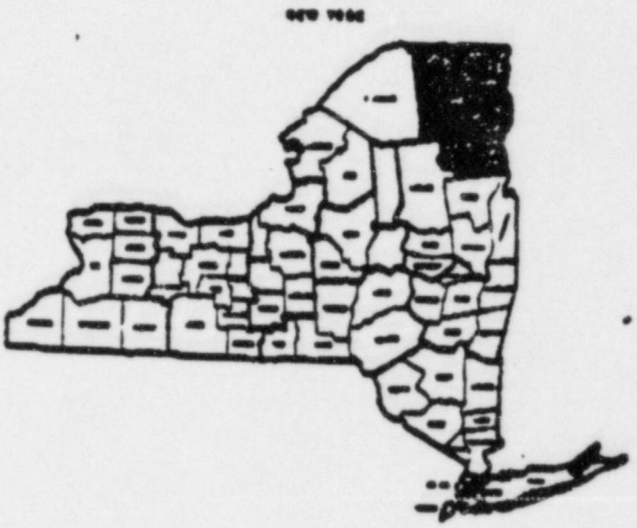
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WMVQ(FM) Amsterdam 3 kW 135 ft	97.7 PRIMARY
WNIQ(FM) Great Falls .3 kW -14 ft	107.1 PRIMARY
WGFR(FM) Glens Falls .01 kW 46 ft	91.9 PRIMARY
WYLR(FM) Glen Falls .024 kW 920 ft	95.9 PRIMARY
WIXR-FM Johnstown 3 kW 300 ft	104.9 PRIMARY
WKAJ-FM Saratoga Springs 3 kW 74 ft	102.3 PRIMARY
WSPW(FM) Saratoga Springs .25 kW 98 ft	91.1 NON-EBS
WGFM(FM) SCHENECTADY 10 kW 930 ft	99.5 PRI CPCS-1
WMHT-FM Schenectady 11 kW 930 ft	89.1 PRIMARY
WRUC(FM) Schenectady .01 kW 80 ft	90.9 PRIMARY
WASN(FM) Saratoga Springs	
WRVI(FM) Cranick	

TV

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WRGB(TV) SCHENECTADY 93.3 kW 1020 ft	CH 6 PRI CPCS-1
WMHT(TV) Schenectady 2000 kW 983 ft	CH 17 PRIMARY

DETAILED NEW YORK EBS OPERATIONAL PLAN
FRANKLIN, CLINTON AND ESSEX COUNTIES OPERATIONAL AREA



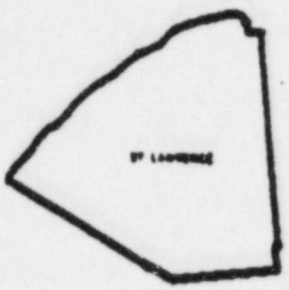


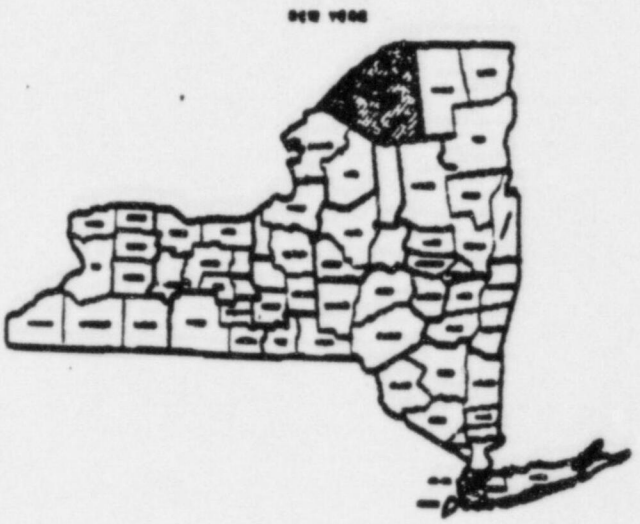
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WIRD Lake Placid 5 kW D	920 PRIMARY
WICY Malone 0.25/1 kW U	1490 PRI CPCS-3
WEAV PLATTSBURGH 5 kW DA-2 U	960 PRI CPCS-1
WIRY Plattsburgh 0.25/1 kW U	1340 NON-EBS
WKDR Plattsburgh 5 kW D	1070 PRIMARY
WYBZ Saranac Lake 0.25/1 kW U	1240 PRI CPCS-2
WIPS Ticonderoga 1 kW D	1250 PRIMARY
WLPW Lake Placid	
WTPL-FM Tupper Lake	

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WPSA(FM) Paul Smith's 0.01 kW	89.1 PRIMARY
WGFB PLATTSBURGH 10 kW 780 ft	98.9 PRI CPCS-1
WPLS(FM) Plattsburgh .01 kw 26 ft.	91.1 PRIMARY
WERC(FM) Port Henry	

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WPTZ(TV) North Pole 25.1 kW 1990 ft	CH 5 PRIMARY
WCFE-TV Plattsburgh 513 kW 1645 ft	CH 17 PRIMARY

ST. LAWRENCE COUNTY, NEW YORK EBS OPERATIONAL AREA





AM

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WIGS Gouverneur 0.25/1 kW U	1230 NON-EBS
WMSA Massena 0.25/1 kW	1340 PRIMARY
WYBG Massena 1 kW D	1050 PRIMARY
WSLB[4] Ogdensburg 0.25/1 kW U	1400 PRI CPCS-2
WPDM Potsdam 1 kW D	1470 PRI CPCS-1

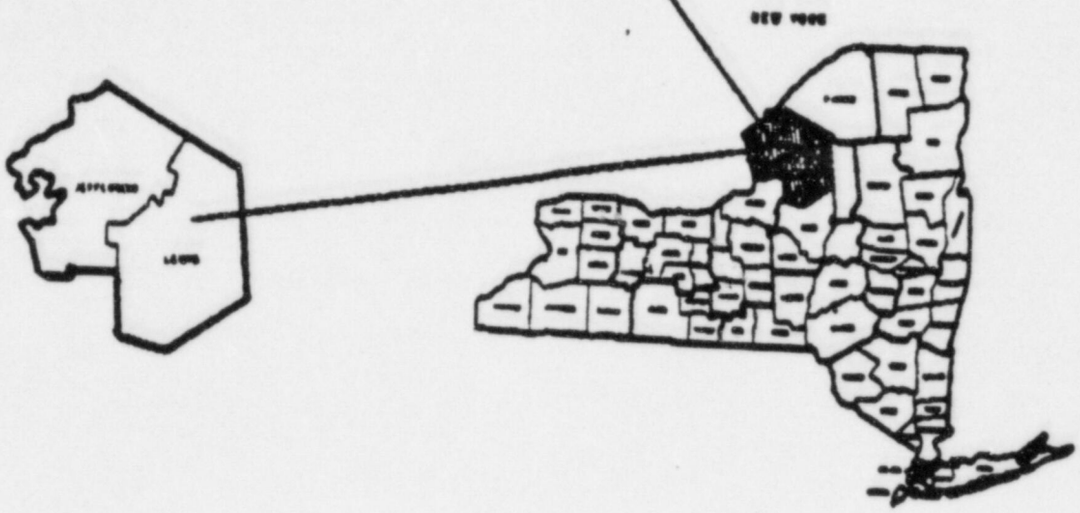
FM

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WSLU(FM) Canton 2.6 kW 310 ft	96.7 PRIMARY
WIGS-FM Gouverneur 3 kW 62 ft	92.7 NON-EBS
WSNN(FM) POTSDAM 3 kW 135 ft	99.3 PRI CPCS-1
WTSC-FM Potsdam 0.7 kW 135 ft	91.1 PRIMARY
WPAC(FM) Ogdensburg	

TV

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WNPI-TV Norwood 556 kW 800 ft	CH 18 NON-EBS

JEFFERSON-LEWIS COUNTIES, NEW YORK EBS OPERATIONAL AREA



AM

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WATN Watertown 0.25/1 kW U	1240 PRIMARY
WOTT Watertown 1/5 kW DA-N U	1410 PRI CPCS-2
● WTNY & WATERTOWN 1 kW DA-N U	790 PRI CPCS-1

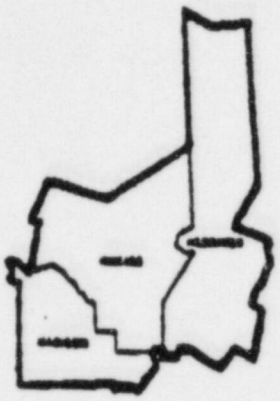
FM

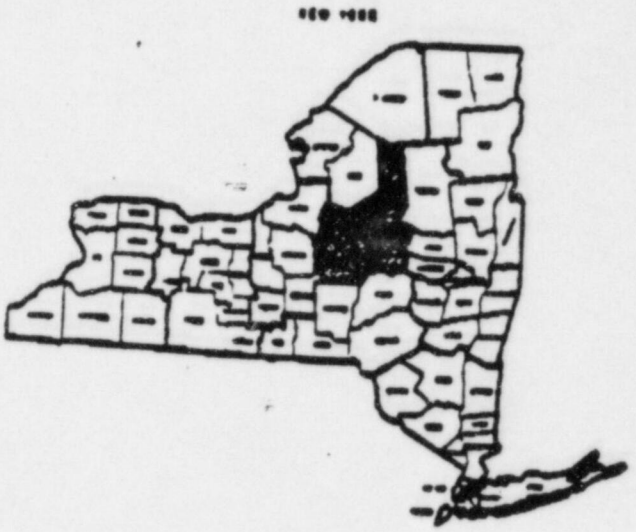
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WNCQ(FM) Watertown 41 kW 285 ft	97.5 PRIMARY

TV

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WWNY-TV Carthage 316 kW 720 ft	CH 7 PRIMARY
WNPE-TV Watertown 525 kW 1214 ft	CH 16 NON-EBS

DETAILED NEW YORK EBS OPERATIONAL PLAN
ONEIDA, HERKIMER AND MADISON COUNTIES OPERATIONAL AREA





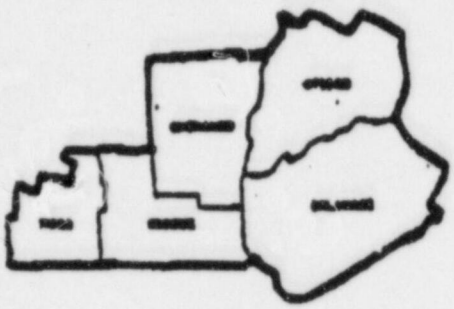
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WHCL-FM Clinton 0.01 kW 220 ft	88.7 PRIMARY
WOIV(FM) DeRuyter 42 kW 540 ft	103.1 PRIMARY
WRCU-FM Hamilton 1.5 kW 112 ft	90.1 PRIMARY
WHCR-FM Oneida 0.39 kW 720 ft	106.3 PRIMARY
WKAL-FM Rome 3 kW 105 ft	95.9 PRI CPCS-4
WIBQ(FM) UTICA 25 kW 660 ft	98.7 PRI CPCS-1
WOUR(FM) Utica 16 kW 790 ft	96.9 NON-EBS
WRCK(FM) Utica 3.5 kW 500 ft	104.3 PRIMARY
WUTQ(FM) Herkimer 3 kW 138 ft	107.3 NON-EBS
WPVR-FM Utica	92.7 PRIMARY
	96.7

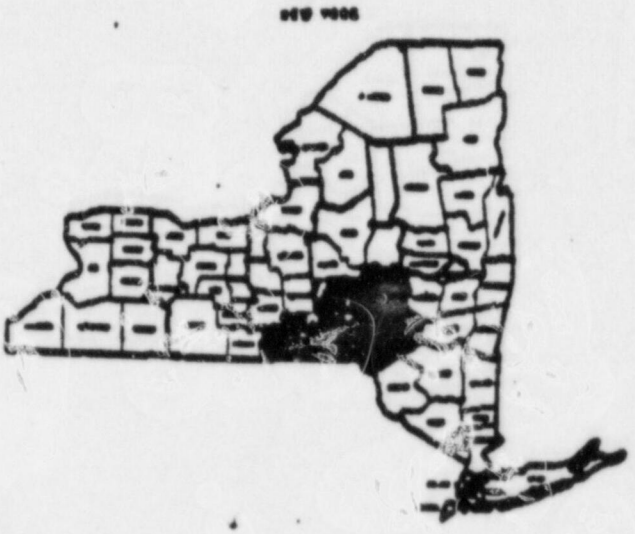
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WRHV Herkimer 1 kW D	1420 PRIMARY
WLFH Little Falls 0.25/1 kW U	1230 PRI CPCS-5
WHCR Oneida 1 kW D	1660 PRIMARY
WADR Remsen 5 kW D	1480 PRIMARY
WKAL Rome 0.25/1 kW U	1450 PRI CPCS-6
WRNY Rome 0.5 kW D	1390 PRIMARY
WUTQ Utica 1 kW D	1390 PRIMARY
WIBX UTICA 5 kW DA-1 U	950 PRI CPCS-1
WRUN Utica 1/5 kW DA-2 U	1150 PRI CPCS-2
WTLB Utica 0.5/1 kW DA-N U	1310 PRI CPCS-3
WSRV Boonville 1 kW D	900

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WKTV(TV) Utica 6.9 kW 1380 ft	CH 2 PRIMARY
WUTR(TV) Utica 813 kW 800 ft	CH 20 PRIMARY
WITC(FM) Canastota .01 kW	

DETAILED NEW YORK EBS OPERATIONAL PLAN

CHENANGO, OTSEGO, TIOGA, BROOME AND DELAWARE COUNTIES OPERATIONAL AREA



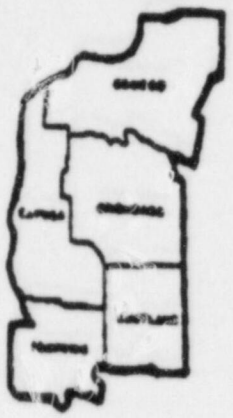


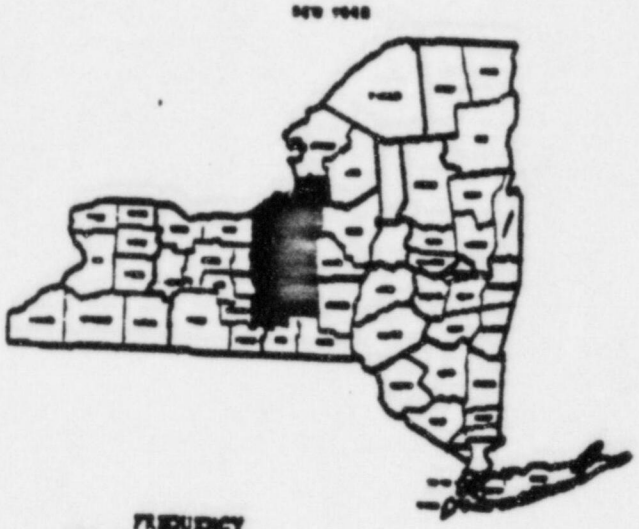
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WIVR Binghamton 0.5/1 kW DA-2 U	640 PRIMARY
WKOP Binghampton .5/5 kW DA-2 U	1360 PRI CPCS-3
WNBF BINGHAMPTON 5 kW DA-N U	1290 PRI CPCS-1
WENE Endicott 5 kW DA-N U	1430 PRI CPCS-2
WCHN Norwich 0.5 kW D	970 PRIMARY
WDOS Oneonta 1 kW D	730 PRIMARY
WEBO Owego 1 kW D	1330 PRIMARY
WDLA Walton 1 kW D	1270 PRIMARY

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WAAL(FM) Binghamton 7.1 kW 1090 ft	99.1 PRIMARY
WNBF(FM) Binghamton 1.45 kW -67 ft	96.5 PRIMARY
WQYT(FM) BINGHAMTON 10 kW 960 ft	98.1 PRI CPCS-1
WENE-FM Binghamton 43 kW 530 ft	99.3 PRIMARY
WJIV(FM) Cherry Valley 7.1 kW 1080 ft	101.9 PRIMARY
WNBF(FM) Endicott 38 kW 570 ft	105.5 PRI CPCS-2
WCHN-FM Norwich 3.8 kW 250 ft	93.9 PRIMARY
WDOS(FM) Oneonta 2 kW 340 ft	103.1 PRIMARY
WCNT(FM) Oneonta 10 kW [illegible]	96.9 PRIMARY
WEBO(FM) Owego 0.01 kW	89.3 NON-EBS
WDLA(FM) Oneonta 0.85 kW 525 ft	103.9 PRIMARY
WAAT(FM) Owego 1.15 kW 490 ft	101.7 PRIMARY
WDLA-FM Walton 0.49 kW 660 ft	98.1 PRIMARY
WAVR(FM) Waverly 1.5 kW 409 ft	102.3 PRIMARY
WEBO(FM) Owego 26 kW	

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WSKG-TV Binghamton 204 kW 900 ft	CH 14 PRIMARY
WBNG-TV Binghamton 166 kW 1200 ft	CH 12 PRIMARY
WICZ-TV Binghamton 501 kW 1230 ft	CH 40 PRIMARY
WEBO(TV) Binghamton 300 kW 1330 ft	CH 44 PRIMARY

DETAILED NEW YORK EBS OPERATIONAL PLAN - CENTRAL NEW YORK OPERATIONAL AREA





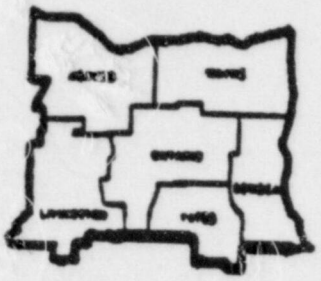
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WAUB Auburn 0.5 kW DA-D	1590 PRIMARY
WMBO Auburn 0.25/1 kW U	1140 PRIMARY
WSEN Baldwinsville 1 kW DA-D	1050 PRIMARY
WKRT Cortland 0.5/1 kW DA-N U	920 PRIMARY
WYRD East Syracuse 1 kW D	1340 PRIMARY
WOSC Fulton 1 kW D	1300 PRIMARY
WHCU Ithaca 5 kW DA-D	870 PRIMARY
WTKO Ithaca 1 kW D	1470 PRIMARY
WSOQ North Syracuse 1 kW D	1330 PRIMARY
WSGO Oswego 1 kW D	1440 PRIMARY
WSCP Sandy Creek 1 kW D	1070 PRIMARY
WFBL Syracuse 5 kW DA-N U	1390 PRI CPCS-4
WNDR Syracuse 1/3 kW DA-N U	620 PRI CPCS-2
WNDR Syracuse 5 kW DA-N U	1260 PRI CPCS-3
WOLF Syracuse 0.25/1 kW DA-D U	1490 PRIMARY
WSYR SYRACUSE 5 kW DA-2 U	570 PRI CPCS-1

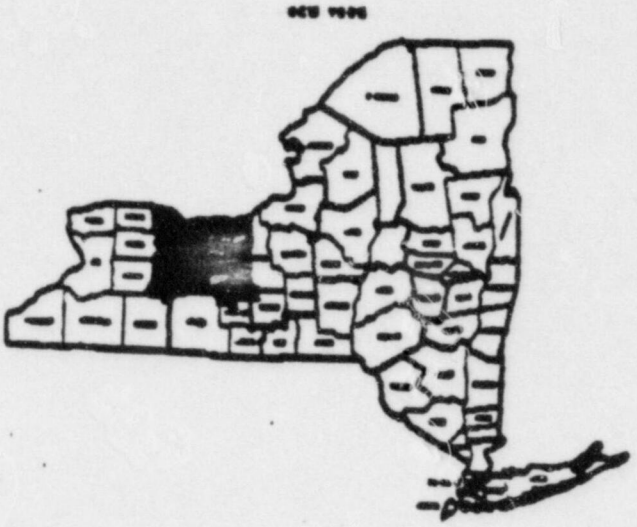
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WOWN(FM) Auburn 0.01 kW 103 ft	88.9 NON-EBS
WRLX(FM) Auburn 45 kW 530 ft	106.9 PRIMARY
WBXL(FM) Baldwinsville 0.01 kW 72 ft	90.5 PRIMARY
WSEN-FM Baldwinsville 3 kW 300 ft	92.1 PRIMARY
WCSQ(FM) Central Square 1.5 kW 81 ft	89.3 NON-EBS
WNOZ(FM) Cortland 20 kW 710	99.9 PRIMARY
WKFM(FM) Fulton 50 kW 310 ft	104.7 PRIMARY
WRIV(FM) Ithaca 13 kW 890 ft	103.7 PRIMARY
WPEN-FM Ithaca 52 kW 720 ft	97.3 PRIMARY
WICB(FM) Ithaca 5.5 kW 109 ft	91.7 PRIMARY
WVBR-FM Ithaca 3 kW 250 ft	93.3 PRIMARY
WEZO(FM) North Syracuse 3 kW 165 ft	100.9 PRIMARY
WRVO(FM) Oswego 24 kW 430 ft	89.9 PRIMARY
WSGO-FM Oswego 3 kW 110 ft	105.9 PRIMARY
WHIV(FM) South Bristol Twp. 9.5 kW 990 ft	99.1 PRIMARY
WAER(FM) Syracuse 6 kW 180 ft	88.3 PRIMARY
WCNY-FM Syracuse 18.6 kW 740 ft	91.3 PRIMARY
WHEL(FM) Syracuse 20 kW 720 ft	102.9 PRIMARY
WNTQ(FM) Syracuse 97 kW 660 ft	93.1 PRIMARY
WOMO(FM) Syracuse 50 kW 490 ft	107.9 PRIMARY
WSYR-FM Syracuse	94.5

STATION FACILITIES	FREQUENC EBS DESIGNATIO
WCNY-TV Syracuse 347 kW 1380 ft	CH 7 PRIMAR
WIXT(TV) Syracuse 79.6 kW 1320 ft	CH PRIMAR
WTVT(TV) Syracuse 300 kW 970 ft	CH 6 PRIMAR
WSTM(TV) SYRACUSE 100 kW 1000 ft	CH PRI CPCS-
WTVH(TV) 86 kW 950 ft	CH PRI CPCS-

WAGR(FM) Manlius 95.

WEST CENTRAL NEW YORK EBS OPERATIONAL AREA





AM

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WBKR Brockport 1 kW DA-D	1560 PRIMARY
WCGR Canandaigua 0.25 kW D	1550 PRIMARY
WFLR Dundee 1 kW D	1570 PRIMARY
WGVA Geneva 0.25/1 kW U	1240 NON-EBS
WBBF Rochester 1 kW DA-2 U	950 PRIMARY
WHAM ROCHESTER 50 kW U	1180 PRI CPCS-1
WNYR Rochester 0.25 kW D	680 NON-EBS
WPXY Rochester 5 kw DA-N U	1280 PRI CPCS-2
WSAY Rochester 5 kW DA-N U	1370 PRIMARY
WWWG Rochester 5 kW DA-N U	1460 PRIMARY
WSPW Seneca Falls 1 kW D	1110 PRIMARY
WDNY Canandaigua	
WACK Newark .5 kW D	1420 PRIMARY

FM

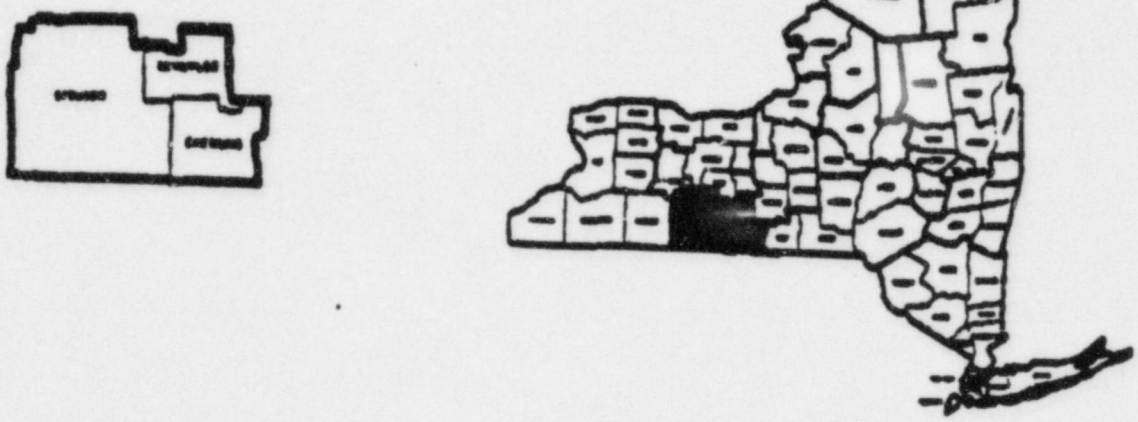
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WBKT(FM) Brockport .01 kW	90.5 PRIMARY
WFLC(FM) Canandaigua 3 kW 285 ft	102.3 PRIMARY
WFLR-FM Dundee 0.93 kW 460 ft	95.9 PRIMARY
WFSU(FM) Geneseo 1.8 kW 11 ft	89.3 PRIMARY
WGCQ(FM) Geneva 3 kW 125 ft	101.7 PRIMARY
WHOS-FM Geneva 1.5 kW -8 ft	89.7 PRIMARY
WGMC-FM Greece 0.01 kW	90.1 PRIMARY
WITR(FM) Henrietta .01 kW 134 ft	89.7 PRIMARY
WRUR(FM) Henrietta 0.01 kW 45 ft	90.5 PRIMARY
WCMF(FM) Rochester 20 kW 390 ft	96.5 PRIMARY
WDKX(FM) Rochester 0.8 kW 536 ft	103.9 PRIMARY
WHIO(FM) Rochester 50 kW 390 ft	101.5 NON-EBS
WHEN(FM) ROCHESTER 50 kW 320 ft	96.9 PRI CPCS-1
WIRQ(FM) Rochester 0.01 kW	90.9 NON-EBS
WMJQ(FM) Rochester 50 kW 500 ft	92.5 PRIMARY
WPXY(FM) Rochester 50 kW 411 ft	97.9 NON-EBS
WRUR-FM Rochester 0.97 kW 120 ft	88.5 PRIMARY
WVOR-FM Rochester 50 kW 380 ft	100.5 PRIMARY
WXXI-FM Rochester 36 kW 255 ft	91.5 PRIMARY
WSPW-FM Seneca Falls 3 kW 255 ft	99.3 PRIMARY
WSCS(FM) Sodus	89.5

TV

STATION FACILITIES	FREQUENC EBS DESIGNATIO
WHEC-TV Rochester 316 kW 500 ft	CH 1 PRIMAR
WOKR(TV) Rochester 316 kW 500 ft	CH 1 PRIMAR
WROC-TV Rochester 316 kW 500 ft	CH PRI CPCS-1
WXXI(TV) Rochester 853 kW 450 ft	CH 21 PRIMARY

WDNY(FM) Dansville

SOUTH CENTRAL NEW YORK EBS OPERATIONAL AREA



AM

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WVIN Bath 0.5 kW D	1380 PRIMARY
WCBA Corning 1 kW D	1350 PRIMARY
WCLI Corning 0.25/1 kW U	1450 NON-EBS
WELM Elmira 0.5/1 kW DA-N U	1410 PRIMARY
● WENY Elmira 0.25/1 kW U	1230 PRI CP'S.1
WEMM Elmira Heights 0.5 kW D	1590 PRIMARY
WHHO Hornell 5 kW D	1320 PRIMARY
WLEA Hornell 1 kW D	1480 PRIMARY
WIQT Horseheads 1 kW D	1000 PRIMARY
WGMF Watkins Glen 0.25 kW D	1500 PRIMARY

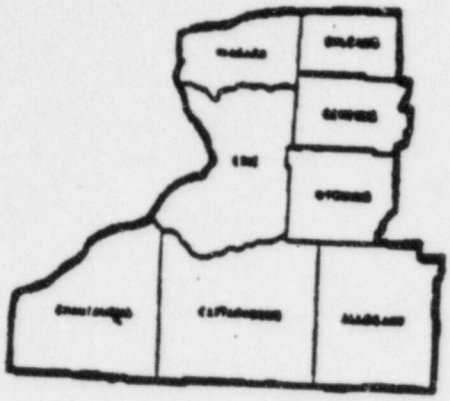
FM

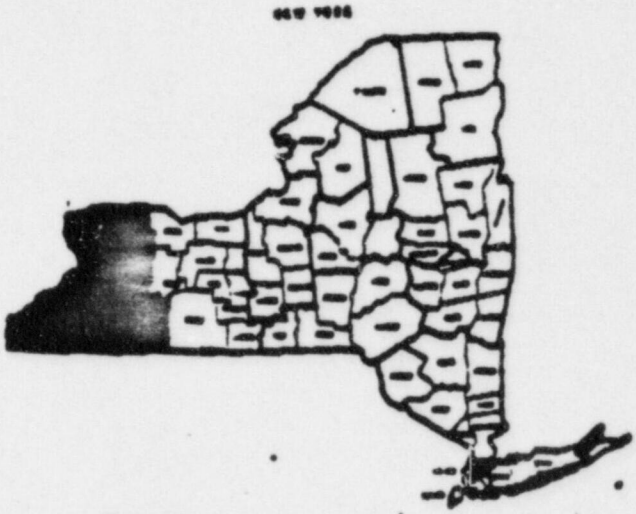
STATION FACILITIES	FREQUENCY EBS DESIGNATION
WZKZ-FM Corning 22 kW 540 ft	106.1 NON-EBS
WECW(FM) Elmira 0.01 kW	88.1 PRIMARY
● WLEZ(FM) Elmira 0.7 kW 360 ft	92.7 PRI CP'S.1
WLVY(FM) Elmira 0.95 kW 480 ft	94.3 PRIMARY
WVIN-FM Hammondsport 1.7 kW 390 ft	98.3 PRIMARY
WCKR(FM) Hornell 6.3 kW - 15 ft	105.3 PRIMARY
WQIX(FM) Horseheads 3 kW 245 ft	100.9 PRIMARY
WXXY(FM) Montour Falls 1 kW 410 ft	104.9 PRIMARY

TV

STATION FACILITIES	FREQUENCY EBS DESIGNATION
● WENY-TV Elmira 427 kW 1050 ft	CH 36 PRI CP'S.1
WETM-TV Elmira 113 kW 1220 ft	CH 18 PRIMARY

DETAILED NEW YORK EBS OPERATIONAL PLAN - WESTERN NEW YORK OPERATIONAL AREA





STATION FACILITIES	FREQUENCY EBS DESIGNATION
WUFO Amherst 1 kW D	1080 PRIMARY
WBTA Batavia 0.25/0.5 kW U	1490 PRIMARY
WBEN BUFFALO 5 kW DA-N U	930 PRI CPCS-1
WEBR Buffalo 5 kW DA-1 U	970 PRI CPCS-4
WGR Buffalo 5 kW DA-N U	550 PRI CPCS-2
WKBW Buffalo 50 kW DA-1 U	1520 PRI CPCS-3
WJOL Buffalo 1 kW D	1120 PRIMARY
WYSL Buffalo 0.25/1 kW U	1400 NON-EBS
WECK Cheektowaga 0.25/0.5 kW U	1230 PRIMARY
WDOE Dunkirk 0.5/1 kW DA-N U	1410 PRIMARY
WBUZ Fredonia 0.25 kW D	1370 PRIMARY
WJTN Jamestown 0.25/0.5 kW U	1240 PRIMARY
WKSN Jamestown 0.25 kW U	1340 PRIMARY
WKRL Lancaster 1 kW DA-D	1300 PRIMARY
WLVL Lockport 0.25/1 kW DA-D U	1340 PRIMARY
WNLO Niagara Falls 5 kW DA-D	1270 PRIMARY
WJJL Niagara Falls 1 kW D	1440 PRIMARY
WNDL Olean 0.25/1 kW U	1490 PRIMARY
WHNS Olean 1 kW D	1360 PRIMARY.
WGGO Salamanca 1 kW D	1590 PRIMARY
WCJW Warsaw 1 kW DA-D	1140 PRIMARY
WLSV Wellsville 1 kW D	790 PRIMARY

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WALF(FM) Alfred 0.01 kW 54 ft	89.7 NON-EBS
WETD(FM) Alfred 0.01 kW	91.3 PRIMARY
WTRK(FM) Buffalo 30 kW 423 ft	106.5 NON-EBS
WBEN-FM BUFFALO 110 kW 1330 ft	102.5 PRI CPCS-1
WBFO(FM) Buffalo 21.5 kW 230 ft	88.7 NON-EBS
WJES(FM) Buffalo 50 kW 480 ft	94.1 NON-EBS
WPTR(FM) Buffalo 94 kW 370 ft	92.9 PRIMARY
WDCX(FM) Buffalo 110 kW 640 ft	99.5 NON-EBS
WGRQ(FM) Buffalo 13.5 kW 890 ft	96.9 PRI CPCS-2
WNED-FM Buffalo 105 kW 710 ft	94.5 PRIMARY
WAGJ(FM) Buffalo 50 kW 250 ft	104.1 PRIMARY
WPHD(FM) Buffalo 49 kW 360 ft	103.3 NON-EBS
WBLK-FM Depew 50 kW 400 ft	93.7 NON-EBS
WHDS(FM) Jamestown 2.9 kW 300 ft	101.7 PRIMARY
WHER(FM) Jamestown 6.5 kW 640 ft	93.3 PRIMARY
WGRG-FM Lancaster 0.01 kW	91.3 PRIMARY
WNLO-FM Niagara Falls 46 kW 420 ft	98.5 PRIMARY
WBNY(FM) Olean 43 kW 740 ft	93.7 PRIMARY
WBNU(FM) St Bonaventure 0.01 kW 90 ft	88.3 PRIMARY
WBIV(FM) Wethersfield 32 kW 470 ft	107.7 PRIMARY
WJSL(FM) Houghton .01 kW 311 ft	90.3 PRIMARY
WEVF-FM Fredonia .01 kW	89.9 PRIMARY

STATION FACILITIES	FREQUEN EBS DESIGNATI
WIVB(TV) BUFFALO 100 kW 1200 ft	CH PRI CPCS-
WGR-TV Buffalo 100 kW 1000 ft	CH PRI CPCS-
WKBW-TV Buffalo 91.2 kW 1420 ft	CH PRI CPCS-
WNED-TV Buffalo 1150 kW 720 ft	CH 1 PRIMAR
WUTV(TV) Buffalo 1090 kW 920 ft	CH 2 PRIMAR
WJTN(FM) Jamestown	PRIMARY 100.9
WBJE(FM) Olean 1.45 kW 405 ft	PRIMARY 101.3
WBTY(FM) Attica 1.25 kW	PRIMARY

EMERGENCY BROADCAST SYSTEM (EBS)

PROCEDURES FOR THE

NASSAU AND SUFFOLK COUNTIES NEW YORK EBS OPERATIONAL AREA

THE NASSAU AND SUFFOLK COUNTIES
NEW YORK EBS OPERATIONAL AREA
INCLUDES THE COUNTIES OF
NASSAU AND SUFFOLK (LONG ISLAND)

I. INTRODUCTION

This plan was prepared by the NASSAU AND SUFFOLK COUNTIES NEW YORK Operational Area Emergency Communications Committee. It provides specific procedures for the broadcast media to disseminate emergency information and warning to the general public in the NASSAU & SUFFOLK COUNTIES NEW YORK Operational Area or any portion thereof within the station's broadcast coverage capability at the request of designated local, State and Federal officials. This local EBS plan may be activated in response to such emergencies as nuclear generating plant accident or other occurences which pose a widespread danger to life or property.

Acceptance of/or participation in this plan shall not be deemed as a relinquishment of program control, and shall not be deemed to prohibit a broadcast licensee from exercising independent discretion in any given situation. Stations originating EBS emergency communications shall be deemed to have conferred rebroadcast authority of the EBS message. The concept of the management of each broadcast station to exercise discretion regarding the broadcast of EBS emergency information and instructions to the general public is provided by FCC Rules and Regulations.

II. AUTHORITY

Part 73, Subpart G, Federal Communications Commission Rules and Regulations.

III. KEY EAS STATIONS

CPCS-1	WCBS/NEW YORK CITY	
BROADCAST SERVICE	Twenty-four Hours	
COMMUNICATION FACILITIES	CBS Network, RFU to Nassau County CD Headquarters, Emergency Generator for Studios & Transmitter, Intra-company two-way radio, AP, UPI, Weather Wire.	
STATION CONTACT	Newsroom Twenty-four Hours News Director Operations Director Chief Engineer	(212) 975-3500 (212) 975-2130 (212) 975-2260 (212) 975-2074

CPCS-2	WGBB, FREEPORT	
BROADCAST SERVICE	Twenty-four Hours	
COMMUNICATIONS FACILITIES	AP Wire	
STATION CONTACT	General Manager Program Director News Director	(516) 623-1240

IV. AUTHENTICATION

Verification by return phone call or code words. National Weather Service weather warnings received via NOAA Weather Radio, Weather-Wire or AP/UPI require no additional verification.

V. IMPLEMENTATION PROCEDURES

A. Procedures for Designated Officials

1. Activation of EBS for the NASSAU AND SUFFOLK COUNTIES NEW YORK Operational Area, other than weather, will be at the exclusive request of authorized officials at the Nassau/Suffolk Civil Defense Headquarters.

2. Designated officials will contact the CPCS-1 stations, WCBS, via phone or other communications facilities available. If for any reason the CPCS-1 cannot be contacted, then the CPCS-2, WNBC, will be contacted.

3. Designated officials use the following format when contacting the key EBS station:

   "THIS IS (NAME/TITLE) OF (ORGANIZATION). I REQUEST THAT THE EMERGENCY BROADCAST SYSTEM BE ACTIVATED FOR THE NASSAU AND SUFFOLK COUNTIES NEW YORK OPERATIONAL AREA BECAUSE OF (DESCRIPTION OF EMERGENCY SITUATION). GIVE DATE AND TIME.

   Use Authentication as noted under paragraph IV above.

4. Upon authentication, designated officials and broadcast station personnel determine broadcast details (i.e., live or recorded, immediate or delayed). Officials provide emergency program material including description of the nature of the emergency, actions being taken by local governments, and instructions to the public.

5. For an emergency situation not involving the entire operational area, designated officials may request EBS activation through a broadcast station serving only the affected area.

6. The National Weather Service will, in the event of a catastrophic weather condition affecting the entire Operation Area, notify the CPCS-1 station, WCBS, and request activation of the Emergency Broadcast System. If severe climatic condition poses a threat to life or property in an area considerably less than the total Operational Area, the National Weather Service will notify the appropriate stations listed in Annex C.

B. Procedures for Station Personnel

1. Upon receipt of a request to activate the local EBS from appropriate authority and with authorization of management (verify authenticity via method described in paragraph IV above), the CPCS-1 (or alternate CPCS-2) may proceed as follows:

   a. Broadcast the following announcement:

      "WE INTERRUPT THIS PROGRAM BECAUSE OF A LOCAL EMERGENCY. IMPORTANT INSTRUCTIONS WILL FOLLOW."

   b. Transmit the Emergency Broadcast System Two Tone Attention Signal.

   c. Broadcast the following announcement and broadcast the emergency material:

      "WE INTERRUPT THIS PROGRAM TO ACTIVATE THE EMERGENCY BROADCAST SYSTEM FOR THE NASSAU AND SUFFOLK COUNTIES NEW YORK OPERATIONAL AREA BECAUSE OF A LOCAL EMERGENCY. IMPORTANT INSTRUCTIONS WILL FOLLOW."
      Follow with emergency program

   d. To terminate EBS programming, make the following announcement:

      "THIS CONCLUDES EMERGENCY BROADCAST SYSTEM PROGRAMMING. ALL BROADCAST STATIONS MAY NOW RESUME NORMAL BROADCAST OPERATIONS."

2. All other broadcast stations are monitoring the key EBS station via EBS monitor receiver/decoders and will be alerted by the two-tone attention signal. Each broadcast station upon receipt of the two-tone alert will, at the discretion of station management, perform the same procedures as outlined above in step 1 by rebroadcasting the emergency programming received from the CPCS-1 (or alternate CPCS-2).

3. Upon completion of the above communication procedures, resume normal programming. Any possible notations should be made on the station log, and a brief summary may be sent to the EOC for information only.

VI. TESTS

Tests of these Emergency Broadcast procedures shall be tested on a random or scheduled basis from a point which would originate the common emergency program. The date and time of each test shall be recorded in the operating log.

VII. ANNEXES

ANNEX A: Lists the designated officials and their phone numbers.

ANNEX B: Lists all broadcast stations with phone numbers.

ANNEX C: Approvals.

ANNEX D: Operational Area map.

ANNEX A

DESIGNATED OFFICIALS FOR THE NASSAU AND SUFFOLK COUNTIES NEW YORK EBS OPERATIONAL AR

OPERATIONAL AREA 1
Suffolk, Nassau

SUFFOLK

William E. Regan Director	BUSINESS HOME	(516) 924-4400 (212) 751-2306
Peter Fox Cohalan Chief Executive	BUSINESS HOME	(516) 979-2900 (212) 472-2228

NASSAU

John Blankenhorn Director	BUSINESS HOME	(516) 535-4884 (516) 489-5908
Francis Purcell Chief Executive	BUSINESS	(516) 535-3131

ANNEX B

BROADCAST STATIONS IN THE NASSAU AND SUFFOLK COUNTIES NEW YORK EBS OPERATIONAL AREA

CITY	STATION	PHONE
BABYLON	WCLI	(516) 669-1290
	WNYG, WBAB-FM	661-4000
BRENTWOOD	WXBA (FM)	435-2201
BROOKVILLE	WCWP (FM)	299-2626
FREEPORT	WGBB	623-1240
GARDEN CITY	WBAU (FM)	747-4757
	WHPC (FM)	222-7000
	WLIR (FM)	485-9200
	WLIW (TV)	222-2140
HAMPTON BAYS	WWHB (FM)	
HEMPSTEAD	WHLI	481-8000
	WKJY (FM)	481-0798
	WVHC (FM)	489-8870, 560-33
HUNTINGTON	WGSM	423-6740
ISLIP	WLIX	666-2200
LAKE RONKONKOMA	WSHR (FM)	737-3000
LAKE SUCCESS	WTHM (FM)	(212) 357-8000
MINEOLA	WTHE	(516) 742-1520
NEW YORK	WCBS (AM/FM/TV)	(212) 975-4321
PATCHOGUE	WALK (AM/FM)	(516) 475-5200
	WBLI (FM)	475-1061
	WYFA	475-1580
	WSNL-TV	582-6700
PLAINVIEW	WPOB (FM)	938-5400
RIVERHEAD	WRCN (AM/FM)	727-1570
	WRIV	727-1200
SAG HARBOR	WLNG (AM/FM)	725-2300
SMITHTOWN	WCTO (FM)	423-6729
SOUTHAMPTON	WWRJ (FM)	283-5200
SYOSSET	WKWZ (FM)	921-8850
STONY BROOK	WUSB (FM)	
SYOSSET	WHLI (FM)	421-4530

ANNEX C

APPROVALS

This Operational Area EES Plan was developed and approved by the NASSAU & SUFFOLK Operational Area Emergency Communications Committee. The plan is coordinated with and distributed to all designated officials listed in ANNEX A and all broadcast stations listed in ANNEX B.

Operational Area Chairman
Hal Kormann

Date

National Weather Service,
NEW YORK CITY

Date

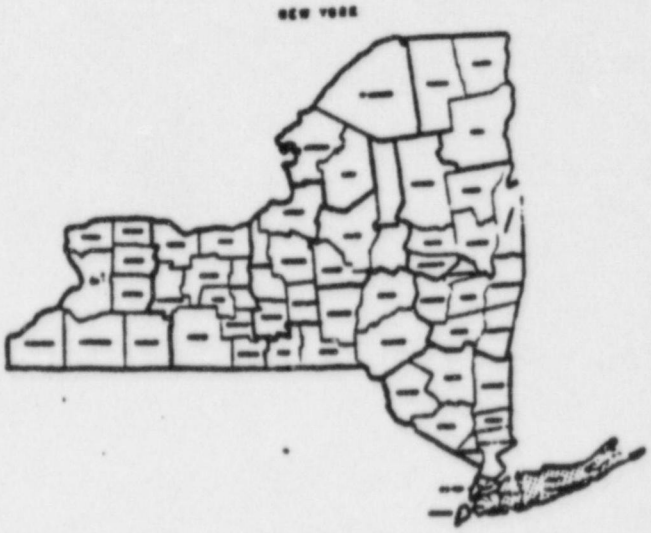
Director Civil Preparedness for
Nassau
John Blankenhorn

Date

[illegible]
Suffolk
William R. Ferrin

[illegible]

DETAILED NEW YORK EBS OPERATIONAL PLAN - NASSAU AND SUFFOLK COUNTIES OPERATIONAL AREA



STATION FACILITIES	FREQUENCY EBS DESIGNATION
WBAB-FM Babylon	102.3
3 kW 115 ft	PRIMARY
WXBA(FM) Brentwood	88.5
0.01 kW 52 ft	PRIMARY
WCWP(FM) Brookville	88.1
0.1 kW 190 ft	PRIMARY
WBAU(FM) Garden City	90.3
0.39 kW 155 ft S WHPC(FM)	PRIMARY
WHPC(FM) Garden City	90.3
0.39 kW 155 ft S WBAU(FM)	PRIMARY
WLIR(FM) Garden City	92.7
3 kW 285 ft	PRIMARY
WKJY(FM) Hempstead	98.3
3 kW 330 ft	PRIMARY
WVHC(FM) Hempstead	88.7
.47 kW 190 ft	NON-EBS
WSHR(FM) Lake Ronkonkoma	91.9
1.85 kW 145 ft	PRIMARY
WTFM(FM) Lake Success	103.5
7.1 kW 960 ft	PRIMARY
WCBS-FM NEW YORK	101.1
3.6 kW 1420 ft	PRI CPCS-1
WALK-FM Patchogue	97.5
15 kW 520 ft	PRIMARY
WBLI(FM) Patchogue	106.1
10 kW 470 ft	PRIMARY
WTOB(FM) Plainview	88.5
0.01 kW	PRIMARY
WALN-FM Riverhead	103.9
2.6 kW 320 ft	PRIMARY
WLNG-FM Sag Harbor	92.1
3 kW 125 ft	PRIMARY
WCTO(FM) Smithtown	94.3
3 kW 300 ft	PRIMARY
WWRJ-FM Southhampton	95.3
2.4 kW 330 ft	PRIMARY
WKWZ(FM) Syosset	88.5
0.01 kW 90 ft	PRIMARY
WUSB(FM) Stonybrook	90.1
4 kW 225 ft	PRIMARY

STATION FACILITIES	FREQUENCY EBS DESIGNATION
WNYG Babylon	1440
1 kW D	PRIMARY
WGLI Babylon	1290
1/5 kW DA-2 U	PRI CPCS-3
WGBB Freeport	1240
0.25/1 kW U	PRI CPCS-2
WHLI Hempstead	1100
10 kW DA-D	PRIMARY
WGSM Huntington	740
5 kW DA-D	PRIMARY
WLIX Islip	540
0.25 kW D	PRIMARY
WTHE Mineola	1520
.25/1 kW D (CH)	PRIMARY
WCBS NEW YORK	880
50 kW U	PRI CPCS-1
WALK Patchogue	1370
0.5 kW D	PRIMARY
WLIM Patchogue	1580
5/10 kW DA (CH)	PRIMARY
WRCN Riverhead	1570
1 kW DA-D	PRIMARY
WRIV Riverhead	1390
1 kW D	PRIMARY
WLNG Sag Harbor	1600
0.5 kW D	PRIMARY
WBAZ(FM) Southold	
WWHB(FM) Hampton Bays	107.1
3 kW 300 ft	PRIMARY
WPBX(FM) Southampton	
WSBH(FM) Southampton	Primary
WKNJ(FM) Dix Hills	88.9
.01 kW 95 ft	PRIMARY

STATION FACILITIES	FREQUENC EBS DESIGNATIO
WLIW(TV) Garden City	CH 2
1220 kW 380 ft	PRIMAR
WCBS-TV NEW YORK	CH 2
42 kW 1300 ft	PRI CPCS-
WSNL-TV Patchogue	CH 6
1280 kW 440 ft	PRIMAR