3231

RELATED CORRESPONDENCE

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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-5 (EP Exercise)
(Shoreham Nuclear Power Station, Unit 1)	ASLBP No. 86-533-01-OL

Deposition of

ROGER B. KOWIESKI, JOE H. KELLER and THOMAS BALDWIN

New York, New York

January 28, 1987

ORIGINAL

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Corrections to Deposition of FEMA Witness Panel
Deposition taken Wednesday January 28, 1987

Corrections identified by T. E. Baldwin

Reference Page	Line	Correction
46	15	Change "Herb Fisher" to Herb Fish.
80	9	Change "Standard" to Standards.
81	14	Change "the" to what.
81	14	Change "belief" to believe.
100	2	Change "plan and participate with" to plan and anticipate with.
155	13	Insert a between "and it was" and "100 percent sample."
259	22	Change "of what went on of the points" to "of what went on to become the points."

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
16	7	Added: and
16	19	Change: "Vaughan" to "Volland"
16	19	Change: "issue" to "initiate"
17	2	Change: "Vaughan" to "Volland"
17	9	Insert: "FEMA," after "requested"
17	10	Add comma after "Act"
17	12	Insert: "under" after "And"
17	16	Change: "further" to "fact"
18	18	Take out: "reassignment papers"
18	19	Add: "a" after "negotiating"
19	2	Add comma after "off"
19	10	Change: "send" to "help"
19	10	Change: "from" to "in"
19	11	Add comma after "plains"
19	19	Add comma after "issues"
19	19	Take out: "obviously" after "because"
19	19	Add commas after "some" and "obviously"
20	18	Change: "the position" to "deposition"
21	6	Take out: "to" after "telling"
21	22	Take out: "I think" after "realized that"
22	3	Change: "on some occasion" to "is concerned"
22	15	Change: "It's" to "There are"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
29	2	Change: "decision" to "position"
27	9	Change: "would" to "need to"
27	9	Add: "it" after "show"
27	10	Change: "that" to "this"
27	16	Add: "in it" after "involved"
27	22	Add: "who" after "Kowieski"
29	17	Add: "they" after "time"
30	19	Change: "Howieski" to "Kowieski"
31	18	Change: "to" to "up with"
32	7	Change: "transpired" to "transpiring"
32	19	Add: "have" after "you"
32	20	Change: "concentrate" to "concentrated"
32	22	Take out: "day" after "idea"
32	22	Place comma after "back"
32	22	Add: "the" after "since"
33	2	Add comma after "plan"
33	5	Add: "the" after "see"
33	8	Add comma after "plan"
35	9	Add: "any" after "of"
35	11	Take out: "whatever"
35	12	Take out: "you know"
35	13	Add comma after "now"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
35	14	Add: "comma after "definetely"
35	14	Change: "on" to "in"
35	14	Insert: "that" after "record"
38	7	Add: "coma after "on"
38	7	Take out: "at" after "on"
38	10	Add: "comma after "documents"
39	9	Add: "hyphen after "mind"
39	12	Add: "hyphen after "plan"
39	12	Change: "provide" to "provided"
39	15	Add: "one" after "also"
39	15	Add period after "concerns"
39	15	Start new sentence with: "Since"
39	16	Change: "are" to "is"
39	16	Add: comma after "attorneys"
39	20	Change: "try" in both cases to "tried"
43	10	Change: "Regional" to "original"
44	1	Take out: "okay"
44	7	Change: "know" to "knew"
44	15	Change: "in my" to "from"
44	15	Change: "answer" to "answering"
44	17	Take out: "I will be very responsive"
44	18	Take out: "but" and "maybe"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
44	19	Add Period after "point"
44	19	Add: "to" after "Because"
44	20	Add comma after "ago"
45	20	Add commas after "revealed" and "DOE"
45	20	Insert: "discussions" after "revealed"
45	21	Add comma after "remember"
46	8	Add comma after "exercise"
46	8	Insert: "same" after "are"
46	8	Change: "work" to "worked"
46	9	Add comma after "with"
48	21	Change: "they" to "we"
48	21	Change: "use" to "used"
49	1	Insert: "which" after "plan"
49	2	Change: "is" to "are"
49	3	Add comma after "same"
49	4	Take out: "we go back"
49	4	Add comma after "on"
49	4	Change: "and" to "you would"
49	7	Change: "will" to "would"
49	7	Change: "on" to "in"
49	8	Change: "as" to "to one"
49	21	Add comma after "past"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
49	21	change: "work" to "worked"
50	5	Add: "Director" after "exercise"
50	16	Change: "interaction" to "interjection"
50	17	Add comma after "introduce"
50	21	Add period after "messages"
50	22	Change: "is" to "was"
51	1	Add comma after "exercise"
51	1	Take out: "since"
51	3	Change: "who" to "nobody"
51	10	Change: "the" to "they"
53	18	Change: "want" to "wanted"
53	21	Change: "but" to "from"
53	21	Change: "want" to "wanted"
53	22	Add comma after "preparation"
54	13	Add after "Petrone" – "were kept informed"
54	20	Insert: "were" after "people"
55	2	Change: "SCS" to "SES"
55	5	Add: "that" after "know"
57	3	Change: "review" to "reviews"
57	13	Change: "on" to "or"
57	13	Add: "or" after "Nine Mile Point"
57	15	Add: "share" after "glad to"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
57	16	Add comma after "Indian Point"
59	2	Add comma after "well"
59	3	Insert "with" after "exercise"
60	18	Insert: "a" after "was"
60	22	Change: "included" to "vested"
60	22	Insert: "the" after "in"
60	22	Change: "by" to "including"
61	11	Change: "LILCO" to "Local"
61	14	Change: "that" to "of the"
61	15	Take out: "specifically"
61	16	Change: "of" to "with"
61	20	Insert: "who" after "anyone"
61	20	Change: "know" to "knows"
66	2	Add comma after "ago"
66	21	Insert: "it was" after "is that"
66	21	Change: "was" to "of"
80	16	Change: "that" to "if"
80	20	Change: "between points of" to "to"
83	18	Insert: "would" after "person"
87	5	Insert: "on" after "could go"
89	6	Insert: "on" after "have"
90	20	Change: "in" to "on"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
91	8	Take out: "not" after "of"
91	10	Add period after "sync"
91	15	Add: "out of sync" after "definetely not"
91	22	Change: "he is" to "you are"
92	1	Insert: "with it," after "and concur"
92	6	Change: "call" to "called"
92	6	Add period after "Revision 6".
92	6	Change: "their" to "there were"
92	9	Take out period after plan
92	14	Change: "review" to "reviewed"
92	14	Change: "I concur" to "concurred with it"
92	15	Add period after "NRC"
94	5	Add: "individual" after "injured"
94	13	Change: "not" to "that"
94	13	Take out: "so it" after "Coliseum"
96	7	change: "believe" to "believed"
96	7	Insert: "I" after "believed"
97	18	Add comma after "exercise"
98	5	Change: "say" to "said"
98	18	Change: "ask" to "asked"
99	1	Change: "will" to "would"
99	5	Insert: "he" after "still"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
100	18	Change: "will" to "would"
101	14	Add comma after "participation"
101	14	Change: "and" to "that's"
103	3	Place period after "exercise"
103	3	Change: "will" to "could" after "B J"
103	3	Change: "so" to "that"
103	3	Change: "will" to "would"
103	4	Insert: "if" after "evaluate"
103	4	Change: "the" to "this days"
103	6	Change: "say" to "said"
103	8	Insert: "He said" after "February 13th"
106	22	Change: "Kowieski" to "Kowieski's"
106	22	Insert: "practice" after "Kowieski's"
107	1	Change: "agree" to "agreed"
107	19	Change "in" to "to" after "belongs"
109	13	Add comma after "control point"
109	13	Change: "that" to "even"
109	14	Take out: "police" after "participation"
109	18	Take out: "the" after "duties and"
114	7	Add comma after "to operate"
114	7	Change: "is" to "were"
114	13	Change: "anywhere" to "anything"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
114	15	Add: "here" after "package"
114	19	Change: "explain" to "explained"
116	17	Insert: "the" after "calling for"
117	6	Change: "introduce" to "introduced"
117	21	Change: "use" to "used"
118	1	Insert: "to" after "we sent"
118	4	Change: "modify" to "modified"
118	5	Add comma after: "objectives"
119	10	Change: "will" to "would"
119	12	Take out: "number one,"
119	12	Insert: "of" after "same,"
119	12	Insert: "number one" after "was my"
127	3	Take out: "as" after "respect"
127	4	Add: "an" after "have"
128	10	Insert: "they" after "words,"
129	5	Insert: "a" after "through"
129	6	Change: "INPO" to "Impell"
130	15	Add comma after: "bus routes"
130	17	Take out: "may" after "Dr. Baldwin"
132	12	Change: "should see" to "thought"
132	13	Change: "are" to "were to be kept"
132	15	Take out: "of" after "members,"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
132	17	Place period after: "participants"
132	18	Start new sentence with: "Because"
132	18	Add comma after: "sites"
132	19	Change: "release" to "released"
132	20	Add comma after: "objectives"
132	20	Change: "finalize" to "finalized"
132	20	Add comma after: "exercise objectives"
133	2	Add comma after: "for evacuation"
135	5	Insert: "at" after "understand that"
135	20	Insert: "are" after "surprises"
135	20	Insert: "designed" after "actually"
136	1	Add comma after: "in addition"
136	2	Take out: "introduce" after "in addition"
136	5	Change: "this" to "these"
136	5	Change: "is" to "are"
139	20	Take out: "as to" after "management"
139	20	Insert: "an approximate number of buses."
139	20	Take out: "you know"
139	21	Start sentence with: "You don't...."
139	22	Insert: "than" after "more"
139	22	Take out: "use" after "want to"
140	7	Add comma after: "know"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
140	7	Change: "of the" to "it is a"
140	11	Change: "use" to "used"
140	11	Change: "are" to "were"
140	13	Place comma after: "recollect"
140	13	Place comma after: "in time"
140	14	Insert: "were" after "that"
140	20	Take out: "at" after "looking"
141	9	Insert: "in" after "him"
141	9	Insert: "of" after "excess"
141	11	Insert: "I did" after "possible"
141	13	Insert: "up" after "loot"
141	14	Place comma after: "to see"
142	8	Change: "are" to "were"
142	11	Insert: "a" after "it's no"
150	18	Insert: "following" after "exercise the"
150	19	Add colon after: "we used"
150	19	Take out: "and"
150	20	Place comma after: "want you"
150	21	Take out: "you" after "staging area,"
154	5	Change: "say" to "said"
154	7	Change: "say" to "they said"
154	9	Take out: "that" after "facilities"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
154	13	Change: "I will" to "we would"
154	17	Change: "intended" to "attempted this"
154	18	Change: "agree" to "agreed"
154	18	Add comma after: "difficult"
154	19	Add comma after: "administrator
154	19	Change: "at" to "someone in"
154	19	Change: "say" to "says"
154	20	Change comma after "school" to "semicolon"
154	20	Add comma after: "people"
158	5	Change: "serve" to "served"
158	5	Change: "I don't" to "I didn't"
158	10	Insert: "with" after "some concerns"
158	14	Change: "stipulation" to "speculation"
158	14	Insert: "any" after "have"
158	18	Add comma after: "reason"
158	18	Change: "will" to "would"
158	19	Change: "will" to "would"
158	19	Insert: "with it" after "deal"
162	8	Insert: "met" after "did"
162	9	Change: "don't" to "didn't"
164	5	Change: "letter" to "material."
164	5	Start sentence with: "He always--"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
164	7	change: "agrees" to "agreed"
166	11	Add comma after: "I believe"
166	11	Place period after: "responses"
166	11	Take out: "either over telephone,"
166	12	Start sentence with: "Either I..."
167	11	Insert: "case" after "Shoreham"
167	11	Change: "RAC" to "REP"
170	6	Insert: "the concept applied" after "again"
175	7	Add: "if" after: "have reviewed if"
175	7	Add: "if" after: "to review"
177	20	Place period after: "a similar day".
177	21	Add comma after: "I said"
182	11	Change: "ther" to "other"
182	15	Insert: "could" before "issue"
182	20	Take out: "you go, or your people"
182	21	Change: "will" to "would"
182	22	Place colon after: "to say"
183	1	Insert: "if" after "and"
183	2	Insert: "that's fine" after "there"
183	3	Insert: "him" after "arrest"
194	21	Change: "ask" to "asked"
195	5	Change: "Revision" to "Revisions"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
196	5	Change: "concur" to "concurred"
195	8	Change: "what" to "why"
197	4	Change: "whatever" to "whoever"
197	5	Take out: "to" after "you telling"
198	1	Change: "on" to "in"
201	7	Place comma after: "minutes"
201	20	Change: "whether" to "either"
201	20	Change: "say" to "said"
201	21	Insert: "do" after "what"
201	22	Change: "this" to "that"
205	1	Insert: "have to" after "would"
208	3	Take out: "But"
210	19	Take out: "maybe sometimes"
210	20	Change: "use" to "be used"
210	20	Take out: "the modules" after "directly"
210	21	Change: "figure" to "figured"
210	21	Change: "will" to "would"
210	22	Insert: "were" after "that"
210	22	Change: "will tailor" to "tailored"
211	3	Insert: "in" after "And"
211	5	Change: "at" to "for"
211	5	Change: "refer" to "referred"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
211	10	Change: "use" to "used"
211	11	Place comma after: "later on"
211	11	Place period after: "5th"
211	11	Take out: "Because"
211	12	Change: "like" to "liked"
211	12	Insert: "since" after "if"
211	19	Remove after: "Dr. Baldwin"
211	19	Change: "he" to "who"
211	19	Insert: "if" after "communicated"
211	20	Insert: "when" "before" "it came"
211	20	Change period to comma after "back"
211	21	Place period after "corrections"
211	21	Take out: "and then"
211	21	Start new sentence with: "The"
212	2	Place period after: "I understand"
212	2	Start new sentence with: "If"
212	2	Place comma after: "I recall"
212	4	Insert: "the" after "had"
212	5	Insert: "if" after "to review"
212	8	Insert: "would" after "you"
212	9	Take out: "so" after "okay"
212	9	Change: "anticipate" to "anticipated"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
212	9	Change: "and" to "so"
212	13	Change: "assumption" to "assumptions"
215	18	Take out: "period" after "down"
215	18	Change: "He" to "and"
215	19	Take out: "developed, de"
215	19	Insert: "if" after "discussed"
215	19	Place period after "terms" and start new sentence with "Because"
215	20	Place comma after: "LILCO"
216	4	Place comma after: "scenario"
216	9	Change: "review" to "reviewed"
216	10	Take out: "generally speaking"
216	11	Insert: "modifications" after "major"
216	15	Change: "don't" to "didn't"
217	1	start new sentence with: "What"
217	2	change period to question mark after "shifts"
217	3	Insert: "wind" after "previous"
217	4	Change: "comment" to "comments"
221	8	Add comma after: "direction"
221	11	Take out: "obviously" after "wanted to"
221	12	Insert: "in" after "obviously"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
221	13	Change: "dont" to "danted"
223	15	Add: "if" after "to document".
223	20	Place period after: "if"
223	20	Substitute: "and" with "And this was"
224	1	Add comma after: "notice"
225	6	Insert: "in" after "that"
225	7	Change: "that" to "the"
230	13	Change: "in" to "on" after "office"
233	17	Place comma after: "believe"
233	18	Place comma after: "explained"
233	21	Insert: "be" after "going to"
233	21	Change: "use" to "used"
233	22	Change: "on" to "in" after "but"
234	2	Insert: "me" after "promised"
234	12	Change: "that" to "regarding what"
234	13	Change: "that" to "from"
234	13	Start new sentence with: "If"
234	14	Place comma after "facilities"
234	14	Take out: "to" after "facilities"
235	17	Change: "will" to "would"
237	4	Change: "on" to "in"
237	16	Change: "is" to "was"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
237	20	change: "say" to "said"
237	21	Insert: "it;" after "observe"
237	22	Insert: "an" after "send"
237	22	change: "at" to "in"
237	22	Add colon after: "minute"
238	10	Add: "a" after "on"
238	11	Insert: "phase" after "reason"
238	22	Change: "this" to "if"
238	22	Change: "clear" to "clearer"
238	22	Add: "had" after "actually"
241	10	change: "of" to "on"
241	11	Insert: "at" after "simulators"
241	13	Add comma after: "plan"
241	14	Add comma after: "structured"
241	17	Insert: "as possible" after "realistic"
241	18	Place comma after "circumstances"
241	18	Remove "as possible"
242	15	Change: "is" to "was"
244	12	Change comma to semicolon after "the plan"
244	13	Change: "reinforce" to "see"
245	8	Place comma after: "training"
245	9	Place comma after: "I believe"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
250	2	Place comma after "periods" and start new sentence with "As far.."
250	3	Change period ~~to~~ comma after "concerned"
251	18	Change: "the" to "an"
253	7	Change: "Bill Bower" to "Del Bell"
254	12	Change comma to question mark after "to know"
256	1	Place commas after: "evacuation" and "a bus"
256	5	Insert: "for" after "planned"
256	8	Insert: "response to" after "area in"
256	10	Place period after: "factual"
257	21	Place period after: "of review"
263	15	Change: "register" to "registered"
263	15	change: "process" to "processed"
264	11	Place comma after: "I think"
264	11	Place period after: "your question"
264	16	Take out: "and to communicate"
265	16	Place comma after "companies"
268	3	Insert: "if" after "I confirm"
268	5	Place comma after: "study"
281	4	Change: "are" to "were"

CORRECTIONS TO DEPOSITION

Page	Line	Correction:
281	5	change: "will" to "would"
281	6	change: "will" to "would"
281	7	change: "are" to "were"

1/28/87
Rptd:JoeW
Typed:SueW

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:	:	
LONG ISLAND LIGHTING COMPANY	:	Docket No. 50-322-OL-3 (EP Exercise)
(Shoreham Nuclear Power Station, Unit 1)	:	(ASLBP No. 86-533-01-OL)

DEPOSITION OF

ROGER B. KOWIESKI, JOE H. KELLER, AND THOMAS BALDWIN

New York City, New York

Wednesday, January 28, 1987

Deposition of ROGER B. KOWIESKI, JOE H. KELLER, and THOMAS BALDWIN, called for examination pursuant to notice, at the Federal Emergency Management Agency, 26 Federal Plaza, New York City, New York, at 9:38 a.m., before Garrett J. Walsh, Jr., a Notary Public in and for the Commonwealth of Virginia at Large, when were present on behalf of the respective parties:

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C O N T E N T S

WITNESSES	PAGE
Roger B. Kowieski) Joseph H. Keller) Thomas Baldwin)	
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E X H I B I T S

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P R O C E E D I N G S

MR. CUMMING: Yesterday, in the deposition conducted by Mr. Zahnleuter of Ihor Husar, discussion was made about documents produced during the review of Revision 7 and 8 of the LILCO plan, and one of the documents which Mr. Husar had brought to the deposition and turned over to counsel was, in fact, an exchange of correspondence between NRC and FEMA concerning the review of Revision 7 and 8.

After consultation with Mr. Bordenick, it has been determined that the U. S. Nuclear Regulatory Commission does not wish to assert deliberative process privilege with respect to the document, their document; nor, does FEMA with respect to it, so we are, in fact, going to produce now a letter of January 20th, 1987 from Mr. Thomas E. Murley to Mr. Norman Steinlauf, a letter of December 11th, 1986 from Mr. Ihor Husar to Dr. Thomas F. Murley, and a memorandum for Ihor Husar from William J. Lazar, dated November 18th, 1986.

These documents, as well as the other documents produced yesterday in the deposition of Ihor Husar will not be on the index which was discussed by counsel of the documents that were prepared during the review of Revision

7 and 8. I don't have extra copies, but at the next break I will xerox as many more copies as we need. Mr. Zahnleuter was presiding, so I will give him the document, and at the break I will produce more copies for Mr. Miller, Ms. Letsche.

MR. ZAHNLEUTER: Okay. Thank you, Mr. Cumming.

MS. LETSCHE: Along those lines, Mr. Cumming, let me now just ask a question. I was not at the deposition yesterday.

Are there additional documents relevant to the review of Revision 7 and 8 that you have not produced, that you are withholding?

MR. CUMMING: That's correct. There was extensive discussion of this. Actually, the Federal Emergency Management Agency has no formal request from any of the Intervenors for documents concerning Revision 7 and 8; however, counsel for FEMA has obligated itself to produce an index.

As soon as it's available, and assuming we get such a request, the index will be provided as soon as it's available to all of those documents. When we get the request, we will do whatever is appropriate with respect to the documents, hopefully releasing as many as are possible without having to assert privilege at that time.

MS. LETSCHE: Let me just state for the record that it's my recollection -- and I do not have them here in front of me -- that the original document requests by the governments to FEMA made back at the beginning of the discovery period on this exercise litigation included documents that would have been pertinent to -- would have related to the review of Revision 7 and 8, since there were questions in those requests going to the proposed fixes by LILCO to the deficiencies identified in the FEMA report.

Therefore, it is my belief that there are outstanding discovery requests to FEMA already on the table as to which you should respond. If, in addition, you need an additional request in order to get the wheels turning on the provision of the documents and/or an index of what you are not going to produce, consider yourself having received one, probably yesterday by my colleagues and certainly today by me.

And it is very important to get those documents as soon as possible since, as you know, the discovery period is scheduled to end at the end of next week. So, I would like to have as soon as you are able to give us one an estimate of when you intend to be able to provide an index

and all the other documents that you will produce and an identification of those that you do not intend to produce, so that depending on what you come up with we can take whatever action we need to take with the Board.

MR. CUMMING: Counsel for FEMA has extensively researched this issue and finds there is no outstanding requests unanswered. And, as stated originally in the December 6th conference of counsel, there was an issue of how Revision 7 and 8 are before the Board.

We have voluntarily produced Ihor Husar, the current Chairman of the RAC, for a full deposition. The OL-3 Board has issued an Order, January 14th, opening discovery which I will provide to all counsel at this time and a copy to the Reporter which I would ask to be bound.

We are essentially not limiting the authority of Messrs. Keller and Baldwin this morning to answer questions concerning that reopened contention. We basically, because of resource limitations, as we have represented on the record to all parties as well as the Board, wish to economize as much as possible. We believe that the Board has not clearly understood or ruled as to whether it or the OL-3 Board has jurisdiction over planning contentions. We expect

this issue to be discussed in the upcoming February 10th conference of counsel.

To avoid repetition throughout the course of the day, I think our position is adequately stated on the record, that it is our understanding that the OL-3 Board has planning contentions, the OL-5 Board has exercise contentions. FEMA has, in writing, in a document of January 13th that there is an overlap between the two Boards and it wishes the Boards to instruct all counsel to take whatever steps can be taken to economize FEMA.

FEMA has made some specific recommendations in that letter, suggesting either a protocol between the Boards or that both Boards would sit on certain contentions. And, I think our position is very clear and has been for a long period of time.

Counsel for FEMA will do whatever it can to accommodate counsel for Intervenors, which is one of the reasons we served originally the correspondence between Victor -- Dave McLoughlin, Vic Stello and a copy of the RAC review itself.

With that, I think we can dispose of the issue unless you would like to make some further comments for the

record.

MS. LETSCHE: No. I gather this has been discussed, and my only comment is the one I made before, which is the failure to have obtained documents pertinent to the Revision 7 and 8 issues that are raised in the exercise contentions that have been admitted to litigation might very well delay the completion of discovery in this case.

And, if that is true, we will have to take that up with the Board in due course.

I guess we can go ahead and begin with you gentlemen now that you have sat through all of that.

Whereupon,

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ROGER B. KOWIESKI,

JOE H. KELLER

and

THOMAS BALDWIN

were called as a panel of witnesses and, having first been duly sworn, were examined and testified as follows:

DIRECT EXAMINATION

BY MS. LETSCHE:

Q Let me just say to begin with, and for the record, that my name is Karla Letsche. I'm with the law firm of

Kirkpatrick & Lockhart. We represent Suffolk County in this Nuclear Regulatory Commission licensing proceeding for the Shoreham Nuclear Power Plant.

I will be asking you all a series of questions over the next couple of days. If at any time you don't understand a question that I have asked, please tell me so that we can be on the same wavelength when we are discussing it.

In general, gentlemen, I will address my questions probably to one of you. And if I wish to have somebody else answer the question, I will let you know. In general, I think my questions will probably be answerable by one rather than all of you. If there is an instance when that is not the case, we can deal with that as it comes up.

Could I ask each of you to just state your name and address for the record?

A (Witness Baldwin) My name is Tom Baldwin. I am with Argonne National Laboratory. My business address is 277 Main Street, Second Floor, Port Washington, New York. Zip Code is 11050.

(Witness Kowieski) My name is Roger B. Kowieski. I am with Federal Emergency Management Agency, 26 Federal

Plaza, 13th Floor, New York, New York 10278.

(Witness Keller) My name is Joseph H. Keller. I am with the Idaho National Engineering Lab, more specifically Westinghouse Idaho Nuclear Corporation, P. O. Box 4000, Idaho Falls, Idaho. The zip is 83403.

MR. CUMMING: I should state for the record that none of the witnesses waives right of signature on the depositions, as has been the practice.

WITNESS KOWIESKI: Could I consult Mr. Cumming for a second?

(The witnesses are conferring with Mr. Cumming.)

MR. CUMMING: Back on the record. To the extent past practice, as indicated, that any witness could answer the question that is panel's understanding although it is clearly the prerogative of Intervenor's counsel to direct the question to an individual.

MS. LETSCHE: Well, that's certainly right. And I intend to do that. And, as I said, when there are questions that someone else wishes to add something to, they should let me know and it might be that time to do it or I might ask that we wait for a more logical place for someone else to jump in. And we should deal with that when it

comes up.

MR. CUMMING: But if you do anticipate asking a specific witness, if you could alert them so that they will pay extra attention --

MS. LETSCHE: I certainly will do that.

MR. CUMMING: -- and you can awake them from whatever slumber they may be in during the course of the long deposition, that would be helpful to our witness.

(Laughter.)

MS. LETSCHE: I will definitely do that.

BY MS. LETSCHE: (Continuing)

Q Perhaps just to get things rolling, I would like each one of you to just describe for me generally what your -- and this will be a general answer -- what your involvement was with respect to the preparation for the February 13 Shoreham exercise.

And, since I have a feeling that Mr. Kowieski's answer will probably be the longest, why don't I begin with Dr. Baldwin and Mr. Keller.

A (Witness Keller) Would you clarify, please? You said preparation for. Do you want to stop on February 13th?

Q Yes. And, in fact, let me rephrase the question

a little bit, because I anticipate that that might have gotten a half an hour answer from each one of you.

Let me ask each one of you when you first learned that there was going to be preparation by FEMA to conduct some kind of an exercise for the Shoreham plant?

Dr. Baldwin?

A (Witness Baldwin) I believe that I was first became cognizant of it in early November with a transmittal memo between NRC and FEMA that the groundwork was to be layed for an exercise. And later there was transmittal of objectives from FEMA to NRC to be transmitted in turn to LILCO in preparation. So, it was early November.

Q Okay. Mr. Keller?

A (Witness Keller) The same time frame.

Q And, Mr. Kowieski?

A (Witness Kowieski) To the best of my recollection, it was June the 5th, 1985 when I was requested to attend the meeting in FEMA Headquarters office between FEMA Headquarters staff, NRC staff, Suffolk County and I believe the representatives of law firm, Hunton & Williams.

Then, on June the 20 I receive, or shortly after June the 20 I receive a copy of the letter from NRC to FEMA

Headquarters asking to schedule and conduct an evaluation as full exercise as feasible.

October the 29th, if I recall, Mr. Sam Speck, Associate Director for the State and Local Programs responded to NRC request by proposing two options. And one of the options was to exercise those exercise objectives that are not affected by legal authority issues; and, the second one, exercise major components of the plan.

And shortly after, if I recall -- I don't remember the exact date -- Mr. Sam Speck in a memo to Frank Petrone, Regional Director at that time, request that we start our preparation for the exercise. And also, I was requested to put together proposed exercise objectives.

I put together exercise objectives. I asked who should I send to. I was instructed to send to Richard Krimm, and I followed that instruction I believe on November the 6th.

And on -- I believe on November the 12th, NRC definitely responded and instructed FEMA to go ahead with the exercise preparation.

If you want me to continue further, I will be glad to but this again would involve the details of the exercise preparation.

Q Right. Okay. That was a very good summary, and I think we can go back and get into the details in a little more organized fashion here, but that was very helpful.

Before we get into that, Mr. Kowieski, what was your position with FEMA during this period, back in June and Fall and Winter of '85 and '86?

A (Witness Kowieski) At that time, I was a RAC Chairman of Regional Assistance Committee in FEMA Region II office.

Q And what were your responsibilities in that position?

A In that position I believe, as any RAC Chairman, my responsibilities were to coordinate federal effort to assist the state and local government, and in case of Shoreham, LILCO, to modify, to improve the plan or plans.

Q For off-site response to a radiological --

A Exactly, surely. I thought it was understood.

Q We will just put it on the record to make it complete. Now, when did you cease to hold that position?

A On June the 20, 1986.

Q And, what happened on that date?

A Before -- well, a few events leading to that day.

Back in 1983, I was -- among several regions, my region was audited by Office of Personnel Management. At that time, I was in different position. I was Acting Branch Chief.

And based on that OPM evaluation, I -- OPM recommended that my position would be downgraded to GS-13 from GM-14 to GS-13. Shortly after my division was reorganized, and I performed as a Deputy to Division Chief of Natural and Radiological Hazards. RBL

In meanwhile, my Director, Frank Petrone, sent several requests to Washington appealing OPM audit, stating that my duties and responsibilities has changed since OPM audit. At that time, my duties and responsibilities qualify, definitely qualify GM-14.

Nothing happened until I believe 1985 when new Director came on Board, Julius Becton . Julius Becton apparently was contacted by OPM and requested to take immediate action on OPM audit. So, I believe -- again, it's my speculation, but he apparently instructed Director of Personnel, Mr. ~~Vaughan,~~ Volland to go ahead and ~~issue~~ initiate the process of reviewing various positions and take appropriate actions. RBL

As I mentioned, my Director sent three memoranda to Washington. There was no response whatsoever. I sent my

own correspondence memoranda to Director of Personnel, Mr. Volland ~~Vaughan;~~ no response whatsoever. RBK

Eventually time came on May the 25th when I was advised that I will be downgraded from GM-14 to 13. Also, I was very upset. I was disappointed because there was no response, no action whatsoever on the part of my Agency. I sent another memorandum to Mr. Volland ~~Vaughan~~ basically asking him to reevaluate my case. No response.

So, on May the 25th -- also I requested (FEMA) under RBK the Freedom of Information Act, to produce some documents RBK that would show to me as to how my position was -- why my position was downgraded. And under the Freedom of Information Act, FEMA did not produce one single document showing how they reached the conclusion.

So, on May the 25th I was downgraded to GS-13. Shortly after, because due to the fact ~~further~~ than FEMA anticipated shortage of funds, they initiated reduction in force, RBK commonly known as the RIF. So, when I was doing the Indian Point exercise on June the 5th, I was advised during the exercise that -- and other people were advised as well -- that I will be reassigned to different position, civil engineer position, effective June the 20.

Q And, were you so reassigned?

A That's correct.

Q On June the 20th?

A That's right.

Q And the civil engineering position that you were assigned to -- this is June the 20th, 1986, right?

A That's correct.

Q Okay. Is that the position that you are in today?

A To be honest with you, I'm sort of -- I'm not certain myself. I understood that FEMA Headquarters detailed me as of January 5th of 1986 for 120 day period to deal with Shoreham -- and I believe others -- to assist, having my expertise, of other nuclear power stations. So far, I haven't seen a reassignment paper.

But you should realize, and probably you already saw the record, that I'm in litigation with FEMA. And I think that -- the reason being that they did not reassign me officially ~~reassignment papers~~ because we are right now negotiating a settlement. And probably that's why -- you know, I think we already came to terms -- I mean, in broad terms, we came to terms as to how we are going to settle this case out of court. So, that's the reason they didn't send me

papers. So, I've been working on Shoreham since -- on and off, since January the 5th, 1987.

Q Okay. Can you just briefly describe for me what your civil engineer position which you held until January 5th of '87, what kind of responsibilities did that involve?

A Generally speaking, I was responsible for national flood insurance program, for hurricane program and a dam safety program. Within those programs, I had other responsibilities that would branch out to other areas dealing with several federal agencies in trying to ~~send~~ help people ~~from~~ in the flood plains, when people file certain papers and so far and so on.

Q Is it safe to say that that position didn't involve any radiological emergency planning duties?

A I think it's a fair characterization. Obviously, I was a -- on a number of occasions I was approached either by my Division Chief, Mr. McIntire or by the present RAC Chairman, Ihor Husar, and other staff members with questions on various issues, because ~~obviously~~ I have some, obviously, institutional memory as to what actually transpired in the past four or five years.

Q When you said that beginning January 5th you

understand that you were detailed, I think is the word you used, for a 120 day period to work on Shoreham, is it your understanding that generally that is going to be the only project that you are going to be working on for this detail period, the Shoreham project?

A I don't have any specific knowledge whether or not I will be asked to work on other projects besides Shoreham. As I said, I don't have any documents up to this point as to what my responsibilities would be.

So, at this point in time I think I would just leave it that -- well, as far as I know, my major responsibilities would be to work on Shoreham.

Q Okay. Now, what do you understand your work on Shoreham will consist of during this period? I know you don't have anything in writing but what is your understanding?

A Well, my understanding I think is to prepare for ~~the position;~~ deposition in the future to write, to review contentions, RBK to write testimony and eventually testify before the Atomic Safety Licensing Board.

Q Do you have -- do you understand that you will have any additional plan review or exercise preparation or

review functions in connection with --

A As far as I know, in just sort of informal discussion with my boss, Phil McIntire, it was my understanding that I would not be responsible for plan reviews.

(Mr. Kowieski and Mr. Keller are conferring.)

Yeah, as Mr. Keller is telling ~~to~~ me, and it's true, I was not involved in the review of Revision 7 or 8. RBK

Q And you don't understand that you would be involved in the review of any -- if there is a Revision 9 or 10 or 11, or whatever else is down there?

A That's correct.

Q Okay. Would it be a fair characterization then to say that as best you can tell you have been detailed to work on, or to provide -- that you have been detailed to work on the Shoreham litigation before the Nuclear Regulatory Commission?

A That's correct.

Q And is it fair to say that this was -- did you understand that this was kind of the -- an arrangement in return for settlement of your litigation?

A No. I don't think that has anything to do with my litigation. I think that FEMA realized that ~~I think~~ it RBK

would be very hard for anyone else to testify as to what Roger Kowieski did in preparation for the exercise, because as far as the exercise preparation ~~on some occasion~~ is concerned, I was RBR the one who made the arrangements, made agreements with LILCO, FEMA, whoever. So, I think that a year long briefing couldn't help really.

I think that FEMA realized that Roger Kowieski would be the best one, the best qualified in this case to represent FEMA.

Q Well, are you still at the GS-13 level?

A That's correct.

Q And, do you understand that that is going to change?

A It's my understanding. Again, I cannot speculate. There are ~~It's~~ a lot of players at FEMA Headquarters that are involved. RBR That's my understanding.

And I've been instructed by my attorney not to discuss this any further unless settlement is reached. So, right now it's between my attorney and the Office of General Counsel.

Q Okay. I understand. And, I don't want to get into the confidential settlement discussions at all. But,

it's my understanding from discussions that went on in the litigation context -- and I'm talking about the Shoreham litigation context -- was that there was a considerable period of time during which because of your dispute about the downgrading and all of that that you would not be available to FEMA to assist them in the NRC-related litigation, and that it was only upon the reaching of some kind of a settlement or an agreement that there would be a settlement that you became available.

Is that not correct, or is that right?

A There are other issues involved, Ms. Letsche, which obviously I don't know if really this is proper time to go into it. There are other issues which deal with my position description, former position description, my duties and responsibilities as Program Manager and RAC Chairman, whether or not I was in the position to make policy decisions or not.

So, I was confused myself and I was getting mixed signals. On one hand, Associate Director, a former Associate Director of the State and Local Programs, Mr. Speck, recommended for me Distinguish Service Award saying that my work effected policies and procedures. On the other hand, Director

of Personnel was saying no, I wasn't in the policy making position. ~~decision.~~ So, I was sort of confused, okay. That's the reason that I was so hesitant to commit myself to Shoreham.

Q I see. I asked you before about whether you would be involved in subsequent plan reviews, and you said you understood you would not.

A Uh-huh.

Q Do you understand that you would be involved in any subsequent exercises, remedial exercises or other exercises or drills related to Shoreham?

A I haven't been informed to this effect by anyone.

MR. CUMMING: Could we go off the record for just one second.

(Off-the-record.)

WITNESS KOWIESKI: After consultation with Mr. Cumming, it's important to state that federal law, federal regs, allow that I will retain my pay for several years definitely so. I don't think there is a problem, okay.

However, there is obviously another aspect, promotional aspect, for instance.

BY MS. LETSCHE: (Continuing)

Q Sure. Let me just make sure I understand. You

are saying that when you were downgraded from a 14 to a 13, your salary did not change?

A That's correct.

Q It was a position description and the authority and responsibilities --

A That's correct.

Q -- that went along with it?

A That's correct.

Q And that was the basis of your lawsuit and your disagreement with FEMA?

A It's a matter of principle, Ms. Letsche, nothing else, okay.

Q Sure.

A Because I could go probably to private sector tomorrow and hopefully get a job. It's a matter of principle. Okay, that's all.

Q I understand. Okay. Now, let's go back to the basic general chronology you gave me awhile back about learning about FEMA's preparation for a Shoreham exercise.

And, I gather that between the time that you learned of the letter from the NRC requesting FEMA to schedule and conduct as full as feasible an exercise for

Shoreham and the subsequent events of tne letters laying out the options and all of that, that there were meetings and discussions held in that interim period about that issue; is that right?

A That's correct. Well, as I mentioned, I was privy to one meeting. I was invited to one meeting where -- it was the time when Suffolk County Executive, Mr. Cohallan, decided to participate in emergency planning. I'm certain you are aware of the fact.

At that time, I guess he authorized some of his staff, emergency planners as well as I believe some of the people from the police department, to attend exercise planning meeting. You may recall, that meeting took place in Washington.

And we obviously discussed various aspects of how to schedule the exercise and how to prepare for that exercise.

Q And that was the June meeting that you mentioned earlier, right?

A June meeting, that's correct.

Q Okay. I would like to go a little bit beyond that to the point when discussions got a little further

along and I would like you to focus your mind on the late October period of 1985. This would be before the letter went from Mr. Speck to the NRC proposing the two kinds of options but after there had been some discussion about how an exercise would be conducted.

Now, I gather that during that period Theodore Barry and Asscciates had been working as a contractor for FEMA on that project; is that right?

A I'm sure the record would show very clear, because I'm certain that that will save a lot of questions on your part. There was a conscious decision made by FEMA management to separate people like me from any negotiations -- if any, I'm not aware of -- between whoever, FEMA, NRC, LILCO, I don't know. God knows who. I'm saying they separated Roger Kowieski from those discussions.

When I got involved was only the time when I was told: Go ahead and put together exercise objectives. At that time, Mr. Sam Speck made it clear that nobody else, only Roger Kowieski, will be in charge of that exercise.

Q Right.

A Neither my boss, nobody else in Washington would get involved. It would be Roger Kowieski will conduct that

exercise in the same manner as he conducted other exercises in Region II.

Q Okay. I understand that. Can you explain for me a little more though what it was -- what the negotiations or discussions were, what types they were, that it had been decided you would be separate from?

What were those discussions and negotiations that other people were involved in?

A I don't remember who and when. It could be my immediate boss, Phil McIntire, or former Director, Frank Petrone, that stated: Well, Roger, don't be insulted, don't be offended, but we will keep you out of the discussions because it has nothing to do with your work as the RAC Chairman.

Q Right. Okay. I understand that. When it was finally decided FEMA was going to do an exercise you were in charge?

A That's right.

Q What I'm curious about is what the discussions or negotiations were that were going on prior to that decision-making point that it was decided you would not be involved --

A Ms. Letsche, you are asking me to speculate right

now and to again speculate as to who talked to who and who said what, okay. I really don't know.

And I think it would be fair for Roger Kowieski to speculate on this point.

Q Okay. I don't want you to speculate, and you are absolutely right, that wouldn't be fair of me to ask you to try to describe conversations or persons involved in them that you were not a party to.

Are you saying that you don't have an idea of even the general subject matter of those discussions?

A No, ma'am. As a matter of fact, I remember -- I don't remember the timing of that meeting when Mr. Bob Wilkerson and Bill Stokes were here at our office, and we met. It was Phil McIntire, me and Bill Stokes, Bob Wilkerson. And we discussed possible Shoreham exercise, again in general terms.

At a certain point in time they said: I'm sorry, Bob Roger, we have to excuse you. And I left.

MS. LETSCHE: Right. Let me have marked as FEMA Panel Exhibit Number 1 for identification a two-page document handwritten, dated 10/24/85 with the heading "Meeting" on the top.

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(The document referred to is marked as FEMA Panel Exhibit Number 1 for identification.)

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, do you have before you the document that has been marked FEMA Panel Exhibit Number 1?

A That's correct.

Q This document, I take it, was not handwritten by you; is that right?

A That's correct.

Q Do you recognize the handwriting?

A No, I don't.

Q Okay. This refers to a meeting dated 10/24/85, and there is an indication that you were an attendee part-time at that meeting.

Can you review this document for me and let me know if this is the meeting to which you just referred that you were present at for part of the time and then excused?

(The witness, Mr. Kowieski, is looking at the document.)

RBK

A Yes, I believe it was the meeting that I attended part-time, and later I was excused from that meeting.

Q All right. I note that near the bottom of the page concerning the notes from this meeting, there is a statement which says, "Presently FEMA has indicated that up to 55 observers and 55 controllers may be required."

Do you recall a discussion on that topic at this meeting?

A Well, I think that -- I don't know who indicated staff requirement for the exercise. But, again I would have to go to my records. If you wish later on I will be glad to go to my files.

But I believe in connection with June 5th, 1986 meeting I was requested to give an estimate, you know, as to how many people we would need for the exercise. My answer was that I really don't know, because I don't know what we are going to exercise. They said: Well, give us at least ball park figure. I said: Well, at least as many as Indian Point exercise.

And probably that's why they came up with 55 observers. RBJ

Q Okay. That's how many were at Indian Point, around that area?

A That's right.

Q Okay. I notice that on the next page there is a

reference to -- in the second bullet there: "FEMA has presently committed 15 total days of work effort for each evaluator, plus two trips."

Do you recall a discussion about that, or can you give me any more information about what that refers to?

A Well, it's not -- I don't recall exactly this transpiring at that meeting. Again, at the June, or shortly after the June meeting, I was asked to give sort of an estimate.

And based on my expertise, I developed an estimate as to how much time my staff, myself, RAC members, contractors would need to prepare for the exercise.

Q Right. I guess what I'm curious about is the reference to each evaluator having two trips. Is that something that is normally done for exercises, that an evaluator would make two trips out to the site of the exercise?

A Generally speaking, not. In this case, and to be honest with you, I read at least one -- or I believe more than one, at least three depositions and I know that you have concentrated on this issue. And I think again it's good to answer right now so again we will save a lot of time.

It was my idea ~~way,~~ way back, that since the Shoreham

plan -- it's a different plan, generally speaking structured differently than any other plan, I felt I had a responsibility as the RAC Chairman to make certain that my observers, at least key people; team leaders, contractors, RAC members, some of the RAC members, would go and sort of see the way they operate, the mode of operation, to make certain that whatever I'm going to develop, exercise preparation package, will be in sync with the plan, if it is going to work.

Q So, this was designed to give them that additional educational experience that you felt they would need?

A Plus longer training session than normally. Normally, I have sort of day long training session. In this case, we had a two-day training session in connection with Shoreham.

Q Okay. Now you mentioned that this was your thinking way, way back, that you would want to have them come out early. Is that what actually happened?

Did they have an opportunity --

A Some of them, right. The people from Argonne that were responsible, key positions, as evaluators during the Shoreham exercise, contractors -- Tom, I believe, Tom, that you were at the January 29 and 30 meeting and drill. And

Joe Keller. Some of the key individuals, I felt it would be very helpful sort of in the last minute to check whether the package we developed, the exercise package for exercise evaluators, controllers and simulators, would work.

endT1A

Q A little further down on that page, halfway down, there is a bullet which says: "Region II questions the use of term 'exercise' versus 'Dr...'" And I'm not sure what the rest of it is, although it may be drill.

Do you have any recollection of what this notation refers to?

A Again, I really don't know. I can only speculate. Do you want me to speculate? I will be glad to.

Q If you have any knowledge as --

A I think it --

Q -- to any discussion or what it means, then --

A I don't have a recollection. Referring to January 30 drill, and maybe someone, possibly me, said: Listen, don't call this an exercise because it's not an exercise. It's a drill. It's very limited.

Q Okay. I guess I'm not sure why it is that you believe this bullet refers to a January 30 drill --

A Speculation. That's a speculation on my part.

Q Now, you mentioned earlier the October 29th letter from Mr. Speck to the NRC proposing two options, types of exercises that FEMA could conduct for the Shoreham plant.

Do you recall Region II having any input or comments or recommendations concerning the types of options that may be proposed prior to the issuance of Mr. Speck's letter to the NRC?

A I only recall -- again, I'm going back. I wasn't part of any discussion. So, sort of I overheard from my immediate boss saying that we received a draft letter to NRC but somehow the second page was missing, ~~whatever~~, ~~you know.~~ But, again that's sort of what I overheard, okay.

And I cannot be certain. If you ask me right now, definitely, to put ~~on~~ in the record that it actually transpired, I don't know.

Q Sure. I understand.

A Okay.

MS. LETSCHE: Let me have marked as FEMA Panel Exhibit Number 2 for identification a document dated October 25, 1985. It's a memorandum for Edward L. Jordan from Richard W. Krimm.

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(The document referred to is marked as FEMA Panel Exhibit Number 2 for identification.)

MS. LETSCHE: I tell you what, just to make our lives easier let me also right now have marked for identification as FEMA Panel Exhibit Number 3 a document dated October 29, 1985 which is a two-page letter to Mr. William J. Dircks from Samuel W. Speck.

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(The document referred to is marked as FEMA Panel Exhibit Number 3 for identification.)

BY MS. LETSCHE: (Continuing)

Q Now, just to get the record straight, I take it, Mr. Kowieski, that what has been marked as FEMA Panel Exhibit Number 3 for identification is the letter from Mr. Speck that you referred to earlier as the one proposing the two options?

A That's correct.

Q Now, directing your attention to what has been marked as FEMA Panel Exhibit Number 2 for identification, does this appear to be the one-page draft that you had mentioned in your prior answer?

A I believe so.

Q Okay. I note that on the top of the FEMA Panel Exhibit 2, there is a handwritten note which says, "Bob, Region II's recommendations for changes in the draft are contained below. Phil."

Do you recognize that as being a handwritten note by Mr. McIntire?

A Yes, I do.

Q Did you have any conversations or discussions with anyone in Region II concerning the recommendations for changes that are set forth in that document?

A Looking at this document, again I have a vague recollection. It's quite possible that I saw this particular page. But right now, really if you ask me for specifics really, I'm sorry but I cannot recall.

Q That's fine. Would you direct your attention to sort of the third little paragraph which has an arrow going up towards the second paragraph? And that sentence that I'm referring to says, "FEMA would only be able to evaluate those portions of the Shoreham plan where LILCO response functions are not affected by the legal authority issue."

Did you -- at the time, do you recall, did you

agree with that statement?

A I don't have any recollection.

Q And, do you recall any discussions by the Region II personnel about that point, that FEMA could only evaluate portions of the plan where LILCO response functions would -- are not affected by the legal authority issue?

A As I mentioned to you, later on, ~~at some time~~ - at the end of October when I was instructed to initiate exercise preparation process, if you go back to the correspondence and documents, I developed the exercise objectives the way it could be used for either option, Option 1 or 2.

As far as this particular statement is concerned in Exhibit 2, I don't have any specific recollection as to who proposed and why.

Q Okay. In connection with your development of the objectives, you said you created them to be used for either option, what was your intention as to how the objectives that you identified as being affected by the legal authority issues could be evaluated by FEMA in an exercise?

A I really -- if you would be kind enough to sort of restructure --

Q Okay. That was a bad question. In the objectives

that you created, you had certain ones that you indicated with an asterisk were affected by the legal authority issue. And my question is going to go to those objectives.

What did you intend when you created those objectives? How did you have in mind that FEMA could evaluate the performance of those objectives during an exercise?

A I didn't have anything in mind, you know, how FEMA would or would not evaluate those objectives. What I had in mind, as the RAC Chairman, I was involved in producing at least three documents evaluating the LILCO transition plan.

And in LILCO transition plan when we provided our comments on LILCO transition plan, Revision 1, 2 and 3, then 4 and 5, we produced two documents. We produced document for technical review and also legal concerns. Since RAC Committee ~~are~~ is not comprised of attorneys, we only suggested that those elements could be affected by legal authority issues.

Q Right.

A And I ~~try~~ tried -- I ~~try~~ tried my best when I put together proposed exercise objectives to identify which exercise objectives could be possibly affected by legal authority issues.

Q Right.

A So, later on I don't have to go back to Square One if, for whatever reason, NRC elected Option 1 and have to go back and start all over again.

Q Right.

A So, I said -- this is way I operate anyhow, okay. I don't have to duplicate my effort. That's the reason I produce two sets of objectives.

Q Right. I understand that it was basically very consistent with the way you, as the RAC Chairman, and the RAC had dealt with each one of the plan reviews all along.

A Yes, ma'am.

Q You identified those issues, and you were being consistent.

A Yes, ma'am.

Q And, I guess what I'm trying to see, were there any discussions when you got to the context of an exercise -- I understand how you created the objectives --

A May I ask a question? Would you please use that sort of the dates so I know exactly where you are referring to. So, after when I was instructed to go ahead or before that time.

Q That's a fair question. Okay. Let's talk about before you were instructed to go ahead.

A Okay.

Q Talking about this time frame now, of these letters that we are looking at, Exhibits 2 and 3, which is the late October time frame.

During that period, did you -- were there discussions or was there consideration of how an evaluation during an exercise would deal with those issues that were affected by legal authority?

A Again, it would be speculation again on my part. As I've already stated for the record, I was not privy to any discussions that could have taken place -- and again, I don't know about discussion between NRC, FEMA and any other party or parties or organizations.

Later on, obviously the same way as you did, learned from various documents, obviously reading the documents. Obviously reading the documents right now, we know what kind of discussions, at least some of the discussions took place.

But at the time, before end of October, I wasn't privy. I wasn't involved. I wasn't informed of any

discussions -- about any discussions that took place.

Q Okay. Then, with respect to the sentence that I've directed your attention to on FEMA Panel Exhibit Number 2, the one with the little arrow going up to the second paragraph, do you have any knowledge or understanding as to why that was a Region II recommendation for a change in the draft?

A To be honest with you, I don't know whether this particular sentence comes from Region II. I really don't know.

Q All right. Following the issuance of what has been marked as FEMA Panel Exhibit Number 3, the letter from Mr. Speck to Mr. Dircks, do you recall any concerns expressed by Region II personnel about the handling of the issuance of that letter by FEMA Headquarters?

A Yes, I do.

Q Can you tell me what you recall about that?

A I remember some unhappiness on the part of Mr. McIntire and Mr. Petrone that we never received a copy, a draft copy of second page. I know there was some follow-up correspondence from Mr. McIntire or Mr. Petrone to Washington office. And, apparently there was some kind of confusion. I

don't know on whose part, okay. But apparently the second page was never faxed, or it was faxed to our office late and we never received. So, I really don't know. If you ask me for details, really I don't remember.

Q I understand. Do you recall any discussion as to why the original draft was from Mr. Krimm to Mr. Jordan and the final ended up being a letter from Mr. Speck to Mr. Dircks?

A No. I'm not aware of any discussions or reasons why the ~~Regional letter~~ original was addressed to Mr. Jordan. And the author of that letter was Mr. Richard Krimm. I don't have knowledge of that. RBJ

Q Now, I gather that around this time frame, in late October and early November, that there was a great deal of concern on the part of FEMA about the availability of resources to conduct a Shoreham exercise and the fact that there was sort of a window when it could be done; is that right?

A That's correct, and especially with the time frame. I believe proposed in December or January, and I think I was involved to some extent, at least as far as Region II is concerned, developing, showing that our work

load, that -- in other words, ~~okay,~~ that someone would have to make a decision as to what is Priority Number 1, 2 and 3.

And I provided this, I believe, to my immediate boss or to Washington office. And it was, I believe, incorporated into the master set of plan, FEMA master plan, as we know, our schedule of exercises, FEMA schedule of exercises, in November, December, January, February and March.

Q Right. Okay. Do you recall that there were -- were there ever any exceptions made to normal policy about resources to enable FEMA to perform work for a Shoreham exercise?

A Unless my counsel will object, okay, or stop me ~~in my~~ from answering, but again sometimes I'm trying to recollect and, you know, as long as the record is clear that sometimes if you want me to be responsive, ~~I will be very responsive but,~~ you know, sometimes my recollection is not ~~maybe~~ really to the point. Because to remember whatever transpired over a year ago, sometimes not everyone will be able to recollect every single detail.

MR. CUMMING: I will state for the record, Mr.

Kowieski, that the Board on December 17th ruled that witnesses were to answer questions with respect to before, during and after the exercise unless FEMA asserted deliberative process.

BY MS. LETSCHE: (Continuing)

Q Let me say, Mr. Kowieski, that obviously I only want you to answer to the best of your recollection. And, I think everyone is aware that we are talking about events of a year and a half ago and your memory is already remarkable.

A Thank you.

Q So, whatever you can remember is all that we are hoping to get from you.

A What I recall that FEMA had some concerns with respect to financial aspects. In other words, whether or not we will be able to come up with, as initially planned, 55, or anticipated 55, evaluators and whatever, 50 controllers and simulators.

And I presume there were some discussions. It was later on revealed, with DOE, that I wasn't privy to obviously. And I remember, I was contacted by DOE person once, okay, with this respect. Somehow, it was suggested

that DOE will be providing evaluators and I was sort of surprised. I was surprised that for the first time DOE, at least during my term, would be providing evaluators. And, I was very anxious to find out the names of those evaluators.

Well, it turned out that those evaluators would be coming from Argonne. And I said I don't care really, you know, who is paying, okay, as long as people that will be coming to Shoreham exercise, are same people that I work with, interacted with, and who is paying for it is not really my concern.

Q So, it turned out that there were not DOE employees who were evaluators?

A Well, sort of.

(The panel is conferring.)

That's right. Herb Fisher is a RAC member but he has been participating in our exercises since Day One, okay, whenever he came on board. So, I was satisfied. I was satisfied that people who will come to Shoreham exercise will come from Argonne.

Q Why were you surprised or potentially dissatisfied with the concept that they might have been from DOE?

A Not dissatisfied, okay.

Q Well, I don't want to characterize your --

A I would say I was sort of anxious to find out the names of the individuals, because I wasn't certain whether or not I, to be honest, if I was going to accept, you know. Number One, I was told by some people, I believe Mr. Wilkerson, that I would have veto power over the evaluators. That was the one condition that I agreed to go ahead with the exercise preparation, that if someone in anyway will intervene into my process, I said: I simply will not resign but simply will ask my boss to relieve me from my responsibilities.

Q Okay. But, I gather from the beginning of your discussion that part of the financial burden associated with the conduct of this exercise was borne by the Department of Energy as far as you know?

A As far as --

MR. ZEUGIN: I would note a continuing objection to this whole line of questioning which I think is totally irrelevant to any admitted contention in this proceeding.

Rather than burden the record with endless objections to every last question, I will simply make it a continuing objection as to the whole line.

MR. CUMMING: FEMA notes a continuing objection, too.

In fact, the objection was raised earlier in parlance with FEMA, to the extent the Board has ruled adversely to FEMA.

Witness is instructed to answer to the extent he has personal knowledge; however, FEMA does not waive its objections with respect to relevance.

WITNESS KOWIESKI: I don't have a definite knowledge whether check was sent to FEMA by DOE. I overheard this in discussion.

But if you ask me definitely: Mr. Kowieski, are you sure that DOE paid for observers, I don't know.

BY MS. LETSCHE: (Continuing)

Q Other than the cost concerns and the discussion you just had about DOE, were there any other exceptions to the normal FEMA policies or procedures that were put into place in connection with the preparation for the Shoreham exercise, to your knowledge?

A If you call one exception controllers and simulators, sure. That's an exception.

The rest -- again, I want to stress for the record because it will come back and I will refer to this. I have tried very hard to use a similar process as ~~they~~ we used at other sites, New York State or New Jersey, identical

process of the plan, which is different. The author or authors of the plan ~~is~~ are different, participants are different. I use the same, identical process.

If ~~we go back~~ later on, ~~and~~ you would ask me about number of demonstrations, number of exercise objectives, why we didn't demonstrate certain exercise objectives, again I will go back to the record -- and later I ~~will~~ would put ~~on~~ in the record, the process used by FEMA Region II was identical ~~as~~ to one we used at other sites.

Q Right. I understand that. My question went more to not your personal processes of preparing and setting up the exercise itself but rather processes that would probably be beyond your broad view from Headquarters concerning the preparations for and the conduct of that exercise.

You mentioned that the controllers and simulators were an exception. What did you mean by that?

A Certain -- obviously, certain answers I thought already are obvious. But, again I guess to put on the record, obviously we don't have participation on the part of state or county.

Normally, in the past, obviously I ~~work~~ worked with the state in preparing for the exercise.

Q Right.

A In this case, I work with LILCO people. At a certain point in time to streamline the process, I was authorized by my Washington office to deal directly with LILCO, exercise Director directly. RBR

Q Okay. What did you mean before -- were you finished with your answer? I'm sorry.

A Yes, ma'am.

Q Okay. What did you mean before by your statement that the controllers and simulators were an exception?

A Well, normally if you have a state and local participation there is no need for simulation, okay. You have people there.

As far as controllers are concerned, when we have a state and local participation we don't have to involve our people as far as the ~~interaction~~ injection of various free-play messages. We would introduce, our team leader in the past, would introduce free-play message or messages to the state controller. RBR RBR RBR

In this case, we felt it was imperative for FEMA to control and be responsible for the free-play messages. RBR

Whatever FEMA ~~is~~ was going to introduce during the process of the

exercise, ~~since~~ nobody else was privy to the content of the free-play messages except myself, I believe Dr. Baldwin, possibly Joe Keller, Ed Tanzman and ~~who~~ nobody else. And no one saw free-play messages before the exercise.

Q Okay. Let me just give you one more document and then perhaps we could take a five minute break.

A Sure.

(Dr. Baldwin is conferring with Mr. Kowieski.)

Well, Dr. Baldwin is helping me, and he's right. Our evaluators, some of our evaluators, saw ~~the~~ they -- saw our free-play messages just before the exercise, a day or two days before the exercise in the training session.

Q Right. It was part of their packets to prepare?

A Yes.

MS. LETSCHE: Let me have marked as FEMA Panel Exhibit Number 4 a one page document dated November 1, 1985. It is a memorandum for Frank Petrone from Samuel W. Speck.

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(The document referred to is marked as FEMA Panel Exhibit Number 4 for identification.)

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, when we first started this discussion

this morning you mentioned a memorandum from Mr. Speck to Mr. Petrone, talking about the preparation for an exercise.

Is the document that has been marked as FEMA Panel Exhibit Number 4 that memorandum to which you referred?

A That's correct.

Q Okay. I would like to direct your attention to the last paragraph in that exhibit which says, "...the Office of the Acting Director has waived the requirement to give 10 days notice before asking the Regional offices to initiate work. This was done to facilitate the process of working on this important site."

Can you explain to me what that refers to?

A To be honest with you, I wonder myself, okay.

(Laughter.)

Q Okay.

A Apparently, they have some kind of procedure in place, okay, that you cannot instruct someone to work on the project immediately. I guess there has to be a 10 day notice, I believe, all right. That's all.

I didn't pay -- to be honest with you, I didn't pay much attention to it. My boss said: Roger, go ahead and work on the exercise objectives. And that's what I did.

MS. LETSCHE: This would be a good time to take just a five minute break.

(Whereupon, a recess is taken at 10:50 a.m., to reconvene at 11:00 a.m., this same date.)

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, I just have one follow-up question to something you said before the break.

You indicated that you had gotten, I think you called it a veto power over the choice of the evaluators for the Shoreham exercise. And, I think you said -- I don't mean to characterize, but something along the lines of, if you weren't going to be able to exercise that kind of control that you would not resign but that you would not participate in the exercise.

Did you have a particular concern about the possibility of some kind of interference in the conduct of the preparation of the exercise, the Shoreham exercise?

A Not really. But I ~~wants~~ wanted to just sort of reinforce for the record my position with respect to Shoreham exercise, because first of all there were a lot of additional players and -- same players ~~but~~ from NRC, FEMA, DOE, Argonne, and I ~~wants~~ wanted to make certain that when I'm involved in exercise preparation, I

will not grant any exceptions. I made it clear to Mr. Sam Speck, Bob Wilkerson, Mr. Petrone, if I will get involved I will follow the same process to the letter which I used at other sites.

Q Yeah.

A And my bosses, immediate boss and in Washington said absolutely, that's what will happen. As I mentioned -- I believe I mentioned before -- the former Associate Director, Mr. Sam Speck, instructed me, Roger Kowieski, nobody else, will be responsible for the entire exercise preparation process, exercise evaluation and post-exercise activities. Obviously, my immediate boss, Phil McIntire, and Frank Petrone were kept informed. But exercise itself, it was my responsibility. RRB

Q Okay. Had you felt compelled to have that kind of discussion about your involvement and control over an exercise with respect to any other exercises you had been involved in?

A No. But, since there were no involvement on the part of state and local people, we had a control plan, simulator plan. A lot of people were coming from NRC. I didn't know some of the individuals from NRC, as controllers. It didn't really concern me too much because they are not FBE

evaluators. And people coming at different levels, people at some GM-15s. If I'm not mistaken at the ~~GS-~~ SES level, and I'm GM-14 directing the entire exercise process, maybe some people had resentments.

I made it very clear, you know, that I will be in control. If not, I don't want to be involved in this process.

MS. LETSCHE: All right. Let me have marked three documents as FEMA Panel Exhibits 5, 6 and 7. I will describe them one at a time.

That that I will have marked as Number 5 is a memorandum I believe dated November 6th, 1986 from Roger B. Kowieski to Richard W. Krimm, Subject: Scheduling of REP Exercise for Shoreham.

I will have marked as Exhibit Number 6 a memorandum dated November 21, 1985 -- if I said '86 for 5, I think it should be '85. A memorandum for Edward L. Jordan from Richard W. Krimm, Subject: Transmittal of Objectives for Shoreham Exercise.

And, to be marked as FEMA Panel Exhibit Number 7 a 13-page document entitled "Proposed Exercise Objectives for the 1986 Shoreham Exercise," dated November 6, 1985.

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(The documents referred to are marked as FEMA Panel Exhibits Numbered 5, 6 and 7 for identification.)

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, I assume you are familiar with what has been marked as Exhibits 5, 6 and 7?

A Definitely, I am.

Q I thought you would be. Now, Number 5 is I gather your submission to Mr. Krimm of your -- your cover letter submitting the proposed objectives that we have referenced earlier, and --

A Not only exercise objectives, also I submitted proposed activities or demonstrations that should take place during the exercise and proposed dates for the completion of the exercise objectives and the exercise scenario.

Q And these proposed dates were to accommodate the resource realities and things like that involved in scheduling the exercise?

A Well, the resource matters as well as to give enough time to evaluate various documents which normally we do evaluate or produce during the exercise preparation process.

Q Okay. You are talking about objectives and scenarios --

A Objectives and scenario reviews (and correspondence) back and forth between RAC members and the utility, back and forth between LILCO and me, and/or my contractors as far as, you know, the review of exercise scenarios is concerned.

That's what this time was planned for.

Q Right. Okay. And, I gather that this was an example, probably the first example by you, of how you intended to follow your normal process in preparing for this exercise; is that --

A That's correct. The same, exactly same process I used at Indian Point, ~~on~~ or Nine Mile Point, or for Ginna. And, as a matter of fact, at one point if you are willing I will be glad to share -- I have a sample of work that I did ~~on~~ on Indian Point, just behind me on the desk and we can go even -- even the verbage that I used in connection in Indian Point is very similar to the verbage that I used in this particular letter.

Q Okay. Did you have something to add, Dr. Baldwin?

A (Witness Kowieski) By the way, let me just add

that I guess FEMA and NRC agree and LILCO, I guess, agreed to have an exercise -- initially agreed to have an exercise on January 15. And that's how I developed this time frame, having developed the time frame and milestones around the date.

But, later on it was at my suggestion that -- although I'm sure you have on the record somewhere, correspondence pertaining to my discussion that at my suggestion LILCO agreed to postpone the exercise date until February 13.

Q Why was it that it needed to be postponed?

A Well, I felt more comfortable to have more time to actually prepare for the exercise, that's why.

Q Okay. Now, I notice that Mr. Krimm's submission of the proposed objectives and the other information you had provided him about what would be done during the exercise was not sent to the NRC until November 21.

Was there any reason for that period of time?

A Well, I'm certain you have documents in your files that -- the letter from Mr. Speck, already we discussed. The letter from Mr. Speck to Mr. Dircks of NRC, dated October 29, proposing the options. And FEMA was waiting for

response. And there was a response, I believe, by NRC if my memory serves me well, on November 14th stating that FEMA go ahead to an exercise with Option 2.

Q Okay. Now, at the time that you prepared your memorandum of November 6th with the objectives, and those are Exhibits 5 and 7, did you have any information or belief as to whether Option 1 or Option 2 would be chosen?

A Ma'am, I had no idea whatsoever.

Q Okay.

A That's why I developed -- devoted extra, probably five hours or whatever it took me, to identify exercise objectives affected by legal authority issues.

Q Okay. Let me direct your attention to the document that has been marked Exhibit 7 which is the proposed objectives themselves, and I just have a couple of general questions about these.

You have a footnote at the bottom of each one of your pages explaining the significance of the asterisks by some of these objectives. And you state in that footnote that the objectives so marked with an asterisk were to be set aside when Option 1 is selected for exercising of the LERO plan.

A That's right. That's correct.

Q Okay. Can you explain to me, from your point of view, and I know you have already told me how you got to the asterisks from your other RAC reports, but explain to me why those objectives would have to be set aside if Option 1 had been chosen by the NRC.

A I felt, in my opinion as the RAC Chairman, that those objectives could be possibly affected, possibly affected, by legal authority issues pertaining to the state and local participation.

Q Okay. Based on my reading of the RAC report and the statements of legal concerns in all of those reports, am I correct that the reason for the asterisk and FEMA's concern about the legal authority issues was that the utility did not have the legal authority actually to perform the activities that were part of those objectives or areas that were asterisked?

A Well, I believe there was a litigation I guess, and the state courts decided to -- as well as Atomic Safety Licensing Board after the Shoreham hearing decided that LILCO doesn't have authority to perform certain functions that normally are ~~included~~ vested in the state and local governments, including by RBK

police power.

Q Okay. So, did I correctly characterize the concern then that FEMA had as being, if you don't have the authority because the courts say that LILCO doesn't have the authority, that the functions affected by the legal authority issue could not be implemented by the utility?

A That's not the way I would characterize it.

Q Okay. You go ahead.

A My concern, as far as Roger Kowieski's concern was to go ahead and exercise LILCO plan, a plan which was based on, developed by LILCO and called ~~LILCO~~ Local Emergency Response Organization.

Being sensitive to the issue, being sensitive to decision of the ~~that~~ Atomic Safety and Licensing Board, and courts decision, as well as ~~specifically~~ to be in sync with the letter from Sam Speck to NRC, I developed set ~~of~~ with two options. That's the reason, okay.

If you ask me why, if I was concerned with the court's decision, okay, that's a secondary, sure. You know, as anyone who reads the newspapers and knows actually what happened in the courts. But my major concern was to meet the requirements or conditions set forth in Mr. Speck's

letter to Mr. Dircks of NRC.

endT1 Q Right. Okay. I understand that. Would you turn to Page 2 of the objectives for me, the November 6th objectives, which are Exhibit Number 7?

A Sure.

Q I notice that there is an objective, the fourth one on that page -- let me strike that.

There are several objectives on that page that talk about activation of the prompt notification system, the alerting system, the EBS system and all of that. I gather that these objectives were included in this series that you prepared, because that was part of your standard process in preparing for exercises?

A That's correct.

Q Now, eventually in the Shoreham exercise most of these alerting and notification functions were actually either not performed or were simulated; isn't that right?

A Again, let me I guess clarify this.

Q Okay.

A Not most, but just only one and only one aspect of alerting the public. And I'm referring to actually pushing the button on the sirens. As far as making the

decision to activate the sirens, go through the thought processes, meeting the requirements, 15 minute requirement that after the decision was made to activate the siren system, everything was done in accordance with our requirements.

(Witness Keller) I think I would like to add perhaps that in this particular case, in addition to not actually pushing the button on the sirens, the EBS station did not actually air a test message which is generally done in the other exercises in Region II.

(Witness Kowieski) Mr. Keller is ahead of me. I said one, okay. He is right. It's two exceptions.

Actually, EBS message which we normally -- it's not EBS message actually that we are, you know, evacuating, let's say, A, B and C, but rather to say this is an exercise, Shoreham exercise. You know, this is a test message, so forth and so on. Okay.

(Witness Keller) That wasn't done either.

(Witness Kowieski) It wasn't done during the Shoreham exercise.

Q Right. And the tone alert radios weren't activated during --

A That's part of it.

Q Okay. Would you turn to Page 4 of the objectives, please? There are two objectives on that page, the fourth and the third from the bottom.

A I'm sorry, again --

Q The fourth and the third ones from the bottom.

A (Witness Keller) Permanent populations.

Q Yes, which I will refer to as public education and information type objectives. Do you see the ones I am referring to?

A (Witness Kowieski) Yes, I do.

Q Those objectives I gather were normally included in your exercise process for Region II?

A That's right, for all the operating plants in Region II we normally include these two objectives.

Q Right. And they were ultimately not included in the Shoreham exercise, right?

A That's right. It was brought up to my attention later on that LILCO did not distribute public information brochure and apparently again -- it's again sort of speculation on my part, but NRC regulations do not require distribution of pamphlets. As far as FEMA is concerned, I'm

in agreement that if the plant is not operating there is really no reason to have public information brochure be distributed.

And, in addition there are a lot of changes to public information brochure. I'm certain you recall LILCO designated certain facilities to be reception centers and then, for whatever reason, those facilities withdrew from the planning process so it was sort of very hard to catch up with that change.

So, that's the reason, okay, they did not distribute, I believe. And so I figure in my own mind it's not a big deal, because before plan will go into operation they have to comply with this requirement anyhow. There is a requirement in NUREG 0654, Revision 1, that the public information brochure will be distributed on an annual basis for operating plant.

Q In terms of the requirements of 0654, is there -- is it your understanding that the distribution of those brochures and the effectiveness or the appropriateness of the education to the public is something that needs to be reviewed by FEMA before a plant goes into operation?

A We went -- if you recall in reading the transcripts,

we testified on the issue of public education brochure, what, three years ago, I believe. And we reviewed that brochure with the RAC and contractors and made our comments.

Q Right.

A A few of us, plus Mr. McIntire, at that time we testified on this very issue. If you ask me for specific comments that we made, I don't remember.

Q Sure, I understand. But, as you said, there have been, and there probably will be more changes in that brochure. And I understand -- correct me if I'm wrong -- that there haven't been subsequent RAC reviews of amended brochures since the ones you already testified about; is that right?

A To my knowledge.

Q Right.

A RAC did not review. But, again I will defer to Mr. Keller and Dr. Baldwin.

Q Is that correct?

A (Witness Keller) There were no reviews of any public education brochures in Rev 6, 7 or 8.

Q How about -- was there in Rev 5?

A My recollection is that it was the review of Rev 3 or 4. I have seen another public education brochure, but it was

not reviewed by the RAC.

Q Okay. Dr. Baldwin, is that consistent with your recollection also?

A (Witness Baldwin) My recollection is that it was with Rev 3.

Q Okay.

A There was none with 4, 5, 6, 7 or 8.

Q Okay. Now, I will just address this to the three of you. Is it your understanding that before a plant could operate that there -- under the regulation -- needs to be a FEMA review of a brochure that actually would be intended to be distributed to the public?

A (Witness Baldwin) Yes.

(Witness Keller) That would be my interpretation of the FEMA, of 0654.

Q Right. And I gather that interpretation would cover not just brochures but whatever public information material was proposed to be distributed to the public; is that right?

A (Witness Baldwin) Typically, it involves a review of the public information brochure that is sent out with utility bills or however it is to be distributed, and

also the information that would be provided to transients that is sent to hotels, recreational areas, posted in parks and public buildings.

Q Right. Now, in addition to the review of those pieces of paper, which is what we just talked about, is it your understanding of the requirements that prior to a plant operating there needs to be a review by FEMA of the implementation of that distribution; that is, in terms of finding out if those things have gone out and whether or not the public has received them and/or understands them?

A (Witness Kowieski) As far as I know, there is no specific requirement with respect to public awareness.

In Region II, it's true, we introduce this particular aspect of the public education. We felt it's important. We felt that this sort of -- not scientific -- sample of residents and transient population, whether or not they are aware as to what kind of action they should take in case of emergency.

But if you ask me about NUREG, if you review NUREG, there is no requirement with respect to this particular exercise objective.

Q I understand. Now, let me just follow-up for

one second. To be consistent with your process in Region II, you would ordinarily review the public awareness of following the distribution of informational materials; is that right?

A I will answer your question as it's not -- I would -- right now I'm no longer RAC Chairman, but if I will be asked to advise someone whether or not this is critical, my answer is no. At the next exercise, we would obviously check on the distribution of public education brochure and on public awareness.

Q Okay.

A (Witness Keller) What I wanted to add --

Q Sure.

A -- was that -- and I'm sure we will get into this some time later -- FEMA, as an organization, has 36 standard exercise objectives which Region II has, for a number of years, used a somewhat modified version of, although it's basically the same objectives. The two objectives that you started this discussion on on Page 4 are not included in the FEMA national set of standard objectives. They are characteristic of FEMA Region II.

And I would say of the FEMA RAC Chairman in

Region II at the time he was RAC Chairman, Mr. Kowieski. There is a new RAC Chairman. It is pure speculation whether those two objectives will continue to be used in evaluations in this region.

(Witness Kowieski) I agree. That's a fair characterization.

(Witness Keller) Mr. Kowieski is not in charge any longer.

Q I understand that. I gather though that at least Mr. Kowieski thought whether these things were critical or not, that at least it was important in terms of doing a good review for the public health and safety to go into that issue, and that's why they were included when you were in charge; is that right, Mr. Kowieski?

A (Witness Kowieski) Yes, that's correct.

Q Okay. I assume that you three gentlemen are aware of the general public sentiment on Long Island concerning the opening of the Shoreham plant and -- I will leave it at that.

Are you generally aware of the public sentiment about the plant?

A (Witness Kowieski) My --

MR. CUMMING: Objection. Calls for speculation. To the extent these witnesses have an opinion, they may answer.

WITNESS KELLER: I'm aware of some positive and some negative.

WITNESS KOWIESKI: To answer your question, I would say yes. I collected dozens -- I mean, hundreds maybe of articles about Shoreham Nuclear Power Station, and I would agree with Mr. Keller.

Some are against; some are for opening of Shoreham Nuclear Power Station.

WITNESS BALDWIN: I live on Long Island and subscribe to Newsday, and as a matter of course have an even thicker file than Mr. Kowieski has of interesting articles. I do follow it quite closely.

BY MS. LETSCHE: (Continuing)

Q All right. Now, let me ask you gentlemen if you were to assume for me that it is the case that 60 percent of the people on Long Island believe that you can't evacuate from that area -- I would like you to assume that to be true for purposes of this question -- would that fact have any impact on your evaluation of the necessity to review public

awareness of a plan?

A (Witness Keller) Question.

MR. PIRFO: I will object to that question. It is irrelevant and could not be calculated to lead to admissible evidence. It calls for speculation. It has got a raft of problems.

MR. ZEUGIN: Objection as to relevancy.

MR. CUMMING: To the extent the witnesses have an opinion and understand the hypothetical, they may answer.

I believe Mr. Keller has a clarification question.

WITNESS KELLER: I believe your question was posed to the extent of people having an opinion about the ability to evacuate that area?

BY MS. LETSCHE: (Continuing)

Q Yes.

A (Witness Keller) Could you clarify that area?

Q I will just say the EPZ, since that is a term we are all familiar with. Does that fact have any impact, if you assume it to be true, on the necessity or criticalness of reviewing the state of public information and public awareness about the plant?

A (Witness Kowieski) Ms. Letsche, I haven't seen any statistical sampling of the population. What I only saw were newspaper articles, and I really don't know if this would represent how the entire population feels.

Q Well --

A I cannot confirm or deny. I really don't know.

Q Okay. Maybe my question wasn't clear. I wanted you to assume, for the purposes of my question -- I know you haven't done statistical sampling and I don't want to get into who has done it or what or anything.

For purposes of my question, assume that a majority of the population believes -- right, wrong or indifferent -- that you cannot evacuate the EPZ. Assume that for me.

Now, if that's assumed to be a fact, does that have any impact on your opinion as to whether or not it is necessary to evaluate the state of public awareness and information concerning a proposed emergency response plan for that area?

A (Witness Kowieski) Could I just --

MR. PIRFO: Objection. That's a different question.

WITNESS KOWIESKI: Could I have a discussion with my colleagues here?

(The panel witnesses are conferring.)

WITNESS KOWIESKI: We designated Dr. Baldwin to respond.

BY MS. LETSCHE: (Continuing)

Q All right.

A (Witness Baldwin) As far as the 60 percent hypothetical issue goes, it's irrelevant. We have criteria specified about readability. These documents are typically coordinated through a contractor who, in the past -- and I don't know that this individual still has that contract, but it's Mr. Donald Kerwin at the University of Rhode Island, reads them and evaluates the public information brochures for readability, as to whether they can be understood at certain reading levels of the population.

We are interested in, does it meet the criteria in 0654 with respect to a general description of radiation, maps continuing evacuation routes and other information , directing the population to turn on their radio to EBS where they would receive notification.

To the extent that the public information brochures

and other information material meet those technical criteria, that is how I, as an evaluator, would evaluate it.

Q I see. It doesn't matter to you whether people understand it or, in fact, understand it or, in fact, believe that the plan could work or --

A It makes a difference --

Q -- that they intend to follow it?

A -- to me that they can understand it, which is a readability, generally understood by the population.

Q But it doesn't matter to you whether they, in fact, understand it or believe that that plan can be implemented?

A Well, as far as the credibility of the information, that's different. In terms of the reader's interpretation and evaluation of that as being credible information is something I have no opinion about because I really can't assess it as a technical person evaluating that.

Q All right.

A That's not my expertise.

Q You don't have a way to assess it, and it's not your bailiwick to assess it perhaps. And my question was, do you have an opinion about whether or not it would be

important to assess that?

MR. PIRFO: Objection. Assess what?

MS. LETSCHE: To assess what was in my prior question, and I believe Dr. Baldwin was discussing it in his prior answer, which is whether or not, in fact, people understand the information, believe that the plan described in that information can work and intend to follow it.

MR. PIRFO: Are we still talking about 60 percent of the people, or are we talking about --

MS. LETSCHE: We are talking about the hypothetical which was to assume that the majority of the individuals at issue here.

MR. PIRFO: Okay. The majority.

MS. LETSCHE: Yeah, that's right. That was my --

MR. PIRFO: Not 50 --

MS. LETSCHE: The majority was my question.

WITNESS KELLER: The intent to follow, I believe, is added from your previous discussion.

WITNESS BALDWIN: I see three questions there. One is, do they believe in. The second is, do they understand it. And, the third part is, do they intend to follow it.

BY MS. LETSCHE: (Continuing)

Q Okay. We can talk about all three. We can talk about them one at a time.

Do you believe it's important to find out whether people actually understand the information?

MR. ZEUGIN: Let me make sure I'm clear, too, on this line of questions. And that is, one of the qualifiers you had placed in one of your earlier questions dealt with NUREG 0654 and in the context of NUREG 0654 review, whether these were relevant issues.

Now, I can't tell if you are still limiting to that or asking an abstract question.

MS. LETSCHE: No, let me just make all the ground rules clear here. We are beyond that. That was several questions back. I understood the explanation by the panel that there is not a requirement, in their minds, to go beyond the type of readability review of the pieces of paper that constitute the public information being proposed for a plan.

That was established, and we are beyond that. I have been asking them about whether they believe it is -- as experts whether, in their opinion, it would be important to evaluate beyond that review of the paper which is required

by NUREG 0654.

My question now -- and I will certainly adopt Dr. Baldwin's breakdown of it, because it makes it clearer, is whether or not these witnesses believe it to be important to determine whether the affected people actually understand, number one; believe, number two; and intend to follow, number three, the plans and procedures that are set forth in the public information materials.

MR. PIRFO: I have to object. I don't know what important means in that context. Do you mean, does it amount to a deficiency?

What do you mean by important?

MS. LETSCHE: If the witnesses are unable to answer my question, they can tell me that.

MR. PIRFO: Well, I can object to the question on the ground that it is vague, and the witnesses can speculate all day as to what the answer is. But that's the reason you have lawyers here objecting to vague questions so that you don't get answers that can be hammered into -- square answers that can be rounded into the --

MS. LETSCHE: You are right.

MR. PIRFO: What does important mean? And I --

MS. LETSCHE: You are right, Mr. Pirfo. And I will clarify that what I mean by important is in the context -- is whether or not these matters would have significance, in your opinion, on whether public health and safety would be protected in the event of a real accident.

Okay. Now, let me state the question after all of that colloquy.

MR. CUMMING: Let me state one more thing for the record. While FEMA counsel lodged a continuing objection to the relevancy of items which were not tested with respect to the OL-5 proceeding, just for the witnesses information, since FEMA counsel has been pounded into submission several times by the Board on the issue of contentions that go to items that were not tested, although the matter is still on appeal, you are instructed to answer the question to the extent that you have knowledge and understand the question of Intervenor's counsel.

WITNESS KOWIESKI: May we have a conference?

(The panel witnesses are conferring.)

WITNESS BALDWIN: Okay. We want to preface our answer with the understanding that this is a hypothetical question that has been posed to us. And, in that context,

with respect to the belief part, we believe that, in our opinion, to be irrelevant.

With respect to the, will they follow, we cannot infer to the extent to which people will follow. There is little way we can ascertain that. It's quite important that they be able to understand the information contained in the public information brochure.

0654 has a list of issues in it which are listed and it's in Planning Standard G and E, I believe, what that needs to contain. And as long as it meets those specifications and can be understood, that's important.

WITNESS KOWIESKI: Also important, I believe that with respect to whether or not people will understand, since there were publicity about and around of Shoreham Nuclear Power Station, most likely people will read and try to understand ~~that~~ if any pamphlet or information pertaining to Shoreham is just -- it's such a great controvesy surrounding this plant for the past several years.

And what we found in the past at other sites is sometimes people don't pay attention ~~between points of~~ to the public information brochure and would discard the brochure. I doubt whether -- and, again I don't have any evidence, but

I doubt whether this would happen in Shoreham because people read so much about it, heard so much about it, and I think people would be willing to, to go over the brochure. But, again that's my opinion.

BY MS. LETSCHE: (Continuing)

Q Right. But, I guess what I don't understand -- I understand what you just said and it makes sense, but Dr. Baldwin said that he thinks whether or not people believe what's in the brochure isn't relevant. I believe that's what he said.

Do you agree with that, Mr. Kowieski?

A (Witness Baldwin) Let me clarify that in terms of our technical review of the adequacy of that information, this hypothetical question about ~~the~~ what 60 percent belief ~~is~~ we is irrelevant in that hypothetical sense to our technical evaluation of the quality and content of the public information brochure to meet the criteria in NUREG 0654.

Q Okay. Let me ask you, Mr. Kowieski, setting aside the technical requirements of 0654, because you have already explained that to me in the context of following up and doing some kind of sampling of the public which you have done in other Region II areas, so I understand we are outside

the technical requirements of 0654 here, but in terms of whether or not people would follow instructions or pay attention -- let me strike that, not follow. Whether people would pay attention to what's in the brochure, do you agree that their belief as to whether or not what's in the brochure is possible or not?

Is it irrelevant, to the question of whether or not they are going to pay any attention to it?

MR. CUMMING: Objection. It calls for witness to speculate.

MS. LETSCHE: I'm asking for --

MR. CUMMING: And the witness --

MS. LETSCHE: I'm asking for his --

WITNESS KOWIESKI: Ms. Letsche, it's so hard for me as a witness to respond to hypothetical question which I don't have any information. I'm not privy to any information how people really feel, okay.

If you are saying speculate and, you know, this is important, sure, every small bit is important. In the case do people believe, really believe, sure it's better than maybe in any other case.

But, again that's a speculation. I don't

know if this is true or false.

BY MS. LETSCHE: (Continuing)

Q And you don't think it's important to find out?

A Well, I mean --

Q Whether it's true or not.

A What kind of relevance this, Ms. Letsche, has to this case? I can tell you only that state officials on numerous occasions, New York State officials, when we determined that certain percentage of population based on our unscientific survey, we determined and brought up to state attention and saying: State, we've got a problem of public awareness. Response was, by the county officials and state officials: Roger, what do you want me to do? We have the proof we mailed the brochure. We had a listing.

You can bring a horse to the water but you cannot make him drink, okay. So, I mean, that's -- every one individual has a responsibility I guess to, as every intelligent person would make a value judgment whether or not a piece of information is important.

If you ask me whether or not brochure is important, y answer is yes. Yes, it is important. Is it important to read? Yes. Whether peopl believe in it, I have no

opinion.

Q You mentioned earlier that with respect to the objectives concerning EBS messages and the issuance of EBS messages that you had a 15 minute period that was involved in that objective or involved in your evaluation.

Can you explain to me what the starting points and ending points are of that 15 minute period?

A When the decision-maker, after discussing with his or her technical staff will decide: All right, do we agree that we should start some siren within the next, whatever, 15 minutes? And everyone would say: Yes, we agree.

What's important is that EBS message would be issued within 15 minutes -- I'm sorry, the sirens would be sounded within 15 minutes of the decision, the same way with EBS message.

Q Is it the decision that the 15 minutes starts running from, is that the decision to make a particular recommendation?

A When the decision was made to take certain action, whether protective action recommendation like sheltering, evacuation, whatever, or siren sounding.

Q Okay. It was not -- let me just clarify.

A Sure.

Q It was not a decision approving a particular EBS message, it was the decision to make the underlying recommendation or announcement that started the running of the 15 minutes; is that right?

A That's correct.

Q Okay.

A (Witness Baldwin) Let me add, where that must be coordinated it is the point at which a coordinated decision is made among counties or with the state or, in this case, there isn't any.

Q Well, in this case, what was the decision-making point that triggered the running of the 15 minutes?

A (Witness Keller) Let me help maybe. Each plan is different. Each plan has a designated authority who has the responsibility to make a decision, okay.

In some plans, that decision must be coordinated. And I think this is what Dr. Baldwin was talking about.

Q Right.

A If that's the kind of plan you are talking about, the time starts when the coordination has been completed.

Q Right.

A Okay. The designated appropriate decision-maker makes a decision to take some kind of an action, the public must be notified within 15 minutes.

Q Okay. Am I correct that in this case then the decision would be the one made by the Director of LERO?

A Local Response, correct.

(Witness Baldwin) That's correct, in the EOC.

Q Right. Okay.

A Let us clarify, we have a particular instance in this region that their plans call for a coordinated decision among four counties and the state. And we start the clock, in that particular instance, when they have received and arrived at the coordinated decision on the hot line telephone.

And, so that's when it's started.

Q Okay. Following your submission, Mr. Kowieski, of the November 6th objectives which we have been discussing here, I gather that there was a meeting in late November with LILCO representatives to discuss the proposed exercise and the objectives; is that right?

A (Witness Kowieski) On November the 25th a meeting took place between LILCO, FEMA and I believe some contractors

were also present.

Q And what did you understand the purpose of that meeting to be?

A I think I stated the purpose in my memorandum for file. And I could -- again, I could go on and try to recall, but I think it would be better if we review my memorandum for file which you should have somewhere. RBK

MS. LETSCHE: Well, let me try to have this document marked as FEMA Panel Exhibit Number 8. It is a memorandum to Mr. Kowieski from Mr. Tanzman, dated November 26th, 1985, concerning agreements reached at November 25, 1985 meeting with LILCO concerning the Shoreham exercise.

indexx

(The document referred to is marked as FEMA Panel Exhibit Number 8 for identification.)

MS. LETSCHE: Let me also have marked as Exhibit Number 9 a multi-page document, dated December 2, 1985, which is a letter from Mr. Kowieski to Mr. Daverio concerning the status and milestones relating to the proposed radiological plan exercise for Shoreham.

indexx

(The document referred to is marked as FEMA Panel Exhibit Number 9 for identification.)

BY MS. LETSCHE: (Continuing)

Q Have I gotten the right documents?

A (Witness Kowieski) Yes, ma'am.

Q So, these are the documents which summarize what happened at the November 25th meeting; is that right?

A Well, it's all the important issues that are identified -- all the important issues discussed are identified in those two documents.

Q Right. Now, one of these documents indicates the attendees at the meeting. Yes, Mr. Tanzman's memo has as an attachment who attended the meeting.

A Right. Just to make the record clear, the reason why Mr. Tanzman sent me this memo because I asked him at that meeting to be sort of a court reporter, okay, and report what actually happened and send to me for my -- sort of to simplify my work because he was designated by Argonne to assist me in my work on Shoreham.

Q Okay. The first item which is discussed both in your letter to Mr. Daverio and Mr. Tanzman's memo talks about the confidentiality of the scenario.

And in your letter to Mr. Daverio, there is a statement which says no exercise participants are supposed to

ORIGINAL

TRANSCRIPT OF PROCEEDINGS

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-5 (EP Exercise)
(Shoreham Nuclear Power Station, Unit 1)	:	(ASLBP No. 86-533-01-OL)

DEPOSITION OF

ROGER B. KOWIESKI, JOE H. KELLER, and THOMAS BALDWIN

New York, New York

Wednesday, January 28, 1987

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have access to the scenario.

Can you explain to me why you felt it important to put that statement in your letter?

A First of all, I think that for any exercise, whether or not there is a state and local participation, it's critical that exercise participants don't have an access to the exercise scenario, otherwise the test would be meaningless.

That's why I felt it was important in the first bullet to tell Mr. Daverio that he must make effort and he must assure me that exercise scenario will be kept confidential.

Q And I take it that's to prevent players from being able to figure out in advance what it was they would be asked to do during the exercise --

A That's exactly right.

Q -- and sort of prepare for it ahead of time?

A That's correct.

(Witness Keller) It's also standard, more or less boilerplate. You do this in every exercise.

Q Right. Now, I notice that in your letter and in Mr. Tanzman's memo -- in his memo it's Item C; in your letter,

it's at the top of Page 2 -- there is a reference to the fact that the exercise will test Revision 5 of the plan and further revisions will not be made prior to the exercise.

A (Witness Kowieski) That's correct.

Q Why was that provision put in this letter?

A Well, I want to make certain that I knew what I'm dealing with, that I -- you know, at that time I don't want any further submissions.

Q Right. Now, at that point had the RAC done a review of Revision 5 of the plan?

A (Witness Keller) My recollection --

(Witness Kowieski) Because in the process, I believe the RAC has done its review. It's quite possible that we were in the process of consolidation.

Or, finished, because in September -- I think in September that's when we finished our consolidation. And, I think in September we had a meeting attended by RAC members and representatives from New York State. Mr. Palomino was there. I believe Suffolk County representatives were there when we discussed RAC comments ~~in~~ on Revision 5. RBK

Q Now, I understand that this ended up not quite working.

A Let me explain so I will save you some time later on.

Q Okay, that's fine.

A So, this way you will know --

Q So, I will know where I am going.

A Exactly. During my discussion with Mr. Daverio, who is the exercise Director from LILCO, he indicated that there could be a problem with the ability of ~~not~~ the County Coliseum as a reception center. And he asked me whether or not the demonstration could be out of sync -- When I am saying out of sync, in other words what I mean that not dictated by exercise scenario.

end2A

And I'm certain you read, if not probably you have, documents in your possession from me to Mr. Daverio where I stated that definitely not out of sync. I would not agree to have Nassau County Coliseum exercise out of sequence. He said: Well, we've got a problem. I said: Well, that's your concern, your problem, not mine.

Later on, he came back to me and said: Roger, we tried the second lay-out of Nassau County Coliseum. Would you accept this? I said: I haven't seen it. I don't know yet what ~~he is~~ you are talking about. And I will not

accept unless we have an opportunity to review and concur with it, RBL if this lay-out is acceptable.

And he stated to me as a matter of fact it's a much better lay-out than the initial one proposed in the plan. So, in turn he sent a request to NRC, since they call~~ed~~ this Revision 6. There were ~~their~~ other aspects of the plan that RBL they submitted.

But I would like to only concentrate on Nassau County Coliseum floor plan~~,~~ he ~~He~~ submitted to NRC. NRC went RBL to FEMA and asked FEMA to conduct an internal review of Revision 6.

And I sent the package to a good friend of mine, Mr. Keller, and asked him to perform initial review. He sent his comments back: I ~~review~~ reviewed and ~~I concur~~ concurred with it, and we sent our comments back to NRC, I believe. RBL

(Witness Keller) This was very shortly prior to the exercise. My recollection is that my letter to Roger was like February the 5th. So, we are talking about just before the exercise.

Q Okay. So the only review of Revision 6 which took place prior to the exercise was the review by Mr. Kowieski and Mr. Keller; is that right?

A One of our admissions say that.

Q Did I hear you say that the NRC had just requested an internal FEMA review rather than a RAC review?

A That is correct.

Q And, do you know why that request was made?

A Time limits.

(Witness Kowieski) Time and also it was -- I believe the change as far as the floor plan, wasn't change of the plan, just changing lay-out of the floor plan, okay. So, they felt it wasn't so important to go through the entire process of the entire RAC review and just requested that we would review that revision internally.

Q You mentioned before that you had told Mr. Daverio that you would not agree to have the Nassau County Coliseum demonstration out of sequence in the exercise.

Why is it that you wouldn't agree to that?

A Because, as far as Region II is concerned, we never allowed in the past whatever we felt was important to us would be demonstrated out of sequence; that's the next day or day before.

Certain demonstrations, yes. Now, we felt and I still am convinced that for certain demonstrations, it's

really immaterial whether it's out of sequence or not. Like, we had a medical drill. That's really very little to do with the exercise scenario, okay. All right. I mean, what you are observing obviously the way ambulance and people respond to treatment of injured, individual. RBK

There are other aspects also like traffic control points. The traffic control points, except the mobilization, in terms of mobilization of people, yes. But otherwise, it's not really relevant whether or not this is out of sequence or not.

There are other items, you know, which really it's not important to evaluate in sequence. But I felt ~~not~~ that the County Coliseum ~~so it~~ should be in sync with the rest of the exercise scenario. RBK

Q Why is that?

A Well, it's a communication. And obviously when the decision-maker makes a decision to evacuate certain sectors, the number of people involved, this obviously would be properly communicated to the reception center and we would like to see that communication, okay.

Again, it has to be integrated exercise. That's very important.

Q I guess it would also involve the use of their transportation resources and things like that would need to be coordinated and integrated with sending people to reception centers --

A Exactly.

(Witness Baldwin) There is a circumstance though where things are run out of sequence by necessity of an exercise which is an artifact of an exercise, such as the out of sequence school evacuation demonstration in this particular exercise because a decision had been made to close the schools early and, therefore, in order to have a demonstration of that a free-play message is developed and inserted so that it is run out of sequence.

Q Right. I understand, but that's a little different I think from what Mr. Kowieski was discussing.

A (Witness Kowieski) That's right.

(Witness Keller) In addition, congregate care facilities which are commonly school buildings, commonly, we have allowed the out of sequence demonstration of these facilities because these are exercises; they are not the real emergency.

But in order to have a reasonable demonstration

of the capability of these facilities, you have to dismiss the children. So, if the exercise was called, for example, in the scenario that the congregate center would be evaluated at 11 o'clock in the morning, we allow that to be demonstrated after school normally closes to avoid any greater impact on the normal operation of things.

Mr. Kowieski, I believe, I felt that because of all the people having to go to the reception center, we wanted to see the reception center in the Shoreham case be demonstrated in coordination with the scenario time-line, and it was not acceptable.

Q I understand.

A But, we have allowed in the past congregate care facilities to be demonstrated out of sequence.

Q Okay. Let's talk about that for a second with respect to the Shoreham exercise. There were two congregate care center facilities demonstrated during the exercise; is that right?

A (Witness Kowieski) That's correct.

Q Now, neither one of those were facilities that were identified in the plan?

A That's also correct.

Q And I gather that -- well, let me ask you. Were those facilities demonstrated out of sequence during the Shoreham exercise?

A (Witness Keller) No. They were in sync.

Q Okay. Why -- let me rephrase this. I gather from looking at some of the documents that the decision to use the congregate care facilities other than those designated in the plan is one that LILCO made; is that right?

A (Witness Kowieski) That's correct. There was a lot of correspondence back and forth between -- and discussion between -- me and Chuck Daverio which congregate care center was to be used during the exercise. And at a certain point in time, I believe as late as end of January 28th or 29th of 1986, we were still waiting on information from LILCO.

Eventually, I believe somewhere around or about February the 2nd when Chuck Daverio informed me about facilities to be used during the exercise, because I had to complete the package exercise, evaluation package, and mail it out to observers.

And I was advised that those facilities were not part of the LILCO plan. I raised concern to Mr. Daverio, and

Mr. Daverio said to me: Well, Roger, there is no problem because LILCO has letters of agreement with those facilities. I'm sorry, Red Cross has letters of agreement with those facilities.

And I ~~say~~ said: Why don't you produce those letters of agreement? And I believe that those letters of agreement were never submitted to me. Well, it's my recollection. R8R

Q There is a reference in Mr. Tanzman's memorandum on Page 2 in Item J that says, "LILCO will respond to your suggestion that it write each school district and request that it participate in the exercise."

I take it that the "your" there refers to you, Mr. Kowieski?

A Yes. It was my insistance that each school district should participate. And, again let me -- so you do not misunderstand or misconstrue my answer.

In each exercise that we conduct in Region II, we didn't, in none of those exercises we ~~ask~~ asked that every school district would participate, that every school district would be evaluated in great detail. What I meant that at least they sort of answer the phone calls between the EOC and they sort of communicate at least at the beginning of the exercise; and R22 R22

then other school districts would -- what we ~~will~~ would ask for, to dispatch actually buses.

Q So, only some would actually dispatch the buses?

A That's right. Anyhow, let's assume that Mr. Daverio had agreed to my suggestion, still, he would have run probably no more than two, buses, all right.

Q But, at least there would have been contact and communication with all the school districts?

A But I don't know whether such communication was made with other school districts during the exercise, so I really don't know.

Q All right. But your concern that is referred to in Mr. Tanzman's memo and that you expressed to Mr. Daverio was that it was important to have at least the school districts involved in the communication's aspect of the exercise; is that right?

Is that a fair characterization?

A I would say that if school sort of expressed an interest or a desire to participate, all right, that --

(Witness Baldwin) That they really be afforded the opportunity to know that the exercise was going to take place so that they could --

(Witness Kowieski) Right, right.

(Witness Baldwin) -- plan and ~~participate with~~ anticipate whatever action they may take. TEB

(Witness Keller) I think I need to amplify what Roger said. We were informed prior to the exercise that only one school district would participate in the exercise. And, Roger said he wasn't sure what happened.

But my recollection is --

(Witness Kowieski) I'm sure of that.

(Witness Keller) But you said something else.

(Witness Kowieski) I'm sorry. Then, let me clarify the record. I have vivid recollection of receiving copy of the letter from Wading River School District addressed to Mr. Petrone stating they are willing and able to cooperate with FEMA and everybody else during the exercise, all right.

And, so we knew from Day One that Wading River School District ~~will~~ would participate if we asked them to do so. I'm sorry if I misspoke. ROK

Q I take it from this discussion that FEMA did not itself contact any school districts or school officials in connection with the exercise other than the contact you

mentioned with Shoreham Wading River; is that right?

A That's correct, that FEMA did not make any contacts with school districts. And we didn't have any contacts with Wading River School District.

Again, we had only letter, letter from Wading River School District to Mr. Petrone --

Q I see.

A -- expressing a desire and willingness to participate in the exercise.

Q There weren't any communications going from FEMA to Shoreham Wading River?

A No, no. As a matter of fact, Ms. Letsche, we never do. That's the responsibility, okay, if there is a state and local participation, ~~and~~ that's the responsibility of the state and county. PBL

In this case, I felt it was responsibility of LILCO and they -- it would be unfair for them to discharge the responsibility to FEMA.

Q Okay. The statement in Mr. Tanzman's memorandum says LILCO will respond to your suggestion that it write to each school district.

Was there any response to that suggestion other

than the fact that they just didn't?

A No. As far as I know, Mr. Daverio had discussion with his management and the management made a decision they will not contact, will not approach, other school districts and ask them to participate in the exercise.

It's my understanding. That's what I was told by Mr. Daverio in my conversations.

Q All right. That answers my question. In your letter -- I'm sorry I'm bouncing back and forth but that seems to be the easiest way to do it with the subject matter here.

In your letter which is Exhibit Number 9, you have a reference here, and I'm talking about halfway down the list of bullets under Exercise Objectives on Page 2. There you have a reference to the medical drill, and you say there that it's acceptable for it to be out of sequence provided it's on the same day as the exercise.

Now, in fact, that didn't happen either as I recall. The drill occurred earlier.

A That's correct. On February the 9th, as I recall. But I will tell you the reason --

Q Okay.

A -- that goes behind this statement. The reason is that I felt I would have my evaluator available on the day of exercise. So I ~~will~~ could arrange ~~so~~ that my evaluator ~~will~~ would go and evaluate it in the morning or late in the afternoon. And ~~the~~ was a resource problem, Kowieski's resource problem, okay. RBK RBK

Later on, when I spoke with Ron Bernacki and ~~say~~ said: Ron, do you think you would be willing to evaluate any other day than the day of February 13th? He said: No problem. Then, I agree that we can have the medical drill on any other day. RBK RBK

Q Right. Okay. Item F on Page 2 refers to the EBS stations airing only a test message rather than exercise message and you have explained that somewhat to me already.

At the end of that statement, there is -- at the end of that bullet, there is a statement though which says that LILCO must explain --

A At least one EBS message will be aired after the sirens are sounded.

Q Right.

A And I initialed it, Roger K. Is that the one you are referring to?

Q Well, let's talk about that, sure, and then I will go back to what I was talking about.

A All right.

Q Why don't you explain to me the meaning of your initial?

A Normal process. Normal process. During the exercises, at least on one occasion, we would expect the state or county would issue a test message.

Q Okay. And why is it that you regularly assume that that's going to happen?

A To test the communication. To test the communication, whether or not they will be able to comply with our requirement, okay. Whether or not they will be able to close the loop.

Q So, the communication that you are referring to is the communication between the decision-makers, whoever they are, and the people who run the EBS network --

A Station, that's correct.

Q -- and to make sure that, in fact, the stuff gets on the air the way it's supposed to?

A That's correct.

(Witness Keller) Well, I was up with you until the last. In any exercise, the decision-maker and his public information staff will draft an EBS message which has

a recommendation to shelter or to evacuate, or whatever. And we never, never, ever put that information on the air.

Q Right.

A Ever.

Q I understand that.

A Okay.

Q And I even understand why.

(Laughter.)

A Okay. The test message, which is fairly standard in almost every plant, this is a test of the X plan emergency broadcast system. Had this been a real emergency you would be notified what action to take.

That is the type of message which is aired. That's not what -- the decision-maker of the Idaho staff never prepare that.

Q Right.

A They say: This is what we would do in a real thing, for this or the exercise, air test message.

Q Right.

A Once in every exercise, it has been Mr. Kowieski's practice and Region II practice to have the sirens sounded, actually physically sounded -- except in one case where we

pushed the button and it didn't sound --

Q Which is why you push it, right?

A Right. And then to air the EBS test message. I would like to point out, just to keep the record straight, this is not a universal practice throughout other regions in the country. But, it has been a universal practice with Mr. Kowieski in Region II. And it was asked to occur here again in the Shoreham exercise.

But it is not a universal practice.

(Witness Kowieski) I can expand on it. And I'm certain most of us, we are aware of the fact that whatever we do, or have done in the past in Region II during the full-scale exercises, it's not really a scientific test.

We have a separate process under FEMA guidelines called Alert Notification Test. It's a separate test which we have a contractor helping us to actually perform a statistical sampling of the population, the phone calls and they produce a report.

So, I agree with Mr. Keller. Other regions -- apparently he is aware of it because he has attended numerous exercises throughout the nation -- do not practice this. It is Roger Kowieski's practice in Region II, concurred by my management

who ~~agree~~ agreed, it was important to test the sirens on day of exercise.

Q And I take it that's part of the overall concept of getting an integrated response to the exercise?

A Again, that's Roger Kowieski concept. And if you ask me whether or not this will be practiced, I have no idea, okay.

Q Mr. Kowieski, also in Item F in Mr. Tanzman's memorandum, there is a reference to an ENC objective which was in your proposed objectives about the Emergency News Center demonstrating its ability to draft the EBS messages, and it says that that will be written to reflect the fact that EBS messages are drafted at the EOC.

Do you see that? It's at the end of Bullet F, right before your handwritten notes.

A It tells you that sometimes Roger Kowieski makes an error, okay. In this case, what I did, you know, sort of unfortunately placed this particular exercise objective under Emergency News Center and obviously it belongs ~~in~~ to EOC.

Q So that's a quirk of the LILCO plan that messages are drafted at the EOC rather than at the News Center, right?

A That's correct.

Q I see. Is it your experience that generally those sorts of messages are drafted at the News Center --

A It varies. In New York State generally, yes, it's being done at the joint News Center. As far as the State of New Jersey is concerned, it is being drafted at EOC. So, it varies, you know.

(Witness Baldwin) The one that was tested was actually assigned as EOC 21, demonstrate the ability to prepare and implement EBS in a timely manner. So, that was evaluated as to the PIOs capability at the EOC to contact WALK radio and get a message to them.

MR. CUMMING: Excuse me. In the deposition yesterday, we recessed about -- between 1:30 and quarter to 2. And the most expeditious place to eat is the cafeteria in the building. And they had just closed their lines or were in the process of closing their lines.

I just wanted to inform you, if we do recess before 1:30 we are much more likely to be able to have food.

MS. LETSCHE: Okay. We can do that. Let me just get, you know, to a logical breaking point and we can go ahead and take a break.

BY MS. LETSCHE: (Continuing)

Q Would you turn to Page 3 of Mr. Tanzman's memo, please? This is Exhibit 8. Item G in his memo at the top of Page 3 refers to the access control points and the fact that only traffic guidance rather than control was planned provided LILCO explains that in a letter to FEMA.

Can you elaborate on that item for me?

A (Witness Kowieski) Sure, I will be glad to. The reason for change to the proposed exercise objective was to fine-tune, again to fine-tune the objective to the LERO plan. They refer to traffic guides.

As a matter of fact, I hope everyone understands that we never, ever in Region II require that actually when there is a demonstration of traffic control point, ~~that~~ even if there is a state and local participation ~~police~~ -- we wouldn't require the police officer would actually stop the traffic and direct the traffic.

We only quiz him about his or her knowledge on his duties or her duties and ~~the~~ responsibilities. And the same approach was used during the Shoreham exercise.

(Witness Keller) I think this is a point that may have been missed this morning. Mr. Kowieski earlier this morning stated to the effect that he had created the

objectives. Clearly, he had not created the objectives for Shoreham. These were the standard set of objectives that we have used in this region for a number of years.

And what you are seeing here is places where, when we submitted them for Shoreham, we didn't fix them. And all these fixes are to make it come in consonance with the LILCO plan.

(Witness Kowieski) I concur with Mr. Keller's characterization. When I said created, I meant I was author, okay. It wasn't LILCO or NRC or FEMA Headquarters. It was Roger Kowieski, but obviously I used the standard exercise objectives and sort of fine-tuned to the LILCO plan.

Q I understand. In Item H of Mr. Tanzman's memo which is below the one we have been discussing now, there is a reference to the public information issue and it says that it's okay if that's not demonstrated provided LILCO gives a good reason why in a letter to FEMA.

Did you receive such a letter, Mr. Kowieski?

A Let me spend half a minute reading that statement.

(Witness Kowieski is looking at the document.)

Q Sure.

A Ms. Letsche, I don't recall receiving a written explanation from LILCO, from Chuck Daverio. He explained to me, as I already stated for the record, as to why alert notification system will not be activated. He said the management made a decision not to activate the alert notification system.

Q Right. I guess I understood that the good reason why LILCO was supposed to give referred to the permanent population having received information about the plan. The way this is written, that's what it seems to be referring to.

Are you saying that's not right, in fact it refers to the public alerting system?

A But, also I am reading with in parenthesis is sirens at the bottom. That's what I'm referring to, all right.

Q Okay. Let me ask you a question. Did you ever get any statement or explanation from LILCO as to why there wouldn't be a demonstration that the permanent population had received information about the plan?

A Except his explanation to me at a meeting, and

which I accepted as reasonable and sound. And I agreed without any argument that the most logical way would be to delete the exercise objectives because there is no requirement as far as I know to have public education brochure circulated when plant is not at full operation.

Q But that wasn't consistent with your process for the other plants in Region II?

A Again, ma'am, okay, I call your attention to the fact that other plants are operating and this plant is not operating.

Q So, that was the reason for the distinction in your mind on the public information?

A Yes, ma'am.

Q All right. Have you -- has Region II conducted any exercises of non-operating plants, non-operating sites?

A Hope Creek, okay. Sites, no.

Q And, to follow up on your distinction, I take it that if there is an operating plant at a site even though you are doing an exercise for the not yet operating plant at that site, you would require the demonstration of the public information in Region II?

A (Witness Keller) If there were operating plants

on the site, yes.

Q All right.

A (Witness Kowieski) And would require the evidence the public information brochures were distributed.

Q Right. Okay, I understand. In Item I of Mr. Tanzman's memo which is the last printed entry on Page 3, it says that, "Although the exercise will demonstrate Revision 5 of the plan, it is acceptable to FEMA for LILCO to clarify it at the observer training session which will precede the exercise."

A Sure.

Q Let me ask, is the observer -- what is the observer training session prior to the exercise that is referred to there?

A This is what you call an evaluator training session that took place, two days, on 11 and 12 of February 1986.

Q And that was a session that LILCO provided training at?

A Well, I -- at the suggestion of New York State, not as much as New Jersey but New York State two years ago, they felt that it would be very helpful if New York State

controllers would actually attend a training session, controllers. And they always were excused at the time -- excused at the time when we discussed the detail of the assignment such as free-play messages.

I felt that instead of me, Roger Kowieski, or Dr. Baldwin or anybody else explain how LILCO plan is structured to operate, that Chuck Daverio and his staff ~~were~~ here RBL better equipped, always better, because it's their plan, not Kowieski's plan, to explain how the plan is structured to operate.

However, keep in mind that I gave my own training session, and when I was finished and I asked Mr. Daverio whether or not I mischaracterized ~~anywhere~~ anything, he said: You RBL did a pretty good job. As a matter of fact, I have my RBL training package, here.

So, obviously he sort of explained or added what I already said at my training session. And then when we finished with general issues of exercise objectives and ~~explain~~ explained the plan structure to operate, the operation of RBJ the staging area, et cetera, then I excused the LILCO controllers from the meeting.

And, no one from LILCO who was part of the response

team participated in my training session. That should be made very clear.

(Witness Keller) It's a standard, New York State and New Jersey in this region have an opportunity, and have exercised that opportunity, to make a presentation to the evaluator briefing session prior to the exercise. It's what Roger characterized.

You know, people read a plan and there are many evaluators in all demonstrations that come from the outside. The RAC, and Tom and I, Dr. Baldwin and I, have reviewed the plan in detail. The rest of the evaluators have read pieces, bits.

And, sometimes it's helpful for the authors of the plan to say: This is what this means. And that's in the context in which this statement is made and the training actually was held.

Q Okay.

A (Witness Baldwin) It's also an opportunity for the evaluators to ask of them questions about the inter-connectiveness of parts that they might not otherwise understand or that we might confuse them with, so they try to direct us in the most expeditious way to understanding

what those interconnections are so that when we get out there in the field we can do the best job we can.

Q At the bottom of Mr. Tanzman's memo there is a handwritten paragraph, and it started with the note, "After reviewing Ed Tanzman's memo, we would like to add this paragraph."

Who is the "we" there?

A (Witness Kowieski) FEMA. That's FEMA.

Q That's the Royal we?

A FEMA, and it's my direction. One of my staff members, Mr. Acerno, added this statement.

Q Okay. The last sentence in that says, "LILCO said they may have trouble implementing some objectives, i.e.,..." and then it refers to school dismissal, et cetera.

What does that refer to?

A All right. LILCO didn't understand, was confused, whatever, that we had two objectives, one calling for the early dismissal and the second one calling for evacuation.

And, when Chuck Daverio came back to me at a meeting or in telephone conversation and said: Roger, you can have only one, you cannot have both, okay. If school children are not there, you cannot evacuate them to reception

center. And then I responded to his concern by saying: Don't worry about it. We only require one in sequence of exercise scenario.

As dictated by the exercise scenario, the second option will be out of sequence. And that is what we have done with evacuation of school children. We ~~introduce~~ introduced a free-play message. RBK

Q Okay. So, had LILCO said that they may have trouble implementing any other objectives other than the early dismissal and evacuation of schools?

A All right. Now, to the best of my recollection, no. It could have been -- I don't know, Coast Guard possibly. But, again it's -- I really don't recall exactly whether or not they raised any concerns with other exercise objectives.

(Witness Keller) Just to try to keep it straight, there was some concern about the Coast Guard issue, but the timing -- at the time of this meeting, I don't think that was an issue. That's my recollection.

(Witness Kowieski) Mr. Keller is correct, because the exercise objectives, the process that we ~~use~~ used at any other site, we submitted exercise objectives to LILCO for RWK

comment. We got their comments back. We sent to the RAC members both the proposed objectives and suggestions received from LILCO for review and comment. We got RAC comments back. Then, I reviewed RAC comments and ~~modify~~ modified the exercise objectives, as necessary.

At a certain point in time, Mr. Paul Lutz who is a RAC member from DOT, Department of Transportation, he suggested that water part would be included in the exercise objectives dealing with the alert notification.

Q All right. Going to your letter, Mr. Kowieski, which is Exhibit Number 9, and I would like you to go to Page 3 of your letter, please.

A Okay.

Q Now, after Section B in that letter you have a note of clarification which is two paragraphs long, and I would like to direct your attention to that, down at the bottom of the page.

Would you just review that for me and I will have a couple of questions?

(Witness Kowieski is looking at the document.)

A I remember. Portions are coming back, believe it or not. But it actually happened some time ago.

Q Let me just see if I understand. I gather that there had been some kind of discussion of having a two-day exercise at some point and that FEMA had said one day was enough.

A That's correct. And, again to be consistent with other sites, because I knew that Suffolk County and New York State would jump all over FEMA saying that you made it so easy for LILCO to pass the test, whatever, or not to pass the test.

So, I figured I ~~will~~ would be consistent. I have to have a one-day exercise so that it will be exactly the same, ~~number one,~~ it was my (number one) concern or reason.

Q Right.

A And, number two, the resource problem. The exercise obviously cost some money.

Q Right.

A And I don't think we are able to -- or were planning for a two-day exercise.

Q I gather though that the main point you were making in your note of clarification in this letter was, although we are giving you this guide of 12 hours that basically it was LILCO's decision to let you know the level

of participation they wanted to have in the exercise?

A Well, it was intended -- as a matter of fact, this particular note or suggestion was drafted by Mr. Stokes who at that time was still attending the meeting, he said because the way I -- the way, you, Roger, came across that you are limiting the exercise into certain hours.

If LILCO won't be able to demonstrate certain capabilities, you could be sort of accused that you prevented LILCO from demonstration of certain activities, okay.

Q Right.

A And that's the reason I stated that, yes, we are willing to go -- sort of expand the time frame maybe to 12 hours but no more.

endT2

Q On the next page of your memo, Page 4, is the beginning of your proposed milestones. I notice that all throughout Page 4, the various milestones listed there all involve submissions back and forth with the utility.

And the last entry on this page, which occurred 62 days prior to the exercise, there is a reference to FEMA providing the utility with exercise objectives, and then it says FEMA provides LERO with a list of items to be demonstrated.

Was there some reason that in that one entry LERO is referred to rather than the utility?

A It's a typo, again Mr. Kowieski really not spending more time on it going through and trying to refine every single item. It's LILCO. I meant LILCO.

Q LILCO. Okay. So, all these transmissions were back and forth to the same entity, to LILCO; is that right?

A (Witness Keller) Mr. Daverio.

(Witness Kowieski) Yes, Mr. Daverio.

MS. LETSCHE: Just give me a minute. This might be a good time to stop for lunch.

(Pause.)

MS. LETSCHE: I think I just have one question on the matters we have been discussing this morning, and then we can go ahead and take a break for lunch.

WITNESS KOWIESKI: Surely.

BY MS. LETSCHE: (Continuing)

Q Going back for just a second to the -- I will refer to it as the sampling of the public about the public information brochures that you usually do for operating plants in Region II, to the best of your recollection has Region II ever conducted any exercises in which that kind of

sampling procedure was not conducted?

A (Witness Keller) Yes.

(Witness Kowieski) I don't recall. Mr. Keller is saying yes.

(Witness Keller) Ginna in 1981.

Q Okay. Is that the only one to the best of your knowledge?

A I would have to think about that. But, I know that the first exercise in Ginna, which was Mr. Kowieski's first exercise, in which we did not have his exercise format and these objective formats, I know it was not done there.

Q I see.

A Whether it was done at later ones, I -- the break point at which time we went to this format, okay, is the question in my mind.

Q I see. So, once you went to that format it happened all the time?

A That is correct.

(Witness Baldwin) I would like to take issue with the characterization of it as a sample. They are always characterized in the post-exercise assessments as a spot check.

Q Okay. That's right.

A There is no effort to be made that it is a scientific or in any way reproducible.

(Witness Keller) Or as the State has often suggested, valid.

(Laughter.)

MS. LETSCHE: All right. This would be a good breaking point for me. Let's go off the record.

(Whereupon, a recess is taken at 12:40 p.m., to reconvene at 1:50 p.m., this same date.)

MS. LETSCHE: Before I get back into the questioning of the witnesses, I have a question, Mr. Cumming. I understand that FEMA either has or intends to file some kind of supplement to their response to the government's request for admissions; is that correct?

MR. CUMMING: That's correct. I believe it has been filed. I've been trying to reach my office yesterday to find out whether it was filed.

MS. LETSCHE: Well, we have not received it. I've been on the line with my office, and they have not received it even in my absence.

MR. CUMMING: I have a copy for you.

MS. LETSCHE: Well, that would be fine if you have, in fact, filed it and have one available for me. I will attempt to review it and do whatever I may need to do with it tomorrow.

MR. CUMMING: Okay.

MS. LETSCHE: It is important for me to get it so that I can use it in connection with the discovery of this witness panel. So, as early as you can get it to me the better it will be.

If I don't get it prior to the conclusion of these depositions, I won't be able to --

MR. CUMMING: Okay. Can we go off the record?

MS. LETSCHE: Yes.

(Off-the-record.)

MR. CUMMING: Counsel's understanding from his office was that they were filed when the federal offices reopened on Tuesday, but I have not been able to confirm that.

This is the admissions, supplemental admissions, based on deposition testimony that has been gathered to date, and additional information provided by Mr. Kowieski.

MS. LETSCHE: When you say based on deposition

testimony, do you mean of FEMA witnesses?

MR. CUMMING: Yes.

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, in a couple of the exhibits that we discussed before the lunch break, there was a reference to the scenario confidentiality and we discussed that briefly.

And, you explained why it was important that people who were players in the exercise did not have access to the scenario information.

A (Witness Kowieski) Normally -- let me just clarify. We use the term "participants."

Q Okay.

A Okay, but I understand. I don't have a problem if you use players. I will take it that you mean, actually mean, participants.

Q Whatever term is fine with you. I think we were on the same wavelength in any event. I will try and use participants and see if I can manage not to slip up on that.

A Sure.

MS. LETSCHE: Let me have marked as FEMA Panel

Exhibit 10 a letter from John Weismantle to Mr. Kowieski, dated November 25, 1985.

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(The document referred to is marked as FEMA Panel Exhibit Number 10 for identification.)

MS. LETSCHE: And, while I'm at it, just to get it out of the way, let's also have marked as FEMA Panel Exhibit Number 11 a document dated December 6th, 1985, to Mr. Kowieski from Charles Daverio.

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(The document referred to is marked as FEMA Panel Exhibit Number 11 for identification.)

BY MS. LETSCHE: (Continuing)

Q Now, are you familiar with both of these letters, Mr. Kowieski?

A (Witness Kowieski) Yes, I do recall receiving both letters from LILCO.

Q And I take it these are the ones that are referred to in your letter to Mr. Daverio which is marked as Exhibit Number 9?

A Well, when I asked LILCO to provide me with some kind of assurance that exercise scenario would be kept

confidential. And I believe at or about November 25th, my counsel at the time, Mr. Glass, suggested to -- that I will get clarification with respect ~~as~~ to how many people will have access and to reduce number of people at LILCO organization that will have an access to the exercise scenario.

Q Right. Why was there a concern about the need to reduce the number of people with access?

A It always has been our position that if you have less people having access to confidential material it's better.

Q And, in your opinion, was the number of people with access prior to the reduction larger than you were comforcable with?

A Well, again, I personally didn't have a great deal of concern. It was a suggestion of my counsel, and I concurred with his suggestion that it was a good idea.

Q Now, I assume you are aware of the fact that Mr. Weismantle is a -- was a participant in the exercise; is that right?

A That is correct.

Q He is the Manager of Local Response under the LERO organization; is that right?

A Right.

Q Now, I assume you also know that representatives of Impell were participants of the exercise as well; is that right?

A Well, let me clarify this. Participants -- again, Impell provided not only people with expertise in the radiological area to actually participate in the exercise; in addition, they had people who worked on the exercise scenario, and those people did not participate in the exercise. In other words, they did not respond to -- did not take action called for by the exercise scenario. RBL

Q Okay. So, the fact that the scenario was prepared at Impell and that persons at Impell had access to the scenario did not bother you in terms of confidentiality of the scenario, right?

A Well, Ms. Letsche, it's the same process we have been using at other sites. Under the normal standard process, generally speaking FEMA, in our case -- in the case of this region, Roger Kowieski, after consultation with experts in this area, Nuclear Regulatory Commission and this gentleman on my left, Mr. Keller, would provide the state and utility with the exercise requirements. In other

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words, the wind direction, wind shift, how far I would like to have PAGs exceeded.

Later on, the utility is the one that normally develops the exercise scenario, whether through using own resources, human resources, or through a consultant. I understand that in most cases, New York State, ~~INPO~~ Impell is the one who developed also exercise scenario for the exercises that took place in New York State.

Q For the utilities.

A For the utilities. As far as I'm concerned, you asked me whether I had concern, well you would have to at certain point trust people, okay. You know, you asked me whether I checked the lock; no, I did not check the lock, whether they locked it as they promised me.

But, you know, again you have to trust people. They were sort of committed to keep exercise scenario confidential.

Q For any of the other sites that Impell or any of the utilities that Impell has, to your knowledge, prepared the scenarios for, was Impell also a participant in the off-site emergency response for those plants?

A Not with Impell. However, I give you another

example. To answer your question, no, as far as to my knowledge.

Q Right.

A However, keep in mind, some time ago, I'm certain you are aware of the fact that Rockland County refused to participate in four county planning process around Indian Point. At that time, the Governor, Governor Cuomo, directed his Lieutenant Governor to take charge of state compensating plan for Rockland County. At that time, the compensating plan relied on state workers and utility workers.

So, I can draw analogy. Utility workers were working on the exercise scenario and also at the same time the utility workers were assigned, other people were assigned the role to respond to the exercise scenario. Specifically, if I recall, for instance, to drive bus routes, was one of the assignments. Others, I don't recall. Maybe Mr. Keller or Dr. Baldwin ~~may~~ have a recollection.

But, as far as I know, they had a role in the response.

(Witness Keller) In addition, in the Ginna exercise -- and I can't remember the year, and I could look it up if I had to -- Impell personnel participated as

participants in acts and assessment at both Wayne and Monroe Counties, in both Wayne and Monroe Counties. It's a different site from what Mr. Kowieski was discussing.

In the so-called state compensating plan exercise for Rockland County, utility personnel did all of the accident assessment in Rockland County under the supervision of a state Department of Health individual. Utility personnel did all of the field monitoring in that -- in the state compensating plan exercise.

And basically I guess I like to look at it, the state provided all the chiefs and the utility supplied all the indians in the state compensating plan exercise, so that you had a situation which is analogous in many ways, that the utility which clearly had access to the scenario had participants in the exercise.

Q Of course, in this case the utility supplied all the chiefs and all the indians.

A That's correct.

(Witness Kowieski) That is correct.

(Laughter.)

Q All right. Now, at some point I gather, Mr. Kowieski, you knew that the participants in the exercise

were given the exercise objectives prior to the exercise; is that right?

A That's correct.

Q And, why was it that they were given those objectives?

A Well, two gentlemen, the one sitting on the left and on the right, Mr. Keller and Dr. Baldwin, discussed with me this matter way, way before the exercise. My initial reaction to LILCO was -- before the exercise -- to keep exercise objectives confidential, because again I felt -- I tried, at least in my own mind, I developed justification that it's a unique case, and that's why I ~~should see~~ thought, the exercise objectives ~~are~~ were to be kept confidential.

But, later on, I guess after discussion with RAC members, ~~of~~ discussion with Joe, Thomas, we -- they sort of convinced me that to be consistent, Mr. Kowieski, you have to release the exercise objectives to LILCO, to participants. Because at other sites, at other exercises we always, as a rule -- not as an exception -- we ~~release~~ released the exercise objectives, after we ~~finalize~~ finalized exercise objectives, to participants, because we felt there was no compromise.

By exercise objectives so general, that decision-

maker, if you even deal with evacuation, decision-maker doesn't have to call for evacuation, if there is no need for. And objectives normally wouldn't be, you know, not applicable, all right.

So, to follow the same logic, follow same consistency rule, I decided to release exercise objectives to participants. As a matter of fact, in my letter to Mr. Chuck Daverio, I directed him to release exercise objectives -- or, I advised him that he can release exercise objectives to the participants.

Q Okay. In the other cases that you were persuaded meant that you should release them in this case --

A Yes, ma'am.

Q -- when you released the objectives to participants, I take it there you were releasing them to the county and state government officials who were the participants in the exercise?

A Yes. And if I recall -- I'm saying, it's a long time ago, but my former counsel, if I recall the correspondence, correspondence between you personally, Ms. Letsche, and Mr. Glass, he sent you a copy of exercise objectives.

Q Yes, at the end. I understand. But, now I'm

trying to clarify the other situation. So, the participants that you released them to then were the state and local governments. And I take it that in those other exercises the -- you weren't necessarily releasing them to the decision-makers who would be -- I mean, the individual decision-makers from the state and local governments who would be the players at the exercise?

A There was nothing in my letter memo to the state that would have prevented the exercise Director to release exercise objectives to the decision-makers.

Q Okay.

A Whether or not those exercise objectives at Indian Point, Ginna and Nine Mile Point were released to decision-makers, I don't know. Whether or not the exercise objectives were released to the Director of Local Response in Shoreham case, I don't know.

Q Okay. I gather though from some other -- I gather though that LILCO had been requesting the release of those objectives from way back in December of '85; is that right?

A It was --

Q '85.

A -- '85; approximately two months passed by from the time, from the date, when I was requested and the time when I released exercise objectives.

Q Okay.

A But, again we ought to understand that at the time when they were requesting exercise objectives, I don't think the exercise objectives were final.

Q Right. Okay. Now, going back to your explanation of your decision to release the objectives, I gather that in terms of keeping things confidential that there was a distinction in your mind between the objectives and the free-play messages; is that right?

A Absolutely.

Q And what is the distinction? Can you describe that for me?

A Exercise objectives only define in general terms what is expected at an exercise, which portion of the plan, which response organizations could be activated.

When you talk about free-play messages, free-play messages which are also called surprises, are actually designed to add more realism to the exercise. You have a standard exercise scenario developed according to our requirements, and later

on in addition, whatever LERO people introduce during the course of exercise, we in addition ~~introduce~~ injected additional problems with which we expect the LERO organization had to deal with.

So, these ~~is~~ are additional surprises, additional events to basically add more realism to the exercise.

Q Okay. I understand. Now, let's go back to the objectives for a second. Looking at the objectives for the Shoreham exercise, when they became final and you released them, in reading those objectives someone would know, wouldn't they, that they were going to have to demonstrate a removal of -- dealing with impediments during that exercise; is that right?

There was an objective that specifically said that, isn't that right?

A They could anticipate. One could anticipate. It doesn't have to, okay. Again, just in case the impediment was introduced, they would have to deal with impediment evacuation.

Q Right.

A But there is nothing that was written that, yes, there definitely will be impediment.

Q But the same was true that they could anticipate having to demonstrate, for instance, an early dismissal of schools and also an evacuation of schools, right?

A (Witness Baldwin) Right.

(Witness Kowieski) The same way, absolutely. The same way as at other sites.

Q Okay. Now, with respect to the free-play messages, those were -- let me see if I can characterize this in shorthand, those were some of the specific ways in which FEMA intended to evaluate some of the more general objectives; is that fair?

A I don't know if I understand.

Q For instance, a free-play message would say: The impediment that they are going to have to deal with will be located at X location; or, it would say that the bus routes that you are going to have to drive will be these bus routes.

A That's right.

(Witness Baldwin) I think --

Q But they were the specifics of the general objectives? Is that fair?

A It gives them a statement of a very specific

problem to have to solve or deal with.

Q Right. And I gather in some instances they also told -- well, in many instances they also indicated how many of each type of demonstration they would be required to give? For instance, how many bus routes you --

A That's correct.

Q -- would make them actually run or how many schools they would actually have to --

A Well, make them actually run. We have to be careful.

Q -- be observed, that FEMA would observe?

A That FEMA would actually get on a vehicle supplied by LERO and ride.

Q Okay.

A That is to completion and --

Q Right. Okay. I was paraphrasing. Right. And, that kind of information then, the specifics, or how many of each kind of demonstration, is something that you would want to keep confidential from the --

A (Witness Kowieski) Except as the normal practice in any other site -- and, again I refer to any other site because I want to make certain that we understand the process

was the same.

We advised LILCO about certain activities such as we will use no more than 20 buses. No more, let's say, than 6 ambulances or ambulettes.

And this is the reason to be reasonable with people. And we don't want to go to someone -- we don't want the state and county to go to the expense and mobilize all the buses when we are going to use only four or five, the same logic we apply as far as Shoreham exercise is concerned.

Q Mr. Keller, do you have something?

A (Witness Keller) Yeah. I believe when Roger says LILCO in this case, I believe he was talking about Mr. Daverio.

(Witness Kowieski) That's right.

(Witness Keller) That is as opposed to the LILCO participants.

(Witness Kowieski) I may add, maybe Mr. Keller is not privy. I was asked by Mr. Daverio whether or not he can reveal to his management ~~as to~~ at least (an approximate number of buses) ~~you know,~~ ~~you~~ You don't have to be specific how many, he said. Tell me no more than, okay. If you want to ~~use~~ double the amount you PBK PBK PBK

are going to use, but give us some idea because we have to pay for those buses. And, believe me, the same argument was presented to me by every single county in New York State, okay: Roger, it's $400.00 a day to rent a bus, okay. And you have to tell us, you know, how many approximately. If we are going to use ten we can arrange for 15 or 20, but don't tell us I don't know, because ~~of the~~ It is a great expense. RBK

Q Right.

A And that's the reason.

Q Okay.

A And that's the approach I ~~use~~ used when we ~~are~~ were preparing for Shoreham exercise. And, right now I do not recollect, at this point in time, without looking in my records as to what were the numbers I gave to Mr. Daverio with respect to the demonstrations. I know that there were -- RBK RBK RBK

Q Sort of outside limits of no more --

A That's right.

Q -- than?

A That's right. In excess of whatever we were looking ~~at~~ during the exercise. RBK

Q Right. And that was given to Mr. Daverio?

A Daverio.

Q And not the participants?

A With my authorization that he can pass this to the management that was responsible for arranging, for renting some of this equipment.

Q Right. But, it wasn't your understanding that that management would be the participants in the exercise?

A Not necessarily. It doesn't matter, okay. This is a -- you know, whoever. As far as resources are concerned, I gave him in an excess of okay. And whether or not I stipulated, you know, and asked him who would be making those decisions, I did it's quite possible at that time.

If you are asking for specifics right now, I don't remember. I would have to go to my records and look up and really search my records to see whether or not I directed Mr. Daverio to handle this matter in a certain way, one way or another.

Q Okay.

A I don't recall.

Q We talked earlier in the context of security about the confidentiality of the scenario. We have just been talking about objectives and free-play messages.

Going back to the scenario business, would it --

I take it it would be -- let me rephrase that.

I believe you said before that if the participants knew the exercise scenario in advance that that would render the exercise -- I don't know if your word was meaningless or invalid or something like that; is that right?

A Well, obviously the results or the performance of various participants, our evaluation of their performance wouldn't carry as much weight as one where people ~~are~~ were not aware as to what to expect.

If you are prepared, you know, and know the questions before you go to the exam, okay, it's no big deal.

Q Right.

A Okay. The same way -- the same logic applies to the exercise scenario.

Q Right. So, am I correct that if you learned that there were, in fact, participants in the Shoreham exercise affiliated with the utility who did have access to the scenario prior to the exercise, that that would be of significance to you in terms of your evaluation?

A (Witness Baldwin) We would certainly take it into consideration, and I believe that it would compromise -- if we found it out on the day of the exercise, it would be

reflected in some fashion in the post-exercise assessment.

(Witness Keller) Although it did not happen in this region, it was a mere two weeks later at another exercise when a scenario was judged to have been released inappropriately. A new scenario was developed -- and if you are familiar with what the scenarios are, that's a big job. Three days prior to the exercise.

And that one was -- it was a contested site -- filed to the service list, and a new scenario, the third one, was generated the night before the exercise.

(Witness Baldwin) And both Mr. Keller and I were at that exercise.

(Laughter.)

(Witness Keller) I would say that if we had knowledge with -- this is hypothetical. But based on what occurred in another region, if there was knowledge that there was significant distribution or the potential for significant distribution of the exercise scenario prior to the exercise, great pains would be made to change the scenario.

Q Now, if you found out subsequent to the exercise having occurred, or if you found out as you said, Dr. Baldwin,

on the day of the exercise you learned that there had, in fact, been some compromise of its security to participants, that would be reflected in your evaluation how?

A (Witness Baldwin) To the extent that it impacted the decision-making that we would have expected to go on normally in the process of dealing with it, that would be a real emergency and you wouldn't know what was happening and that --

Q And so --

A And when I say to the extent that it would impact that, I mean that there are some places that knowledge of that scenario being available would be virtually inconsequential to ranging to where it could have great significant impact.

Q So, you would have to know who it had been released to and what that person in turn did with it and what that person's role was and how it could have ultimately influenced other people; is that fair?

A (Witness Keller) That's fair, yeah. In addition, I think there is a requirement or a criteria element in 0654, NUREG 0654, which states that scenarios will be prepared by the NRC and FEMA, okay. Even though that's in

NUREG 0654, to my knowledge that has not been done to any significant extent. I know of one off-site scenario prepared by FEMA, and that's the only one I know about.

Also, there is a GAO report which is part of the public record, which Mr. Kowieski has a copy of here, which goes into a fairly lengthy discussion of the rationale behind why in a normal circumstance the state and the licensee -- the state that we are talking about would be the normal participant and the licensee, the plant -- are the best ones to prepare the scenario.

And this is the normal sequence of events. And there is no formal system that I'm aware of that maintains the confidentiality. It's what Mr. Kowieski talked about some time earlier. You, at some point in time, have to trust somebody.

(Witness Kowieski) And, also in that --

(Witness Keller) This GAO report I think maybe is --

(Witness Kowieski) The GAO report is dated August 1st, 1984 and is entitled "Further Actions Needed to Improve Emergency Preparedness Around Nuclear Power Plants." Not to read the entire page but what GAO implied:

FEMA has proposals for better exercise scenario, and they implied that some of the regions didn't use proper process and they indicated that FEMA regional offices have independently addressed -- and I'm reading this from the GAO report on Page 29: FEMA regional offices have independently addressed the problem of inadequate exercise scenarios. In 1982, Region II initiated a task force approach to the scenario development in response to Atomic Safety Licensing Board hearing, and NRC imposed 120 day correction period at Indian Point site. The task force includes the Regional Assistance Committee, agencies, utility companies and state and local governments.

Q Mr. Keller, I think I will pose this one to you and to Mr. Kowieski, under the LILCO plan with which you all are familiar, if the person holding the position of nuclear engineer in that plant had advance knowledge of the exercise scenario, would that have any impact or consequence on your evaluation of the exercise results?

A (Witness Keller) That's a difficult question to answer. It could or could not.

You would have to evaluate, observe whether or not the individual -- it makes no difference who it is, but

in this case a nuclear engineer -- was leading before he was getting information along the scenario line. Now, clearly if an individual had advance knowledge the scenario, the details of the scenario, he would know which way he had to go, presumably would know which way he had to go.

If he was not leading the other participants, he was not forewarning the Radiological Health Coordinator, for example, who he reports to in the plan, his own individual knowledge may or may not have affected the overall performance of all of the players.

And it becomes a difficult, very, very difficult thing to say that a participant, because of his advance knowledge of the scenario, really greatly affected the outcome of how the participation proceeded.

Q I take it it would affect his own performance?

A Oh, his. Well, clearly the presumption is yes, it should have affected his performance.

Q Right.

A He should not have made any mistakes.

Q Right. And, so that would affect your evaluation of his performance?

A Of his performance, clearly.

Q And then what you are saying is potentially others, depending on what he did?

A Yeah. It's very difficult to say yes or no, you know. Clearly, I think on a propriety kind of grounds, you would prefer not to be in this situation so there is no question that what was done was proper.

Q Right. And to be on the safe side, since you cannot get inside his mind to know what he would have done if he had not had the prior knowledge, to be safe you would probably assume that there was some other effect and, therefore, would note it in your evaluation, as Dr. Baldwin said earlier?

A That is correct.

Q Again, under the LILCO plan, if the Manager of Local Response, LERO, Number 2 man in LERO, okay, if that gentleman had knowledge of scenario information prior to the exercise, would that have significance or impact on your evaluation of the exercise?

A May I ask a question for clarification? Scenario, which we have been using here, has different meaning to different people, basically based on their background and where they are coming from.

Q Okay. That's fair. Let me restate the question, because you are right. It was too broad a question.

Let me ask it this way. If the Manager of Local Response had knowledge of how many bus routes, actual bus routes, FEMA evaluators intended to observe, riding on the --

A Evaluate.

Q Evaluate. Would that have an impact on your evaluation?

A No.

Q And why not?

A Because of the free-play situation. The number of buses that are going to be evaluated, right, four, six, eight, ten, twelve, is really not that important in the evaluation.

As a planning issue -- as a planning issue, not an exercise issue, you need letters of agreement that says you can provide all the buses that you need to provide, right. I mean, in this plan you need X number of buses. There ought to be letters of agreement that says X number of buses will be provided.

In terms of the number of buses that we select as our sample size, if you will, the number is really not that

critical because, based on the free-play messages as the GAO report puts out, nobody knows except their evaluators up until the day of the exercise which routes we are going to evaluate.

Q If they knew --

A If they knew which route --

Q -- that then --

A If they knew which routes, yes.

Q Okay.

A Number of buses, not a big deal. If they knew the routes, right, that would be a big help.

Q Let me --

A (Witness Kowieski) May I -- if I may -- may I just add to what Mr. Keller said, that just to sort of reinforce or expand on what Mr. Keller said, that way LILCO plan is structured, any given bus company for -- let me clarify. Any bus driver can drive any route.

As a matter of fact, during the exercise the approach we used -- ~~and~~ I instructed the team leader, I want you -- and I said this to every team leader stationed at a staging area, ~~you~~ go and pick people you like or you feel should go and drive buses. That's what they did. I

like you, I like you; in other words, pointing to different people.

(Witness Keller) Or, I don't like you.

(Witness Kowieski) But, I want you to drive the bus.

Q So, totally random by the team leader?

A Absolutely, right.

Q Now, let me follow up with you, Mr. Keller. I understand your explanation about the number of buses and the difference between the number and the routes.

What if the -- let's continue to use the Manager of LERO knew which specific special facilities there was going to be a free-play message involving -- you know what I'm talking about, the message to go and pretend you are evacuating someone, what if he knew which special facilities those would be?

I take it that would be similar to knowing --

A (Witness Keller) Since in point of fact the evaluation consisted of an ambulance or an ambulette driving to the door and not going in and not doing anything once they got there, what difference does it make which door they went to? I mean, we wanted to evaluate whether

they could find a place, and in that regard had an individual who could coach -- again, this is like which route it was, right, but my recollection is that we saw 12 vehicles, six ambulances and six ambulettes; and, as Mr. Kowieski pointed out, we picked -- I don't like, these are the ones we are going to evaluate, he would have had to have coached all 12 of them.

Q Right. Let me just follow up. Dr. Baldwin, I think you were involved in writing free-play messages, weren't you?

A (Witness Baldwin) Yes.

Q And I'm sure you were, too, Mr. Kowieski. There were, as I recall -- and I don't have them right here in front of me, there were two free-play messages involving special facilities?

A That's correct.

Q Okay. And, those messages said: Send a real ambulance or ambulette --

A Yes.

Q -- to X special facility, ri

A That's correct.

Q And just so that I'm clear on what you said, Mr.

Keller, I gather that prior knowledge by a participant such as the Manager of LERO of the identities of the special facilities in those free-play messages, because the idea was to determine whether or not those locations could be found and then people evacuated from them, that that would be information that was designed to be kept confidential?

A (Witness Baldwin) It's designed to be confidential, you are right. The level of impact it would actually have would not be all that great except in the sense they could already have maps pulled and expedite in some way the dispatch of those vehicles, or if they could figure out which one driver at random we were going to pick, which is very unlikely, you could train that driver.

But, the impact would be minimal.

Q Okay.

A Minimal.

Q All right.

A (Witness Kowieski) Let me try to take another approach. I know that -- I believe that Ms. Letsche is trying to sort of put on the record that, yes, we sort of revealed certain information of which facilities to be exercised, the reception center, congregate care center,

bus company, so forth and so on. Let me tell you -- and maybe this will be a surprise to you -- I tried to -- I have attempted to take this approach in New York State and say: No, I won't tell -- years ago, and you can confirm talking to the group in New York State, all right. I ~~say:~~ said: RBK Listen, okay, I won't tell you which reception center; I won't tell you which congregate care center. And ~~say:~~ they said: RBK Roger, that's impossible. The reason it's impossible because some of these facilities ~~that~~ are being occupied by schools, the RBK normal business is going on, and you have to, Roger, make prior arrangement.

If you don't make prior arrangement, there is no way ~~I will~~ we would be able to present this particular facility or exercise this particular facility during the exercise. And, that's another reason, all right.

So, I don't know if this clarifies anything or not. You know, I have ~~intended~~ attempted this in the past and people have said no. I ~~agree.~~ agreed. It's very difficcult, if you are a school administrator, and ~~at~~ someone in the last minute ~~say to~~ says: evacuate that school, there would be a lot of unhappy people, really. RBK

Q Okay.

A (Witness Baldwin) I would like to add to that

also and clarify that in this particular instance, since I wrote the messages and picked the places to have them sent to, I had to go through in detail the plan. And given our review of the scenario, Mr. Keller did, we anticipated the activity to affect planning zones A through J. That meant
end3A I had to go through the plan and identify those particular health care facilities that were in A through J which LERO had put in their plan required LERO vehicles or had requested transportation assistance.

In going through OPIP 3.6.5, I believe, if you knew the scenario would at least affect A through J, there are only two facilities I could pick. And we picked those, and it was a 100 percent sample. T.E.B

So, that clarifies that.

Q Okay. I will direct this one to you, Mr. Keller. With respect to the Shoreham exercise, if the utility had known prior to the exercise that the nuclear engineer had advance knowledge of the scenario, should the utility have barred him from participating in the exercise?

A (Witness Keller) Could you clarify the utility?

Q LILCO.

A But there are thousands of people who work for

LILCO.

Q No, the nuclear engineer.

A Yeah, but you say the utility knew. Who in the --

Q If someone in authority had known?

A Well, it would seem to me it would have had to be Mr. Daverio.

Q Well, using that, if Mr. Daverio had known.

A Mr. Kowieski has testified that he had asked Mr. Daverio and those people on the list to keep certain things confidential, okay. I would judge -- my own opinion is that if any of those people who knew that this stuff was supposed to be kept confidential, if any of those people knew ahead of time that the confidentiality had been compromised, they owed it to Mr. Kowieski to tell him ahead of time.

Q And if --

A Now, other people in LILCO -- LILCO is a big thing, right. And other people at LILCO might have known and not known it was supposed to be confidential.

Q Okay. Well, I was referring to someone who was in a position to know that it was supposed to have been confidential.

A That's what I meant by who is LILCO.

Q Now, are any of you three gentlemen aware of the fact that certain players, including the nuclear engineer, did have some advance knowledge of the exercise scenario?

Did any of you all know that?

A The fact --

MR. ZEUGIN: I will object to the question as vague. If there are people other than the nuclear engineer, please list them. If you are asking specifically about the nuclear engineer --

MS. LETSCHE: I will ask it that way first.

BY MS. LETSCHE: (Continuing)

Q Were any of the panel members prior to this deposition aware that the nuclear engineer had advance knowledge of the exercise scenario?

A (Witness Keller) I don't know it now.

Q And I take it from your answer that you do not know now that any other players or participants in the exercise had advance knowledge of the scenario; is that right?

A That is correct.

Q Assuming that, in fact, there was a compromise of the scenario, does FEMA have any mechanism for after-the-

fact revising or changing its post-exercise assessment to take that into account?

A (Witness Kowieski) You are asking a very difficult question. As far as I know in my five years or four years as the RAC Chairman, I ~~serve~~ served as RAC Chairman, I ~~don't~~ didn't come across any mechanism to change the post-exercise assessment a year or two years later.

Normally, it happened -- I mean, to be honest, okay, and maybe attorney from New York State will be surprised, we had some concerns with New York State in the past, okay.

So, you know, when you find and confirm as a fact -- right now, it's only -- as far as I'm concerned, it's a ~~stipulation.~~ speculation. I don't have any evidence unless someone will convince me to the contrary.

The next time around, if I go to the next exercise, I would definitely lay the ground work and say: Listen, okay, if for whatever reason, I ~~will~~ would learn there was a compromise, we simply ~~will~~ would deal with it shortly after. In other words, you can deal so many ways. You can simply say: Well, certain exercise objectives were not evaluated. That's one way to deal with it.

It depends, you know, to what extent, to what extent, this particular release of information affected the entire scope of exercise. It's very hard right now for me to sit down and speculate, because I will have to review the facts. If you will present to me facts --

Q My question really wasn't so much what would you do specifically in this case, it was more a process question.

Is there a mechanism in the FEMA process for revising, amending, changing a post-exercise assessment based on after-the-fact, based upon information or knowledge received after the fact?

A (Witness Keller) Let me -- maybe I can answer it this way. I'm not sure of this.

I'm not aware of any specific mechanism. The FEMA process, under a normal circumstance -- and clearly this is not a normal circumstance, but under a normal circumstance, it involves 36 standard objectives of which the objectives we used are just kind of modifications of.

There is a provision whereby all 36 objectives must be demonstrated in a six-year cycle. The old rule was five years. It's now six years.

If an objective has not been demonstrated in this

six-year cycle, FEMA must identify this to the NRC as being a deficiency. Okay.

To carry where Roger was a second ago, I believe that if a RAC was convinced that inappropriate release of information had affected exercise participation, they would not give credit for having met that objective. And, therefore, during this six-year process, if it were the last time around, it could end up as a deficiency to go to the NRC.

If it were in the early part of the six-year process, it just means they have to demonstrate it again the next time. Also, it --

Q But it would be a deficiency with respect to that exercise?

A That's right. That's correct. Also, I believe -- and there probably are much better --

(Witness Kowieski) Well, or not observed. At this point, okay, you are asking me to make a decision on the spot. I don't know. I would have to evaluate the situation, okay. I cannot give you definite answer whether it's a deficiency or not observed, okay.

(Witness Keller) I believe -- I believe, and I

might be wrong, and maybe the gentleman at the end of the table can answer this better than I, that there is an NRC rule with respect to confidentiality of scenarios and exercise materials for the licensee. And I don't -- that's my understanding which may or may not be quite true.

Q Okay. Mr. Kowieski, going back to our chronology we were talking about earlier, I take it that following the meeting to discuss the November 6th objectives that you received some LILCO comments on those objectives and comments on what happened during the meeting; is that right?

A (Witness Kowieski) That's correct.

Q And -- well, let me just ask. Prior to that time period, had you had any consultations or meetings with the RAC concerning the Shoreham exercise?

Now, we are up to, let's just say, December 1, to pick a nice round number. Prior to December 1, 1985, had there been any RAC meetings to discuss the Shoreham exercise?

A I don't recall any meetings called specifically to discuss the Shoreham exercise. I'm certain, although I cannot recall the names of RAC members that I discussed this issue with, you know, to tell whether the exercise will

take place or not and the various questions about exercise process, assignments. So, that's for sure, I had numerous discussions with RAC members. As far as meetings are concerned, no, I didn't have any meetings.

Q So, to the best of your recollection, there weren't any sort of unified getting together of the RAC prior to that time to discuss that subject?

A No, we never did most, on other sites. And, again I, call your attention always to the process, okay. I ~~don't~~ didn't want to be any different. I didn't want to handle Shoreham case differently than I handled other sites.

MS. LETSCHE: Right. Now, I would like to have marked as Panel Exhibit Number 12 a multi-page document, dated December 6, 1985, which is a memorandum from Mr. Kowieski to several gentlemen concerning the proposed exercise objectives for Shoreham.

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(The document referred to is marked as FEMA Panel Exhibit Number 12 for identification.)

BY MS. LETSCHE: (Continuing)

Q Are you familiar with this document, Mr. Kowieski?

A (Witness Kowieski) I am. I produced the

document.

Q I thought you did. Now, am I correct that the attachment, the first attachment following your memorandum, is a letter from LILCO containing their comments on the November 6th proposed exercise objectives?

A That's correct.

Q And, am I correct that by means of the cover letter, cover memorandum, which is in this Exhibit Number 12, you sent the utility's comments on those objectives to the members of the Shoreham RAC?

A That's right, plus other individuals. Mr. RAC (sic) and --

Q Who, I'm sorry?

A Contractors and also Mr. Tanzman and Mr. Stokes.

Q Right. And the contractors are Mr. Keller and Dr. Baldwin; is that right?

A That's correct.

Q Everyone else on your distribution list, setting aside your cc's, are members of the RAC; is that right, or were members at that time?

A (Witness Keller) Can we clarify Mr. Bickerton who is --

(Witness Kowieski) No, he's the -- well, I know the question was raised in the past about Mr. Bickerton. Mr. Bickerton is the Division Chief in the USDA in Washington, and he's the one who is signing letters. Regardless of who reviews the ~~letter~~ material. He, ~~he~~ always -- I believe he went over the comments himself to make sure that he ~~agrees~~ agreed with the comments of his staff, and he signed the letter.

So, that's why it's quite possible that his staff worked on it and he signed the letter.

BY MS. LETSCHE: (Continuing)

Q Mr. Bickerton was not an evaluator and did not work during the exercise?

A (Witness Keller) Mr. Bickerton shows up on all the RACs throughout the country. Mr. Bickerton himself is not a RAC member on all the RACs throughout the country.

He has a staff of about four people who actually do the work. And, in the case of Shoreham, ir the Shoreham plan review and the Shoreham exercise, Ms. Malina is Mr. Bickerton's staff member who is the U. S. Department of Agriculture.

Q Right.

A But, Mr. Bickerton is officially the RAC member. He is also a member of the FRPCC, which is the Headquarter's level RAC, okay.

Q All right. Mr. Kowieski, am I correct that this document dated December 6th was your first written communication to the RAC concerning the proposed Shoreham exercise?

A (Witness Kowieski) Sort of formal communication regarding Shoreham exercise.

MS. LETSCHE: I would like to have marked as Deposition FEMA Panel Exhibit Number 13 a three-page document, the cover page of which is dated December 13, 1985.

(The document referred to is marked as FEMA Panel Exhibit Number 13 for identification.)

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, are you familiar with what has been marked as Panel Exhibit Number 13?

A Yes, I am. It was produced by a good friend of mine, Mr. Keller.

Q I take it the cover sheet is in your handwriting; is that right?

A That's correct.

Q And the letter to you from Mr. Keller, dated December 12, 1985, was written by you, Mr. Keller; is that correct?

A (Witness Keller) That is correct.

Q Mr. Kowieski, are Mr. Keller's comments which are in Exhibit Number 13 the only written comments you received from the RAC members to whom your December 6th letter was sent?

A (Witness Kowieski) I believe that I received -- I don't know from this particular date, but I received -- I believe, I received other responses, ~~either over telephone,~~ Either I received over the telephone myself or my staff received some comments on the exercise objectives.

I believe that in addition, Mr. Paul Lutz sent me comments. Again, I believe. I would have to go to my records.

In addition, I believe Mr. Fish from DOE provided some comments. Who else, I really don't remember without going through my records.

MS. LETSCHE: Well, let me tell you and represent for the record that these comments from Mr. Keller are the only ones that we have received that appear to be in response

to your December 6th memorandum. And, I would request counsel for FEMA to produce other comments as suggested by Mr. Kowieski exist, because they would clearly be responsible to our request.

MR. CUMMING: FEMA counsel has diligently searched. To the best of my knowledge, every document prior to February 13th has been produced to counsel for Intervenors.

WITNESS KOWIESKI: Please be advised that I did not participate in reviewing the files, putting together the documents, or helping our counsel in this process, because I was out of Shoreham cases out of ~~RAC~~ REP program. It was done without my assistance and direction and my participation.

BY MS. LETSCHE: (Continuing)

Q No. I understand, and I wasn't addressing anything that was intended to be the least bit critical towards you, Mr. Kowieski. I was just noting that the only documents which we received that were comments from RAC members are those that are attached hereto.

And if, in fact, others exist I want my request noted for the record.

A (Witness Keller) May I add something to that for

clarification? If you will read Mr. Kowieski's transmittal letter to the RAC members, he gave them a due date, right.

And his letter was dated December 6th, okay. And he said: If I don't hear by the 11th I assume you are happy. I don't have my calendar here but there is a week-end in there, I'm sure, okay. I know that mine is dated the 12th, which is one day after, because by the time mail gets to Idaho -- but I called Roger and said that mine was going to be a day late and he said that was all right.

My recollection, and now having seen it, I know that some other people commented, okay.

Q In writing?

A No. I think it was all by phone because of the shortness of time. And, I know, for example, Mr. Kowieski said that Mr. Fish had commented and I am aware of some of Mr. Fish's comments.

And I don't have the --

MR. CUMMING: Well, rather than spend a lot of time with this, Mr. Kowieski can assist me and if he can find other documents now that he is back on the Shoreham matter, I will be happy to furnish those.

WITNESS BALDWIN: My recollection is that the

comments that I got from people on them, as it were, were results of telephone calls. There was -- it was quite intense activity at this point. Things were really beginning to pick up.

Mr. Fish called looking for Mr. Kowieski, who said: Tom, take this call. And so he had recommended language changes in the objective that would deal with the Brookhaven RAP teams. There were similar calls which Mr. Kowieski also hit to me with respect to Mr. Lutz's concern with the Coast Guard and the water notification.

WITNESS KOWIESKI: But we will try again to respond to your request. Yes, I will try to assist my counsel and I will look for comments.

MS. LETSCHE: That's fine.

MR. CUMMING: I should say that none of the agencies assert deliberative process over the documents should they be found, or FEMA asserts such privilege.

BY MS. LETSCHE: (Continuing)

Q I gather from -- well, let me direct your attention to Exhibit Number 12, in particular the mark-up of the exercise objectives that is attached to that. And I believe we established before that that contains the utility's

comments on those proposed objectives and little footnotes; is that right?

A Right.

Q Now --

A There was a good reason for this approach. Using the concept applied again other sites, instead of having three, four different documents, I have everything in one document and I can tell exactly who made a comment and when, so there is a paper trail.

Q Well, I'm very happy because it makes me have to have less exhibits, so I agree with that, that part of your process anyway.

Going to Page 2 of those objectives, there is a footnote next to the next to the last objective, Footnote 2 which is the objective that refers to the 15-minute notification.

And, Mr. Keller, you had a comment on that note down at the bottom of Page 2.

A (Witness Keller) Yes, ma'am.

Q I take it that the position of you, and I gather the position of the RAC with respect to that objective, was that it needed to be included in the list of objectives

and that the tone alert radios and other things that are called for in the plan needed to be activated?

A That is correct. I hope what has come through here so far today is, we tried to handle and approach the Shoreham exercise in exactly the same way we have approached all the other exercises in the region.

These are things we do on a routine basis. We felt -- I felt strongly that we should not do anything different for Shoreham.

Q Right. And that was the basis for your comments --

A That's the basis for my comments.

Q -- on that?

A Yes.

Q Okay.

A And in the exercise report, when they did not do it, we wrote it up as a problem.

Q Right. And, I take it that was the basis for your comment, Mr. Keller, which is Item 5 in your comments about the reception center operations?

A That's correct.

Q And that was again that you felt it should be done in sequence with the rest of the exercise rather than

out of sequence at some other time?

A Right. That's right, but the congregate care issue I, as I state in Item 5, since we had done that in other New York exercises -- not all the time but in some cases -- to be consistent it was okay to do the congregate care centers out of sequence if they were having a problem getting these schools.

Q Right. Now, your comment Number 6, Mr. Keller, you referred to two objectives that were crossed out --

A Yes, ma'am.

Q -- on Page 6 of the objectives and you said that they should be reinstated.

What did you mean by your comment?

A Okay. If you will turn to Page 6, there are three objectives which are crossed out.

Q You are right.

A Okay. It was the bottom two.

Q Right. And, what was the basis for your comment that they should be reinstated?

A We have a medical drill in most exercises in Region II. In order to be consistent with what we have done in the past, I thought that we should have a medical drill

in the Shoreham exercise.

Q Now, up above that, there is a comment on the objective sheet, the fourth objective down has the two notes, 2 and 3. And that's the objective that has to do with mobilizing, staffing and activating the congregate care center in a timely manner.

LILCO's comment on those, their footnotes, indicate not just the out-of-sequence depending on the availability of facilities, but there is also a note which says the congregate care functions provided by the Nassau County Red Cross.

Did that have any significance for you?

A No. In many plants, the Red Cross, whichever county is appropriate, the Red Cross is the provider of the congregate care services under agreement with the planner.

Q Now, was it your understanding that at the time of this exercise there was an agreement in effect between the -- any chapter of the American Red Cross and LILCO concerning participation in the LILCO plan?

A That is correct. And, as a matter of fact, in the contentions which have been admitted, which your company

had something to do with putting together, it even states that the new letter which changes the letter of agreement was post-exercise. It was about June the 12th or 14th.

And, yes, it was our position that at the time of the exercise, and particularly at the time of the planning of the exercise, there was a valid letter of agreement. And, therefore, we exercise it in that way.

Q Okay. And, I take it that the fact that that has now changed --

A Has changed.

Q -- is a --

A That is a planning issue which has been addressed in the RAC review of Rev 7 and 8.

Q Right. Okay. Now, on Page 7 of the exercise objectives there is a LILCO footnote. These are the Brookhaven area office objectives that begin on this page.

A Yes.

Q And, there is a footnote which says: "These objectives have not been reviewed by the Brookhaven Area Office."

The Brookhaven area office is a participant; those are players. They are participants in the LILCO plan;

isn't that right?

A That's correct.

(Witness Kowieski) And, as a matter of fact, I raised the same question when I discussed with Mr. Daverio, what do you mean by reviewing the exercise objectives?

Well, he said: Well, I thought maybe they should have reviewed it. I said: No, we don't want them to review it. They have no role in reviewing the exercise objectives.

Q And that's because they were a participant and according --

A No. In this case, you know, it's our function, FEMA and RAC function, not Brookhaven area office function.

(Witness Keller) But, in point of fact, Mr. Fish, who is a DOE employee and a RAC member, had responsibilities at the Brookhaven area office at that time. So, to the extent that Mr. Fish had reviewed them, at least one person in the Brookhaven area office had reviewed them.

Q Let me clarify. Mr. Fish's responsibilities at the Brookhaven area office, did they involve participation in the LILCO plan?

A No. Mr. Fish is a RAC member.

Q Right.

A But because of -- and you would have to talk to Mr. Fish. He is a DOE employee. It is my understanding at the time of this exercise he worked typically one or two days a week at the Brookhaven area office and two or three days a week at the Princeton area office of DOE.

I don't know in detail what his job assignment was. But, I do know he had a desk and a phone at the Brookhaven area office.

So, in -- he was not a participant in the exercise. He was an evaluator.

(Witness Kowieski) And, I believe he -- Herb told me that, he said it had nothing to do with the Shoreham exercise.

(Witness Keller) It's just his regular job assignment.

MR. CUMMING: Counsel doesn't wish to testify, but at Mr. Fish's deposition there was extensive discussion by Mr. Fish of the involvement of the Brookhaven operation in the exercise and where he sat and where he reported.

BY MS. LETSCHE: (Continuing)

Q Mr. Keller, in your comments, the last one which refers to EOF objectives, you have a question about why FEMA

was going to evaluate the EOF. How was that issue resolved?

A (Witness Keller) Generally speaking, in Region II the NRC RAC member -- in this case, it was Mr. Amato -- is assigned to the evaluation of the EOF. And there were EOF objectives in the exercise report, and it was Mr. Amato who did that evaluation.

But, my point that I made, Number 8 on Page 2, is that we could have used Mr. Amato in another role because considering -- in my opinion, considering the way the plan is structured, there were no off-site people at the EOF; why should we waste one of valuable evaluators at that location.

Q There is an important interaction function though, isn't there, between the EOF and the EOC?

A The EOF is the point of liaison contact between the on and off-site authorities.

Q Right.

A (Witness Kowieski) And when I had discussion with Mr. Keller, he brought up the same issue and I responded the same way, a similar way. There is an interaction between LILCO and LERO, and I said, I want him to go there.

(Witness Keller) And he went.

Q And, in fact, I think you -- didn't you end up adding an objective which went directly to that interaction?

A (Witness Kowieski) That's right.

Q Now, you mentioned that Mr. Fish from DOE had also had comments concerning these objectives that we have been talking about, and you knew what they were.

Can you tell me what they were?

A (Witness Keller) Basically, if you will look at the original draft objectives, and if you will look at the final objectives which are in the exercise report, there is a clarification primarily on the protective action and dose assessment objective.

Mr. Fish from DOE wanted to make it very clear, absolutely clear, that DOE was not making the protective action recommendation to the public. And the objective, as it was worded, he felt could have been possibly construed that it was DOE who was making the protective action recommendation, which is not in accordance with the plan.

But, Mr. Fish was quite concerned, an institutional concern, that there be no -- no, suspicion --

(Witness Kowieski) No confusion.

(Witness Keller) Yeah. Clearly, that the

Brookhaven area office would indeed do a dose assessment, would indeed make a protective action recommendation based on technical grounds, the technical part as opposed to other variables.

But that only went to LERO. That was plugged into the LERO EOC; the Director of LILCO Response is charged with making the protective action in the LERO -- in the LERO plan is charged with making the protective action recommendation to the public. And, Mr. Fish was quite concerned that that be very, very clear.

Q Do you know why he was so concerned that it be made clear that DOE would not be making recommendations to the public?

A It's not their role, number one. The Department of Energy has maintained for a number of years, even prior to TMI, okay, a Radiological Assistance Program, as it was called then, RAP, which was the first responders. And these were professional people who could respond in the event of a radiological emergency, transportation, site, whatever; and Mr. Fish and some of the DOE people felt that the Brookhaven area office involvement in the LILCO plan was really an extension of what they had been doing for years,

okay, even though they were especially written into this plan as a special role, et cetera. It was really nothing different than they would do for anybody. In their role as RAP, their role is to advise. They advise the appropriate decision-maker, okay. In most cases, the Governor. In this case, the LERO Director of Local Response, that he wanted to make sure that this was a very clear statement that DOE was not taking over, okay, the recommendation to the public in the case of Shoreham.

And it was a matter of language. And it got to be a little semantic but attorneys understand, dancing with words. But, that's all it was. But, that's how I knew, and he talked to me.

And the language which is in the final report --

(Witness Baldwin) And an important change that was made is on Page 12 of the post-exercise assessment and the final objectives. The last sentence was added: "LERO is responsible for the final decision on protective action recommendations."

Q Now, that is one of the objectives though that is, to use the footnote, language affected by the legal authority issue; is that right?

A (Witness Keller) Well, because LERO -- I mean, there is some question whether LERO can make a protective action recommendation to the public.

Q Right.

A Not whether Brookhaven can give advice to LERO, that's not affected by the legal authority but whether LERO can give advice to the public.

Q Now, Mr. Kowieski, would you look at Page 3 please of the proposed exercise objectives that are in Exhibit 12?

A (Witness Kowieski) Yes.

Q Now, LILCO has a Footnote 1 to the objective which talks about the organizational ability necessary to control access to an evacuated area.

Do you see that?

A Yes, I do.

Q Okay. And, their comment refers to the traffic guides and OPIP 3.6.3 and says, "Traffic guides can only advise people not to enter the area."

A That's correct.

Q Now, in your opinion and based upon your experience, is an inability to, or an unwillingness, be able to enforce perimeter control following a radiological accident an

acceptable situation for an off-site response?

A Well, I don't see any attorneys objecting to this question; therefore, I will try to answer.

I think that we already testified on the issue. And, in my opinion, this is strictly a planning issue whether or not LILCO can direct people to do certain things. And, the LILCO plan, the way it's structured, LERO traffic guides don't have a responsibility to stop people from entering. They can only advise.

And if you can -- if you can -- again, if we can go to ~~ther~~ other sites, whether a police officer can stop, yes, he can. Let me give you an example, okay, a real example. Some time ago, I was at Oyster Creek public meeting, at a public meeting which is required before the Regional Director could issue the approval, the 350 approval.

The meeting was attended by state officials, county officials, and I was representing FEMA. The state official from the State Office Emergency Management was asked -- one of the questions asked: Major, what are you going to do if ~~you go, or your people~~ go to the door and say evacuate and someone ~~will say~~ would: I'm not going to evacuate? What I'm going to say -- and I will instruct my people to say:

You should leave for your own safety. And they will insist staying there. If you are asking me whether I'm going to arrest -- I'm not going to arrest him or her. I will say: Good-bye and good luck.

Q Now, my question was -- let me see if I can rephrase it. When we are talking about perimeter control, preventing people from gaining access to an area that has been evacuated because it's dangerous, do you believe it's acceptable to have as part of the proposed plan an inability, and no intention, to attempt to prevent people from entering?

A I think that --

MR. ZEUGIN: I don't want Mr. Kowieski to think all the lawyers down here are asleep. I will just object to this question on the grounds of relevancy.

It's really not relevant to any admitted contention.

MS. LETSCHE: You may answer.

WITNESS KOWIESKI: Should -- my counsel, should I answer?

MR. CUMMING: We would object based on the relevancy to the OL-5 proceeding but since we are allowing them to also deal with cross-over issues on some contentions, I

will allow you to answer.

WITNESS KOWIESKI: I don't see any major problem. I think the responsibility of the decision-maker and people responsible to protect the public are responsible to advise, to inform about potential dangers.

If one elects to deal with the danger and play with the fire, that's his or her choice.

BY MS. LETSCHE: (Continuing)

Q There is a requirement in 0654, Mr. Kowieski, isn't there, that you have an ability to provide access control?

A To evacuate an area, right.

Q And, didn't I -- it sounds to me like I just heard you say that you don't really think that's important if the decision-makers decide they don't need to do it. Is that what you said?

A (Witness Baldwin) Well, there's a requirement in 0654 --

Q Well, wait. Let me get Mr. Kowieski's answer before you jump in, Dr. Baldwin.

A (Witness Kowieski) What I'm saying to you, there is a requirement, that's right, to provide an access

control to evacuated area, that's correct.

Q Right. And my question to you was, here you have the organization responsible for off-site planning telling you that traffic guides will not control access, they will only advise people not to enter the area. That's what Mr. Daverio told you here.

A That's correct.

Q My question is, how can that provision comply with a requirement in 0654 that there be control of access rather than advice on access?

A Again, I think we already testified to the fact, and I am trying to recollect how we rated this particular element. I would like to refresh my memory if you allow me later on.

Q Well, I mean, I'm just calling on your -- you have been dealing with these issues for a long time. I know you know 0654 a whole lot better than I do.

A Yes.

Q And, I'm reading the comments that you received back in December of '85 in which LILCO says to you, in essence: We are only going to advise people. We don't intent to control it.

And my question is, based on your expertise in applying 0654, does that meet the requirement?

A Well, also, LILCO plan says that fire and police will perform their normal functions.

Q But, hold on. That's a whole separate issue. I'm referring to the LILCO plan which is what I gather you-all were reviewing and what was exercised in this exercise which involves the activities of traffic guides, not whatever police may or may not do in a real emergency.

In this letter, you have Mr. Daverio explaining to you that the traffic guides are only going to -- can only advise people not to enter the area, and that they are not going to be controlling access.

My question to you is, given that deliberate provision of the LILCO plan how can you say that it meets the requirement of 0654 that there be control of access to evacuated areas?

A (Witness Baldwin) Well, you would have --

Q I would like to get an answer from Mr. Kowieski, Dr. Baldwin, before you jump in.

If the answer is you can't tell me, that's fine. Just tell me.

A (Witness Kowieski) What I'm saying -- I'm trying to refresh my memory, Ms. Letsche, with respect to our plan review. And if you go to the element that deals with this particular issue, we rated this one to be affected by legal authority issue, right.

And, as far as -- and, again for good reason whether or not they had that authority to control the access to evacuated areas.

Q So, you rated it that way, because without the authority it wouldn't comply with the regulation; is that right?

A That is not really the same, okay. We questioned whether or not they had authority really to stop.

Q Okay. If they don't have the authority, would you agree that the element requirement is not met?

A I think that already you are asking me whatever has been decided by Atomic Safety Licensing Board.

Q No, I'm not. I'm asking you to make an assumption -- you explained to me that your comment in your review was that this element is affected by the legal authority issue. And I understand that that's your way of phrasing your concern..

A Right.

Q I'm asking you now if the answer to the affect of the legal authority issue is that the traffic guides do not have the authority to perform access control? They don't have the authority, and I would like you to assume that, does that lead you to conclude that the requirement in 0654 that there be control of access to evacuated areas could not be met?

A I don't think so.

Q Let me ask -- if the answer is no, let me --

A Let me --

Q -- follow up.

A Can I confer with my counsel?

Q You can confer in just a second. Let me just finish this line of questions.

If there is no legal authority to control access, how is that the element requiring control of access could be met?

A I don't understand your question.

Q Okay. Let me try to rephrase it. If the persons designated to control access to an evacuated area are incapable of doing so because of lack of legal authority or

any other reason they are incapable of doing it, how could the 0654 requirement that there be control of access to evacuated areas be met?

A Let me go to NUREG and read once more the particular element.

(The panel witnesses are conferring.)

MR. CUMMING: Do you still wish to confer with counsel?

MS. LETSCHE: Well, I would like him to answer the question before he confers.

WITNESS KELLER: May I answer the question as part of the panel.

BY MR. LETSCHE: (Continuing)

Q No.

A (Witness Keller) No?

Q No, not until I finish with Mr. Kowieski, and then you-all can have your chance. But I really think it's important to follow up one person at a time on these issues.

(Witness Kowieski is looking at documents.)

A (Witness Kowieski) I would again have to refer back to RAC comments on Revision 5 if you will allow me again to go back to our initial statement which we made in

Revision 5.

Q Let me just understand. Are you saying that sitting here today, given all of your experience with your plan --

A Right.

Q -- and with 0654 that you can't answer my question?

A I believe I already answered your question. I still don't understand what you are looking --

Q I don't think I've heard an answer to my question. If the fact is that the persons designated in the plan to control access to evacuated areas do not have the ability to do that, how can the requirement that there be control of access to evacuated areas in 0654 be satisfied?

A Not the ability. Okay, keep in mind again -- let me go back since you are questioning me on a planning issue, which I wasn't really prepared to answer but I will make an attempt again to recollect what we already stated.

When we reviewed LILCO transition plan back in 1983, '84 and '85, as I already stated for the record, we performed a technical review of LILCO transition plan without, first of all, looking at legal authority issues. We took a plan developed by LILCO organization, Local

T4A

Emergency Response Organization, and we looked at each single element whether or not they provided for, for instance, access control. All right.

Then, later on we produce another document, legal concerns, whether or not LILCO had legal authority to actually make decisions, provide control to evacuated area.

Q I understand that. And, that's what I'm talking about --

A Right now, what you are asking me -- and I think -- correct me if I'm not wrong, if I'm wrong, okay, you are asking me to make actual judgment that belongs actually to the courts.

Q No, I'm not.

A Actually, it is.

Q No, let me clarify that, because you are misunderstanding my question.

My question is, I want you to assume -- okay, I don't want you to be a Court, I want you to assume that the LILCO traffic guides do not have the authority, they are unable to control access, they can't do it. Okay, I want you to assume that, okay? That's an assumption I want you

to have in your head. Given that assumption, how could the LILCO plan which says traffic guides are the people who are supposed to control access, comply with the 0654 requirement that there be control of access to evacuated areas?

A Well, you --

Q Do you understand my question?

A -- make so many assumptions that, you know --

Q There is one assumption. The one assumption --

MR. CUMMING: Well, counsel is asking a hypothetical question. But to the extent the witness has an opinion, he is instructed to answer.

BY MS. LETSCHE: (Continuing)

Q Let me make clear, Mr. Kowieski, so you understand my question, there is only one assumption that I'm asking you to make. And that is that the traffic guides do not have the authority to control access, that they can't do it legally, that they don't have the authority. That's the only assumption in my question, okay.

Given that assumption, how can you say that the LILCO plan complies with the 0654 requirement that there be control of access to evacuated areas?

A Well, LILCO plan, if I recall, also provides for

uncontrolled
~~controlled~~ evacuation as well.

Q Wait a minute. Wait a minute. Let me --

A And --

Q -- interrupt you. My question talks about one element of 0654, which is control of access to evacuated areas. Isn't it true, Mr. Kowieski, that if the traffic guides who were supposed to do it can't do it, that that element isn't met?

I mean, it's simple. If I tell you to assume they can't do it, why can't you say --

A I --

Q -- that means they don't meet the requirement?

A Ms. Letsche, again because I'm saying I think the record is clear. If you go back to the record, it's clear.

If LILCO doesn't have legal authority to carry out the plan, okay, unless this decision will be reversed, they won't have authority to do it, okay.

Q Which means that they can't implement any of those functions, right?

A I guess you are right, okay.

Q So, that means --

A I mean, that's --

Q Okay. If we assume that all those --

A I don't understand what we are after here, okay.

Q If we assume that all those asterisked things that are affected by legal authority turned out after the courts are finished with it to be that LILCO does not have the legal authority to do those functions, then all those 0654 elements that those functions are designed to comply with would not be met by the LILCO plan, right?

A (Witness Keller) The court has to decide that.

MR. CUMMING: Objection based on the statements in the question that --

BY MS. LETSCHE: (Continuing)

Q If you assume that, after the courts decide that there is no legal authority to implement, if you can't do it --

A (Witness Kowieski) Ms. Letsche, if there is no legal authority to implement the plan, okay, if people would be arrested trying to control the traffic, they probably won't do it, okay.

You ~~ask~~ asked me, I think, very obvious question. Maybe that's why we are so confused, okay. RDK

Q Maybe that's why I'm confused why you couldn't answer my question for me,because it seems very obvious to me.

A We testified -- you know, I was involved in the RAC review, Revision 1, 2, 3 and 4 and 5, and I ~~concur~~ concurred in all the documents. Everything is on the record.

We testified already two years ago, so I just wonder ~~what~~ why we are going into these issues --

Q Let me --

A (Witness Keller) Have you finished with his questions?

Q Just about. We are about to finish up. I think we are finally on the same wavelength.

A We are not.

Q Let me go back to where we started, and we hopefully will finish this up. Going back to Footnote 1 on Page 3 of the objectives, all right.

A (Witness Kowieski) Yes.

Q Here we are not talking about legal authority anymore.

A Which one, because already you lost me.

Q Okay, I'm sorry. It's Footnote 1 on Page 3

where Mr. Daverio tells you that traffic guides can only advise people not to enter the area, that they basically don't intend to control them beyond advising them, okay.

Now, my question is, is a plan which proposes to have only advice about entering evacuated areas rather than control of access to evacuated areas in compliance with 0654?

A That's a form of control, okay. The issue of -- if you discuss the verbage, okay, that's a form of control to evacuated areas.

Q So, in your expert opinion --

A Ms. Letsche, let me ask you a question then, if I may, okay.

Q I ask the questions here. Let me finish this up.

A Okay.

Q In your expert opinion, a situation where the only proposal is to advise people that they should not enter an area that has been evacuated, in your expert opinion, that is an adequate proposal to meet the requirement that there be co trol of access to an evacuated area; is that right? That's your opinion?

A It is my opinion that under -- even if you have five police officers standing at an intersection, if someone wants to enter because he or she forgot a sick mother, a brother, ~~whatever~~ whoever, for whatever reason, are you telling ~~to~~ me that that individual be arrested or be shot, okay?

Q Okay, that's not my question. My question is, is it your expert opinion that merely saying we are going to advise people not to enter, that that proposal satisfies the 0654 requirement that there be control of access to evacuated areas?

That's my question.

A Yes, yes. And I think --

Q Your answer is yes?

A Yes. And let me just, Ms. Letsche, also elaborate on it. I gave you an example on whether or not public will follow decision-maker recommendation. If someone -- if Mr. Kowieski decides not to follow up the instructions of decision-maker, are you telling me that I will be arrested in case of a nuclear emergency?

That is the line of questioning, or questions that, you know, you presented to me implies that there is some kind of mechanism to put individual under arrest. Now,

I'm telling you -- this is already ~~on~~ in the record, on the public record -- I will be glad to bring minutes of the meeting. There were a Major of state police that said: No, I'm not going to arrest people that will refuse to evacuate.

Q That may be all well and good, and I think it's probably time for us all to take a break, but let me clarify for you, Mr. Kowieski, my questions were not going to what you do with people who decide not to leave. My questions were going strictly to control of access to evacuated areas.

And I understand your other comments, and they are fine, and they are in the record.

And I think it would probably be good if we all took a ten minute break, okay?

A Thank you.

(Whereupon, a recess is taken 3:32 p.m., to reconvene at 3:50 p.m., this same date.)

MS. LETSCHE: I would like to have this marked as FEMA Panel Exhibit 14, a multi-page document, the date of which is obscured, but it's a letter to Mr. Daverio from Mr. Kowieski concerning the revised objectives for the

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Shoreham exercise and proposed list of demonstrations.

(The document referred to is marked as FEMA Panel Exhibit Number 14 for identification.)

MS. LETSCHE: Off the record.

(Off-the-record.

BY MS. LETSCHE: (Continuing)

Q Let me direct your attention to what has been marked as Panel Exhibit Number 14 and ask if you recognize that document?

A (Witness Kowieski) Yes, I do.

Q Okay. And that is a letter from you to Mr. Daverio attaching a December 13 revision of the proposed exercise objectives; is that right?

A That's correct. In addition, I provided a list of activities to be demonstrated by LILCO.

Q Right. Now, did your letter to Mr. Daverio contain the attached information concerning Revision 6 of the LILCO plan which is attached to the exhibit?

A No.

Q It did not?

A No.

Q Okay. I notice that on the first page of your letter you point out one of the revisions in the objectives which is to add a reference to the water portion of the ten mile EPZ to the sixth and seventh objectives.

Do you see that in the second bullet under Page 2 of your letter?

A (Witness Keller) Page 1.

Q No, no. It's Page 1 but it's under the heading "Page 2."

A (Witness Kowieski) Yes, I do.

Q Okay. Why was that revision made in the objectives?

A There was a suggestion made by Mr. Paul Lutz, who is DOT RAC member, and I complied with his suggestion.

Q Okay. And this Mr. Lutz suggested that the objective expressly referenced the water portion of the EPZ?

A That's correct.

Q And, I see from looking at Page 2 of the objectives that not only a mention of the water portion was added but also the 45 minute time requirement for notification of the water portion was added to the objective; is that

right?

A I believe so, but again -- yes, I see that. Yes, that's correct.

Q All right. Was that also Mr. Lutz's suggestion?

A Well, his or mine. Basically, if you have to notify water part you don't have to notify within 15 minutes, normally. The requirement is that you have to notify population within 45 minutes.

Q Now, at the top of Page 3 of your letter, the first bullet refers to the fifth and sixth objectives being modified by deleting "by shift change."

A That's correct.

Q What does that refer to?

A Well, I hope I will explain this once and for all that all of us will understand. In -- especially when you have the first exercise, even the second and third, as you don't go beyond the six year requirement when you have to demonstrate all the exercise objectives, including the shift change, I give an option to LILCO as to how to demonstrate, ~~whether~~ either by a roster or shift change and ~~say.~~ said: You tell me what you prefer. Because at ~~this~~ that point in time, if the organization

in this case, LERO demonstrate -- what they had to demonstrate was just to show the roster they had enough people for a 24-hour coverage. But, keep in mind, within six year time frame, the state and county, if the county is participating, in this case LERO would have to demonstrate the second and third shift.

But in this case, the first time, the first exercise, it wasn't a requirement.

Q Okay.

A It was only a suggestion.

Q Okay. Let me --

A (Witness Keller) Let me add, if you don't mind, the main reason we would like to have it defined is so that when the evaluator goes out and makes an observation, he or she understands very clearly that in this exercise rosters are okay, right. Or, conversely, in this exercise we actually have to rotate people.

Q Right.

A The original -- well, the standard version of the objectives says shift change or roster. And LERO did not specify one from Column A, one from Column B. So, this was a suggestion, right, that in order to narrowly

focus this thing so that our evaluators will know what they are going to look for, you know, it's up to you. Roster only for this exercise.

But, as Mr. Kowieski points out, some time in the six year cycle you've got to do a shift change.

Q I gather from what you said, Mr. Kowieski, though that this was LILCO's option to choose either the roster or the shift change, and they chose the roster?

A (Witness Kowieski) That's correct.

Q Okay. And let me just go back to your six year discussion. The fact that an objective needs to be demonstrated some time within six years, does that mean that in an exercise that will be the basis for the initial licensing of a plant that there are no particular requirements that need to be in that exercise as opposed to some other exercise during the six year cycle?

A As long as you have a full-scale exercise of major components of the plan, okay, I don't see any problem. The same --

Q Well, in your -- based on your understanding, none of the particular objectives, for instance, demonstrating a shift change as opposed to demonstrating it by roster --

Let me rephrase that. That's a terrible start to a question.

Is it your opinion that a demonstration of an actual shift change as opposed to a demonstration of rosters is not something that needs to be done prior to the initial licensing of a plant?

A That's my opinion.

Q Okay.

A It is not required. As a matter of fact, there are plants operating in New York State, in New Jersey, that have not demonstrated a shift change as yet. It's getting a bit close, the Eleventh Hour, but still have not demonstrated a shift change for every single function.

Q Okay. And, would your opinion be the same with respect to -- let's take one we have talked about a lot of times -- the sirens and the EBS test messages?

Is that something, in your opinion, that doesn't need to be done in the initial licensing exercise?

A I believe -- and I can not speak to NRC requirements, but there are certain requirements, NRC requirements, as far as alert notification system is concerned.

As far as FEMA requirements are concerned, I don't think there is a requirement that formal test of alert

notification system would have to be conducted prior to exercise.

(Witness Baldwin) Prior to exercise?

(Witness Kowieski) I'm sorry, prior to operation of the plant.

Q But in terms of an integrated exercise, which I gather is the goal of a full-scale or whatever, in your opinion, are you saying that that does not need to include the activation of the sirens and the tone alerts and the EBS test message?

A That's my opinion. Again, you have a six year cycle. And as long as you within the six year cycle will have exercised every single exercise objective, that's fine.

As far as distribution of brochures, that's different. That's obviously -- we would expect that all the brochures for the permanent and transient population would be distributed before a plant would go into full operation.

MR. CUMMING: Let me explain a moment why my witnesses may be hesitating. They've been instructed -- and I object to the extent you are asking them to state what NRC requirements are, because the Board has precluded FEMA

witnesses in its ruling of December 11th doing that with respect to a full-scale exercise.

But, to the extent you are asking with respect to FEMA requirements, they are certainly fully qualified to answer and they may so answer and are instructed to answer.

WITNESS KELLER: May I clarify? Maybe not clarify, but hopefully. Earlier today, we had discussed that it is the standard practice in FEMA Region II under Mr. Kowieski's RAC Chairmanship to sound the sirens at least once and to have a test message at least once in every exercise. I think I must presume that that's his opinion, that it's a good idea, since we always do it.

We asked for it in this exercise. I think I also stated earlier that this is not universal throughout the country. I am not aware -- and I may be wrong, but I am not aware of a FEMA requirement that this be done in every exercise.

BY MS. LETSCHE: (Continuing)

Q And so -- let me just follow up. Are you saying that this notification and alerting function is not one of the major components of a plan that needs to be exercised in a full-scale exercise, to use FEMA's term?

A (Witness Keller) I think that's correct.

Q All right.

A Now, let me add one more thing. There is in existence at the current time a draft, a guidance memorandum, which categorizes or separates, I'm sorry, the standard FEMA objectives. And it's draft EX-3, my recollection is, which categorizes the 36 objectives.

And it says -- and this is only in draft form at this time. It says that this group of the 36 must be demonstrated in every bi-annual exercise, okay. This group, okay, you have to do in the six year cycle.

And based on recall at this point, I can't remember which pile this particular objective falls into. But, based on past practice in Mr. Kowieski's region, we have had siren activation, a test message in every exercise up to this point.

Q Mr. Kowieski, turning to Page 4 of your letter which contains the list of activities to be demonstrated by LILCO, there is an item in there about two-thirds of the way down the list of activities which says boat alerting and underneat that it has the Coast Guard.

And it's in the pre-designated column. Can you

explain to me what that means?

A (Witness Kowieski) Well, we knew which Coast Guard district or station is going to participate. ~~But~~ We expected which one.

Q That's what that means?

A Yes.

(Witness Baldwin) We had hoped we would. It turns out that in the discussions that ensued with the Coast Guard that they could either come out of Eaton's Neck which is on Long Island or possibly they would use -- they would be deployed from New Haven, Connecticut, or possibly New London.

So, it was unclear in the process of developing the objectives and the water alerting where they were going to come out of, but they are in this column because it would have been determined prior to the exercise as to where we would go as evaluators to pick up the boat, helicopter or whatever.

MS. LETSCHE: I would like to have marked as FEMA Panel Exhibit Number 15 a one-page memorandum to the file from Mr. Kowieski, dated December 10, 1985.

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(The document referred to is marked as FEMA Panel Exhibit Number 15 for identification.)

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, I assume you recognize this document?

A (Witness Kowieski) I initialed the document.

Q I just have a couple of questions about it. There is a -- under the heading "Other tasks discussed and assigned," Number 3 refers to modifying the exercise critique form; and, that's to be performed by you, Dr. Baldwin and Mr. Tanzman.

Can you explain to me what was intended by that? What modifications were intended?

A You want me to answer --

Q Well, since you wrote the memo, I figured you would know.

A (Witness Baldwin) Well, I can tell you. These are assignments that Mr. Kowieski and I agreed to, with Mr. Keller's consent and some other people here in the office, as to how the evaluator packet materials were going to be divided up so that we could get it all sandwiched into

a short time period.

(Witness Kowieski) Basically -- I mean, to summarize, this is sort of division of labor, how we are going to accomplish this, you know, with resources available.

Q I understand that. My question was going more to the substance of what was intended. I gather that there are exercise critique forms thatRegion II uses consistently in its exercises.

A Okay. We have been using in Region II exercise objectives and in addition obviously the portion of the plan, and in the past we also used modules developed for FEMA by Argonne.

I had some complaints from my evaluators, too many documents, too many documents. Okay, it's very hard to deal with. And I say: Well, let me sort of deal with the issue, especially since in my opinion -- and maybe Dr. Baldwin wouldn't agree -- each plan is different. It is a slightly different mode of operation.

And I felt well, ~~maybe sometimes.~~ Sometimes modules do not apply, cannot ~~use~~ be used directly, ~~the modules.~~ So, I ~~figure~~ figured, I ~~will~~ would design a critique objective -- evaluation critique forms that, more sort of ~~will tailor~~ tailored to Shoreham plant.

That's what we did.

And so we actually -- you had exercise objectives, if you recall the form, and then points of review. And in points of review, we directed each observer, evaluator, what to look ~~at~~ for during the exercise. Sometimes we ~~refer~~ referred to the procedures, to the plan or sometimes we had prompting questions.

Q Okay. And, so basically it was designed to make your standard critique forms specific to the LILCO plan?

A That's right. And the same approach we ~~use~~ used for Indian Point later on, on June the 5th. ~~Because~~ I think people ~~like~~ liked it, since you don't have too many pieces of paper.

And, you know, it's straightforward and anyone can follow. Okay, that's very simple.

Q And, you and Dr. Baldwin and Mr. Tanzman were the ones who got the job of creating those; is that right?

A I designed, if I recall -- and Dr. Baldwin will correct me. I designed the form the way I want it, two pages. I gave it to Dr. Baldwin who, ~~He~~ communicated it to Mr. Tanzman. When ~~It~~ came back, I made additional comments. It was sent back for additional corrections, ~~and then~~ The exercise objectives were typed in and then we had points of

review for each single exercise objectives. And they came also from Argonne, I understand. ~~if~~ of I recall, Ed Tanzman and Ken Lerner developed -- worked on it, okay, to develop. Came through Dr. Baldwin to me, and both of us had the opportunity to review, it make corrections -- how many I don't remember -- and send it back to Argonne.

Q All right.

A And also I'm certain -- you would asked me this question, okay, ~~so~~ I anticipated so ~~and~~ I will give you an answer right now.

I also shared the points of review with Chuck Daverio. And the main reason for it was that -- to make certain that my assumptions of the way the plan was structured to operate wasn't somewhere wrong, okay. And he provided pretty good feedback in some cases.

Q Right. Okay.

A (Witness Baldwin) And to bring out the point on the points of review, those were done by Mr. Lerner and Mr. Tanzman because Mr. Lerner was instrumental in developing the module and adapting the questions in there to the module.

So, since we were tailoring that approach, which is used nationally, to the forms that are used here it was

logical to have Mr. Lerner adapt those questions to this particular plan; and, added to that were the specific pieces of the plan which are also listed in there.

MS. LETSCHE: All right. Let me have marked -- I will do two together -- as Panel Exhibit Number 16 a three-page letter dated December 11, 1985 from Mr. Keller to Mr. Kowieski.

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MS. LETSCHE: And I will also have marked as Panel Exhibit Number 17 a four-page letter dated December 13, 1985 from Mr. Kowieski to Mr. Daverio.

indexxx (The document referred to is marked as FEMA Panel Exhibit Number 17 for identification.)

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, maybe you could hand Exhibit Number 16 to Mr. Keller.

A (Witness Keller) I have one.

Q You have one? All right. Mr. Keller, I assume you are familiar with this exhibit, Number 16; is that

right?

A May I make a comment along this line? There may be a different version of this. In other words, not just the typing. This was typed here in this office, because I was here. When I took it back to put it in our file, I -- my secretary accosted me about the quality of the typing and required that I redo it, or she redo it.

So, I'm not sure which is the good one or the bad one. But, there may be -- you know, in terms of format, and if that happens there are three letters that all came out roughly the same pages.

Q Let me tell you, I will tell you, that you are right; and, this is the good one. I picked the good one for you, because I noticed the other one had some typos and I didn't know you had done it but I figured I would go for the good one. Okay.

A But that's why there are two formats.

Q Okay.

A Mr. Kowieski wanted to have things on the record, because we assumed that there might be some litigation at some point. I did it here in the office, and I'm not as good as my secretary.

Q Right. And this letter reflects your comments on the scenario; is that right?

A That is correct.

Q Now, Mr. Kowieski, I would like you to look at Exhibit Number 17, and I gather that this is your transmission of Mr. Keller's comments on the scenario --

A (Witness Kowieski) That's correct.

Q -- to LILCO; is that correct?

A That's correct. May I also, just a point of clarification, before my meeting on November the 25th with LILCO representatives, I believe at that meeting or shortly after I provided LILCO exercise Director with the general guidelines, what we would like to see in the exercise scenario as far as wind directions, with respect to PAGs, how far PAG should be exceeded, so forth and so on.

And, this was done in consultation with Mr. Keller. Mr. Keller, I asked him to sit down with me and develop basically the general requirements. And we sat down, ~~He developed, we~~ and discussed it in general terms. Because at that time when I was meeting with LILCO, he was travelling abroad. He was in Egypt, so he wasn't available really to attend the meeting.

(Witness Keller) Those details are in one of the exhibits that we had this morning earlier.

(Witness Kowieski) Right. So, we obviously hoped that when LILCO submitted exercise scenario, I believe on December the 6th or about December the 6th we, you know, would be expecting that LILCO would comply with our requirements.

And, Mr. Keller reviewed the draft scenario and provided his comments to me for my consideration. I reviewed his comments and generally speaking, ~~generally speaking~~, he is the expert. Okay, generally speaking without major (modifications), I believe, ~~modifications~~ I forwarded those comments to LILCO.

Q Generally, did LILCO's proposed scenario take into account the suggestions you had made earlier on?

A If I recall, we ~~don't~~ didn't have any major concerns except if I recall, without even reading this letter, there was some concern with the messages presented in the exercise scenario, that we thought they could prompt the response on the part of participants.

There were other concerns with radiological data, what was actually happening when wind would shift -- and Joe, correct me if I'm wrong, okay, Joe wasn't too happy that

there, you know, was some inconsistency, What happens if wind shifts? Obviously, radioactivity would be between the previous wind direction and the last direction.

So, Joe made some comments. The rest, as far as specifics are concerned, I would again have to go to the letter.

(Witness Keller) And I would like to add for the record that the reason that I am involved in this is that the part of the contract which we have with FEMA Headquarters, okay, as discussed in the GAO report that Mr. Kowieski referenced earlier today, there is an attempt to get some consistency in the ~~RAP~~ REP program nationwide.

And we are charged with reviewing scenarios, radiological portions of scenarios, from all the regions. And they send -- the regions send these scenarios to me or my staff, and we review them. And, this is the kind of letter, in broad general terms, that we put out on all these scenarios, okay.

And, we were involved in this part of the effort as an attempt by FEMA -- in an attempt by FEMA Headquarters to promot consistency in the use of scenarios nationwide.

Q Now, is the "we" in your answer, the Idaho Lab of

FEMA at least?

A Yeah, I'm sorry. Yeah, the Idaho National Engineering Lab contract with FEMA involves scenario review. And, it's in an attempt to ensure not only consistency, but that the scenarios which are used will drive the objectives which have been selected for a particular exercise.

I mean, there have been cases in the past -- and sometimes they will occur in the future if we don't review the scenarios -- where an objective is selected and the accident that is played, right, just doesn't drive. And I have the off-site technical expertise to be able to ascertain that it will or will not.

As Mr. Baldwin mentioned earlier, in this scenario, the one that we selected, we anticipated -- right, anticipated -- that the cognizant authority would have to recommend an evacuation at a minimum of Zones A to J. If he did not, clearly we had one of the objectives that was going to be not met.

Q Right.

A Okay. We, therefore, designed our off-site demonstrations that we were going to evaluate in consonance with Sectors -- Zones A to J being affected. And, in fact,

we had a contingency message prepared that if the cognizant authority had not called for the evacuation of A to J, we basically said: You are dead because you failed this objective now. Here, you have just declared --

Q So that --

A So that it would foil the rest of the evaluation as we had planned it.

Q Right.

A As it turned out, we didn't have to use the message A to J, and it was no problem.

Q Right.

A But all of our off-site preparation was premised, or demonstration was premised on the concept that with this scenario they had to do A to J if they were to pass.

Q Right. How did you arrive at the decision that you wanted them to have to do A to J?

A Well, Mr. Kowieski has consistently in the past asked me to assure -- let me back off. Let me start again.

The current and logical sequence of events is that protective actions be taken off-site based on plant status before any release of activity has occurred.

Q Release of radioactivity?

A I'm sorry. When I say activity, I mean radioactivity.

Q Right.

A You assume -- we all assume that this is the way it will occur. Subsequently, in order to drive other objectives there must be a release of radioactivity. And, Mr. Kowieski has requested that I ensure that in a scenario that we are going to use that the PAG be exceeded out to a reasonable distance off-site, not necessarily right to ten miles but three, four, whatever. Some distance off-site to assure that after the fact if somebody didn't do what we anticipated they would do, there was a clear-cut, you should have done because.

Okay. So that we have removed the ambiguities in the evaluation process. And this is in agreement with some correspondence that I saw, and I have up in my office, from one of the early exercises under the 0654 Rev 1 format which was held at Trojan. And it was a request of the RAC Chairman in that area, should we exceed PAGs off-site in correspondence with the NRC. NRC said yes, you should exceed ~~correspondence~~ PAGs off-site. Therefore, in my review of scenarios I recommend that the PAGs be exceeded off-site TEB per JHK

consistently, uniformly, not only in this region but other regions also.

Q And that was what gave rise to the A to J?

A That's right. That was just a selection.

Q Okay.

A The --

(Witness Kowieski) And also, we selected the wind direction, obviously to make certain that we will affect the populated areas. RBK

(Witness Keller) Yes.

(Witness Kowieski) Obviously we wanted to ~~obviously~~ exercise three staging areas. So, obviously in selecting the wind direction we kept in mind that we ~~want~~ wanted to exercise three staging areas. RBK RBK RBK

(Witness Keller) The population zones, there are pockets within the 10-mile zone which are more highly populated than others. We could have selected the wind direction that did not affect much of the population. We did not.

We also attempted to use, or to factor in, the wind frequency, the directional frequency. We did not pick the most frequent direction, but we picked one of the

high directions so as to leave more realism. I mean, if you pick a direction the wind never blows, that's not very realistic.. But, our initial direction was one of the highest three or four frequency directions.

And, then we did a rotation of the wind which, if we can draw an analogy to a single off-site authority, a single county, for example, right, we don't always do. But, in our testimony in the planning stage, we had testified that this is something that is usually done, or it can be done. And it would be something that would be done in an exercise.

And we had testified to that. So, we assured that in this scenario there was a wind shift to measure how the authorities would handle the potential for a wind shift and the shift in wind.

(Witness Baldwin) I would like to bring up one other thing just to make sure that it's straight. The contingency message didn't say A through J. It added -- the original expectation was that it would at least take Zones A, B, C, D, E, F and G which were the ones out to two miles. We needed to effect the play which would get us more transfer points for sure in that for the bus routes,

so that we wanted to make sure that out to five miles were taken. The contingency message, I believe my recollection is, adds H, I and J to ensure that.

T4B MS. LETSCHE: I would like to have marked as Panel Exhibit Number 18 a two-page memorandum for the file from Mr. Kowieski, dated December 13, 1985.

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BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, this is another of your memorandas, so I assume you recognize it; is that right?

A (Witness Kowieski) That's right. I knew at that time, that I would be questioned on it, and I believed that it was better for me to document it. RBK RBK

Q Was this kind of documentation unusual for you? It wasn't what you normally did with respect to exercises?

A Not in such detail. Normally, I would record a meeting. I knew that you people would question me extensively on it. ~~and~~ And this was for me to recall what actually happened, you know, two years ago. Normally, for the record, you know, I would put only people in attendance, major topics of conversations. RBK

Here you notice, sometimes it goes to greater detail.

Q And that was sort of because you thought the governments would want --

A To help you. To be honest with you, I want to be responsive. If you question me, I want to be responsive and to the point.

Q Okay. Well, that has certainly been a big help. It made me have a lot more exhibits in this deposition, I will tell you that.

Okay, this refers to December --

MR. CUMMING: I should note for the record, we are glad to have Mr. Kowieski back in case he needs to generate his memo in case we face future exercise litigation or whatever.

BY MS. LETSCHE: (Continuing)

Q This refers to a December 12th meeting to discuss the proposed exercise objectives and scenario. Am I correct, based on what you just told me, that this was the next subsequent meeting with LILCO after the November 25th meeting?

A (Witness Kowieski) I believe so.

Q Now, under the heading "Exercise Scenario Requirements," the second bullet says: "Chuck Daverio indicated that early dismissal of schools can be accomplished by LERO representative from home."

What does that mean?

A It means that in the early stage, when LERO EOC was not activated ~~that~~ the LERO Director or his designee was responsible for early dismissal of school children.

(Witness Keller) Maybe I can amplify. The plan calls for a designated individual to call the school districts and advise them that LERO is advising that they not open their schools.

Now, point, we normally look at premature closing or non-opening and early dismissal as one. In other words, a neither/or situation.

So that the plan calls for this to happen at the alert, to be considered and the decision made at the alert emergency classification level. Because of mobilization times, et cetera, what Mr. Daverio pointed out was that it was possible if the decision was made quickly, right, the man might be at home.

Q The LERO personnel?

A The LERO personnel which is called would make this call from his home, all right. Okay. And, therefore, it would be difficult for us to observe him making the call.

Q Now, in fact, what did you do about that one? Mr. Daverio advised you --

A That's what we did. He did it. When the man came to the EOC, he recorded the fact that he had done it.

Q So, during the exercise, in fact, a call was supposedly placed --

A Simulated.

Q -- to a school from some LERO person's home?

A That is correct.

Q I see. And it was just a simulated call, not to a real school --

A Yeah.

Q -- as far as you know?

A As far as I know, yeah. Well, clearly, the message said that all the schools were advised, you know, not to open.

Q Yes.

A And clearly the only school that actually participated,

in fact, was the Shoreham Wading River School. So, the presumption is that all these calls were simulated.

Q Right.

A (Witness Baldwin) And we can save some time. On Page 38 of the post-exercise assessment, there is a specific statement about that that says: The demonstration of the organization's ability to affect an early dismissal of schools could not be observed. Both public and private schools were simulated to have been contacted prior to 0845.

Q All right. And, what you are saying is that that simulation supposedly took place from a LERO person's home?

A (Witness Keller) Which is in accord with the plan.

(Witness Baldwin) It's in keeping with -- and we were put on notice with this --

(Witness Keller) That we wouldn't see it.

(Witness Baldwin) -- that if the exercise starts early in the morning prior to school opening and a recommendation is made to close those schools and the person is at home, in all likelihood, in that sequence what would

happen is that person would be authorized to call or simulate the schools -- simulate calling the schools, and that's what he reported when he got to the EOC.

Q All right. I gather from that then that even with respect to Shoreham Wading River School District, that based on a comment in the FEMA report that the notification of that district to do an early dismissal also was not observed?

A (Witness Keller) That's correct, yeah. All schools, none of those calls were observed.

The way we normally do things is, we try to have an evaluator at the point at which a function is going to be demonstrated. Now, I suppose we could have sent somebody to the man's home, but we did not in point.

On the other hand, we didn't know for sure, absolute sure, that the decision would be made prior to the man coming to the EOC.

Q Right. Okay.

A (Witness Kowieski) If I may add, I'm not certain whether or not later on there were some phone calls between Wading River School District and EOC. It's quite possible that later on during the exercise, there were some calls, phone calls, made between LERO EOC and Wading River School

District.

Q Yeah. I was just referring to the initial notification about early dismissal.

A (Witness Keller) But this is a somewhat critical point which I think, in my review of the contentions, appears to be confused. That's just my own opinion of the contention.

Based on this call having been made, which indeed was a simulation, at very early in the morning all schools in the 10-mile EPZ were closed -- were not opened. The schools on that day were not opened; therefore, as far as the responders were concerned, the participants, right, there were no children in any of the schools in the EPZ --

Q To worry about.

A -- to worry about.

Q Right.

A And I think there is some weaving back and forth about that. But, that's based on this call which we did not physically observe, or these calls I should say.

Q Right.

A That was the premise that we were on.

Q Okay. Do you-all happen to know how many calls there would have had to have been made or simulated in order

to do the notification of all the necessary people?

A (Witness Baldwin) We can do the research. I have, as a process of doing this, the messages and what have you tabulated from Revision 5 now, because that's the revision of the plan -- Revision 6 actually, but there are no changes in Revision 6 that effected the counts of the number of schools and districts.

I tabulated the number of schools and districts.

Q Yes, because there are both public and private schools.

A Right.

(Witness Kowieski) If you wish, I think I have in my office ~~in~~ on my desk the tabulation that you are referring to, so if you -- RBK

Q No. I just wanted to know if you-all knew.

A (Witness Keller) No.

(Witness Kowieski) I don't recall that.

Q That's fine. Mr. Kowieski, on the second page of your memo, there is a reference to Mr. Daverio indicating that LILCO would like to use a different set-up for the reception center.

Is this a reference to your earlier discussion about

hearing about this --

A Yes, ma'am. He indicated that there would be boat show and which could interfere with the February 13 exercise.

Q Right. And, I take it that this was the first time you heard of that at the December 12th meeting?

A I'm not so certain. It's quite possible this particular issue was brought up to my attention in a telephone conversation.

But, at least as far as the formal, I guess, advice on the LILCO part is concerned, it was presented to me at a meeting on December 12th, the December 12th meeting.

Q Now, I take it it was your understanding of the proposed change that it was basically just going to be a different area that was going to be used, that it was not going to be a change in procedures?

A That's correct. A different lay-out.

(Witness Keller) Access, which is part of the procedure.

MS. LETSCHE: Okay. Let me have marked as Panel Exhibit Number 19 a three-page document dated December 19, 1985 to Mr. Kowieski from Mr. Daverio.

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(The document referred to is marked as FEMA Panel Exhibit Number 19 for identification.)

BY MS. LETSCHE: (Continuing)

Q Do you recall having received this letter, Mr. Kowieski?

A (Witness Kowieski) Yes, I do. And I recall also discussing some of the issues stipulated in this letter.

Q Okay. In the reference at the top of the letter it mentions a telephone conversation between yourself and Mr. Daverio on December 18th.

Is that the discussions that you were likely recalling?

A Not really, at this point in time. I'm certain that I was looking -- at that point in time, I'm certain I had some notes on my desk to verify whether or not his letter is consistent with agreements.

Q Okay. Let me direct your attention to the paragraph numbered 2 in Mr. Daverio's letter which refers to the congregate care centers.

Would you read that paragraph for me, and then

I will have some questions?

A "Relative to..."

Q No, no, not out loud. Please review it.

(Witness Kowieski is looking at the document.)

MS. LETSCHE: Off the record.

(Off-the-record.)

BY MS. LETSCHE: (Continuing)

Q Am I correct, Mr. Kowieski, that this comment by Mr. Daverio is a response to the statements that had been made concerning the proposal by LILCO to use facilities that were not listed in the plan as congregate care centers; is that right?

A I believe so.

Q And I take it that ultimately FEMA agreed to this LILCO proposal to go ahead and use those other two facilities even though they weren't in the plan?

A Not really. What I believe, this morning I explained, was the interchange between me and Mr. Daverio. They were not certain until, I believe, December or about December 2nd which facility -- I'm sorry, February 2nd which facility LILCO is going to be used during the exercise.

If you recall, I already put in the record that

I requested letters of agreement from Mr. Daverio. I don't remember whether or not Mr. Daverio promised to deliver those letters of agreement between the Red Cross and the facilities to be exercised during the February 13th exercise. I don't recall right now.

However, it was almost in the last week or week before the week of exercise when we actually learned which congregate care centers would be exercised during February 13th event.

Q I see.

A So, obviously, as you will notice from the post-exercise assessment, we made a comment ~~that~~ (regarding what) we requested ~~that~~ from LILCO. If they are planning in the future to utilize those facilities, ~~to~~ make them part of the plan and obtain letters of agreement.

Q Right.

A (Witness Keller) Agreement was too strong a word. Basically, they said these are two we are going to demonstrate. And we said: Well, we will evaluate them.

Q I understand. Now, going to Page 2 of Mr. Daverio's letter, his Item Number 6 refers to the mobility impaired at the special facility; and, it states there that,

"...we would recommend that one ambulance and one ambulette be used for the demonstration from one special facility."

What was FEMA's reaction to that proposal?

A (Witness Kowieski) I believe that as far as the number of demonstrations is concerned, I think this is consistent with whatever I recommended in my letter to Mr. Daverio.

The point I think he's making here, that you can deal and evacuate mobility impaired using buses, vans, ambulettes and ambulances. It depends on type of problem that one has. So, in this case we tried to encompass the whole spectrum of transportation resources.

They had buses for evacuation of general population. We had bus dispatched from Patchogue area to deal with school children.

I felt that it would be only proper that when we deal with special facilities we ~~will~~ would deploy ambulance and ambulette. So, this was consistent with my thinking. RBL

Q Okay. The reason I ask the question was, I understood your original list of activities to be demonstrated by LILCO that was in your earlier letter which we marked as Exhibit Number 14, that indicated that there would be two

demonstrations of mobility impaired at special facilities.

A That's consistent.

Q And it appears that Mr. Daverio refers to one special facility in his letter.

A (Witness Keller) But we did do two special facilities. We did -- in being consistent with Exhibit 14, we had two demonstrations.

Mr. Daverio suggested that we send them both to the same facility. In point of fact, we sent them to two different facilities.

We didn't agree with his letter basically.

Q Okay. Well, that was what I was trying to clear up. I didn't understand that and --

A We just said: No. We are going to do it our way.

Q Okay. So, his recommendation that you do it from one facility was rejected, and you-all said no, you were going to do it from two?

A Yes.

Q Okay. Now, his Point Number 7 refers to the Coast Guard. And it says, "We still do not have confirmation that the Coast Guard is willing to participate."

Can you fill me in on what is going on here?

A (Witness Kowieski) Well, I hope you are prepared to listen for five minutes. As you recall and is already ~~on~~ in the record, initially the RAC member, Paul Lutz, recommended to modify the exercise objective which would include the water portion.

Q Right.

A Later on when I sent my exercise objectives, FEMA exercise objectives, to Chuck Daverio he asked me a question: Who is going to contact Coast Guard? You want us to contact the Coast Guard or Mr. Lutz?

I said: Why don't you do that? And I understand they actually contacted the Coast Guard station.

In the letter from LILCO to Coast Guard basically confirming the conversation with the Base Commander, whoever it was, whoever ~~is~~ was in charge, saying that: Yes, we are willing to participate provided the resources will be available.

I made a point to Mr. Daverio and Mr. Paul Lutz and ~~say~~ said: Listen, okay, we have to decide very soon whether or not we are going to observe it, because I cannot afford the luxury to send an observer and be told ~~at~~ in the last minute. I'm

sorry but vessel is not available.

Q Right.

A If Coast Guard will make a firm commitment, we are going to participate, fine. We are going ahead with actual dispatch of vessel. If not, most likely we are going to delete this exercise objective.

Mr. Lutz, who is a Commander himself, he said to me: Roger, to be honest with you, I don't see the benefit by actually dispatching the boat. The Coast Guard is in that business on a daily basis. They, you know, chase people for whatever reason, those trying to violate the law. And he said: They don't have a problem dispatching the boats, okay.

I think what would be important is to actually look at a communication between the Coast Guard and LILCO. And I'm going to do that.

And that's what actually happened. Mr. Lutz, he evaluated communication between LILCO and Coast Guard. What actually happened, Coast Guard decided to dispatch a vessel, okay. And Mr. Lutz learned later on that they actually dispatched vessel.

But we didn't have an observer there actually to watch the Coast Guard. Is ~~this~~ it clear now what actually had

happened?

Q It's getting clearer. I have a few more questions. You said Mr. Lutz himself is a Commander. He's a Commander with the Coast Guard?

A (Witness Keller) Retired.

(Witness Kowieski) Well, he is retired.

Q Retired?

A Yes, in Boston.

Q You said that he evaluated the communications between LILCO and the Coast Guard. Where was he stationed to do that?

A (Witness Keller) Mr. Lutz had a different -- he is the Department of Transportation representative.

Q Right.

A He had a different assignment for the exercise which I forget what it was, but --

(Witness Baldwin) I think since I watched him do it, I'm probably the better one to talk about that.

(Witness Keller) Go for it.

(Witness Baldwin) Mr. Lutz was assigned to, I believe, ride the ambulance out of the --

(Witness Keller) EOC.

(Witness Baldwin) -- Emergency Worker Decontamination facility in the lower floor of the EOC. And when he got done with that assignment, he came back to the EWDF, Emergency Worker Decontamination Facility, and then came upstairs into the EOC and asked me, since I was evaluating the communications, what had happened with the Coast Guard.

And I said: Paul, why don't you come over to the Evacuation Coordinator's desk and figure that one out? And, so Paul then -- Mr. Lutz -- reviewed the logs of what had transpired between that desk and the U.S. Coast Guard and then confirmed with the Coast Guard there at the desk with the person that he had contacted.

And then after the exercise again followed up to get additional information.

Q Followed up with the Coast Guard, you mean?

A Yes.

(Witness Keller) It was somewhat of an institutional concern. He is a Coast Guard retired, and he wanted to find out how the Coast Guard performed.

Q Moving down to Item 10 in Mr. Daverio's letter, it states that LILCO doesn't believe it appropriate to provide special facilities for the simulators of state and

local representatives.

Can you tell me the significance of those comments?

A (Witness Kowieski) My normal practice during the exercise is, I try to arrange at major facilities for telephones to be used by our evaluators. I followed the same process here.

And, somehow in my memo to Mr. Daverio, I also requested a desk and space for simulators. And he indicated to me that this wouldn't be proper because this already would give away some information ~~of~~ on how many state or local simulators at each facility -- how many simulators during the exercise.

So, it seems that the LILCO plan, the way it is structured, is saying they will be able to accommodate the state and local representatives during emergency. And no one knows who would show up, if any.

So, we tried to be as realistic (as possible) under the circumstances, ~~as possible,~~ to basically present LILCO with people coming in representing the state and local government, simulators in this case. And we tried to test how LILCO would actually accommodate state and local officials, in this case simulators.

MS. LETSCHE: Off the record.

(Off-the-record.)

MS. LETSCHE: All right. Let me have marked as Panel Exhibit Number 20 a multi-page document dated January 8, 1986 which is a letter from Mr. Kowieski to Mr. Daverio, attaching proposed exercise objectives, revised January 8, 1986.

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(The document referred to is marked as FEMA Panel Exhibit Number 20 for identification.)

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, do you recognize this document?

A (Witness Kowieski) Yes.

Q And, was this a document that you prepared?

A Yes, it ~~is~~ was.

Q And these are revised objectives that were intended to reflect questions and comments that we have been discussing earlier; is that right?

A That's correct.

Q At the bottom of Page 1 of this exhibit is a -- in the discussion of time frames for each of the activities, the last comment says: "Since notification of the public

must be accomplished no later than Site Area Emergency, suggested boat alerting at 05:30 of scenario time appears too late."

Before we get into the boat alerting question, which we might have to get into given what else you have told me, what is the reference to notifying the public being accomplished no later than site area emergency mean?

A (Witness Keller) NUREG 0654.

(Witness Kowieski) We meant actual activation of the alert notification system.

Q So that if there is only an alert declared by the plant, is it your understanding that the public does not need to be notified of that?

A There is no requirement.

Q Under the LILCO plan, they propose to provide notification to the public prior to the site area emergency level though; isn't that right?

A I don't have a recollection at this point in time. If you wish, we will be glad to verify, to check the plan and then provide a more accurate answer to your question.

Q That's fine. If you don't recall it --

A (Witness Keller) But there is a requirement in 0654 that the public be notified at the site area emergency.

Q Right.

A Okay.

Q On Page 3 of your letter, if you would turn to that please, Item Number 14 on table-top exercise says you need to advise FEMA about the date of the table-top exercise.

Can you explain what that is referring to?

A (Witness Kowieski) As I already discussed, Ms. Letsche, this morning we felt, FEMA felt, that it would be very helpful to go and observe one of the LILCO drills so we could reinforce our understanding of the plan, how plan is going to actually operate so we could ~~reinforce~~ see how procedures supposed to be implemented. PBL PBL

Q So that is what the table-top exercise is referring to?

A That's correct.

Q Now, I gather from our discussion earlier that the drill that you ended up observing I believe was on the 29th of January; is that right?

A The training session took place on January 29th, and I believe we actually attended the drill on January the

30th.

Q Okay. But that was not a table-top drill that you ended up observing; is that right?

A (Witness Keller) No.

(Witness Baldwin) Not a drill.

Q Right. How did the change come about from it being thought of as a table-top to it turning into a drill?

A (Witness Kowieski) It's a part of LILCO's training, RBK RBK I believe, of emergency responders, they decided to have -- to deploy more people than they initially planned. And that's how it came about.

Q Okay. And this was -- I think I'm correct that the January 30th drill was one that people referred to as a dress rehearsal that you-all attended?

A (Witness Keller) Some people called it that.

(Witness Kowieski) Some people called it table-top exercise; some people called it drill; some people called it dress rehearsal.

But actually the bottom line is that basically in this case it was for us, at least, to learn, to confirm our understanding of the plan and the procedures.

Q Right. About how many of the evaluators attended

that drill?

A Without going to my records right now, I can right now say that all Argonne individuals that later on, on February 13, were assigned responsibilities as assistant team leaders. That's my understanding.

Dr. Baldwin -- yes, Joe Keller --

(Witness Baldwin) Yes, a vague recollection --

(Witness Kowieski) Dick Donovan, who was a controller, and my team leaders that came from FEMA.

(Witness Baldwin) And the ones that I recall from Argonne who attended were --

(Witness Kowieski) Mr. Tanzman, Mr. --

(Witness Baldwin) -- Smith, I believe.

(Witness Kowieski) -- Smith, Mr. Gasper.

(Witness Baldwin) Phyllis Becherman was there.

(Witness Keller) One more.

(Witness Baldwin) Probably Ken Lerner. It was Ken Lerner.

(Witness Kowieski) Ken Lerner, right.

Q Okay. Now, can you describe for me what happened at the training session before that drill, to the best of your recollection?

A If you could be more specific, I could maybe be responsive to your question. What actually happened? You are asking me what actually happened?

Q You have, on several occasions, referred to the training session sort of in tandem with this drill that you-all observed, and I'm trying to find out about that.

A All right.

Q Who conducted the training session?

A I believe the training session was conducted by the LILCO consultant, mainly.

It was, I believe, Mr. Behr and --

Q Mr. Behr, B-e-h-r, is that who you --

A Right. And I recall there was also Mr. Aidikoff was there.

Q Okay. And who was the training session for?

A (Witness Keller) Controllers.

(Witness Kowieski) Controllers, yeah.

(Witness Keller) Not participants. This was -- basically this was a -- well, let's back up.

There is a scenario development group typically, who develops the scenario. There are controllers, generally state and local, sometimes utility people, who keep the

exercise on the scenario path.

Q Right.

A And this was the session where the scenario developers got with their controllers and went over what they were going to have to do, how they were going to have to do it, what the time-lines were, et cetera.

They allowed us, graciously allowed us, because we were not really evaluating to sit in on this so that we could get a better feel for how it was going to flow and what was going to happen the next day.

Q Okay.

A It was the evening before, and it was in the offices of the Impell Corporation on Long Island.

(Witness Kowieski) That's right.

Q This was intended to train the LILCO controllers --

A (Witness Keller) Yes.

Q -- or the FEMA controllers?

A LILCO. There were no FEMA controllers in the 30th dress rehearsal.

(Witness Kowieski) Except Dick Donovan.

(Witness Keller) No, no, no. No FEMA individuals participated as controller, evaluator, or anything in that.

Q Okay. Let me see if I understand it. Then, during the January 29th training session, Impell people were training LILCO controllers --

A And Impell.

Q But LILCO-affiliated controllers rather than federal controllers?

A Right.

Q And, federal evaluators were present to observe that training session of LILCO controllers; is that accurate?

A (Witness Kowieski) It's a fair characterization.

(Witness Keller) Yes. Mr. Irwin also --

(Witness Baldwin) Yes.

(Witness Keller) -- gave a presentation that evening which really wasn't -- you recall that there was some litigation and some legislation at about that time whether it was going to be legal for anybody to participate or to observe or to evaluate or to look at that particular drill. So, there was a presentation given by Hunton & Williams, Mr. Irwin, that evening concerning the outcome of that legislation, litigation, et cetera.

(Witness Kowieski) And, as a matter of fact, at that meeting or shortly after, a memo from the management

was passed around stating that the actual enforcement of the law would be within certain time periods. As far as the January 30th drill is concerned, people that are involved in the drill shouldn't be concerned.

(Witness Keller) Is it important that you have all the people that were there?

Q No. I just wanted to get a general idea. I didn't even need the names.

A We have another one.

Q Another person there?

A Yes.

Q Well, if you can remember it, you can tell me.

A Mayo Lee from the Department of Energy was also present.

Q Now, he was not a participant in the exercise or the controller evaluator or anything? He is just a lawyer with DOE; isn't that right?

A That's correct.

Q Now, do you have any knowledge as to how many sort of full-scale drills LILCO conducted prior to -- in the time frame, within a month or so -- the February 13th exercise?

A (Witness Kowieski) I don't have a detailed knowledge as to how many drills LILCO conducted. Joe?

(Witness Keller) I heard a rumor, unsubstantiated, that they had had seven, if you will, full-scale. I do not know the time frame.

I don't believe they were within a month or so of the exercise. I think the seven were spread out over a much longer period than that.

(Witness Kowieski) But we don't have a detailed knowledge.

(Witness Keller) This is all hearsay.

Q Okay. That's fine. Based on your other experiences, is it common for off-site response organizations to have several practice drills or dress rehearsals shortly before a FEMA-graded exercise?

A (Witness Kowieski) I don't know if seven is the magic number. But, definitely before ~~the~~ an exercise, the state and local officials, they rehearse and exercise -- RDT

(Witness Keller) I would say invariable.

Q Invariable that they would have several of these dress rehearsals?

A Depending on how they go.

(Witness Kowieski) And different --

(Witness Keller) If they really do a good one, they may only have one. But I would say invariably there is one, for lack of a better term, dress rehearsal prior to a FEMA-graded exercise.

Q Now, does the number of dress rehearsals that are held immediately before an exercise, is that taken into account in your evaluation of the exercise performance?

A No.

(Witness Baldwin) Well, it has been my experience that you can detect when they've done that, because the performance usually is quite a bit better when they have done the training.

Rockland County is an example where during the compensating measures plan that was done for the State of New York, that there were quite a number of drills.

(Witness Keller) There were seven.

(Witness Baldwin) And I don't know the exact number. Mr. Keller says seven. That's an example, and the result of that exercise was quite a good performance.

(Witness Kowieski) And by the way, as far as -- I'm glad that Dr. Baldwin mentioned the Rockland County and

actually an exercise of the state compensating plan, because FEMA attended that drill or training session, whatever you want to call it. As a matter of fact, we provided informal feedback.

This didn't take place in the case of the Shoreham plant, LILCO. But at an exercise of the state compensating plan where Mr. ~~Bill Bower~~ Del Bolko was in charge, we actually provided state people with informal feedback. RBK

Q Does it have any significance to you in your evaluation of exercise performance if the individuals who are going to be called out and mobilized during the exercise know in advance that they are the ones who will be called?

A (Witness Keller) I don't understand.

Q Let me explain. Assuming an organization has several people assigned to different functions and that who among that group gets called is a function of the time and the availability or whatever under normal circumstances --

A (Witness Kowieski) You have --

Q Let me just finish the question.

A I'm sorry.

Q If that's the kind of organization that it is, that you have several people in given roles, is it of any

significance to you in evaluating exercise performance if before the actual exercise the particular individuals who will, in fact, receive the call to show up for the exercise know in advance that they are the ones?

A First of all, I think that maybe I will give you general answer. I think it's important, as a matter of fact it's required that any organization, whether it's the state, local or the utility, will establish the primary responders, the first shift, the second shift and third shift.

So, as far as if you are asking me whether or not it's good for people to know? Yes, they should know that they are primary responders. If they are not available, there are secondary responders. If the secondary is not available, they will go to the third or the fourth.

I think it's very important.

end T4

Q Going back to the exhibit we were talking about which is Panel Exhibit Number 20, will you turn to Page 4 of that exhibit for me, which is another list of the activities to be demonstrated.

A The revised one?

Q The revised one. And I have a question about the

entry for the school evacuation and the schools requesting assistance and I notice that there are two listed in the column for the number of those activities to be demonstrated.

Now, my recollection of what happened during the exercise was that the free-play message for a school requesting assistance involved only one school, the Ridge Elementary School.

And, am I correct in that?

A (Witness Baldwin) Yes.

Q When did the -- when was the decision made to change the number of schools to be demonstrated from two to one?

A (Witness Keller) I don't know.

(Witness Kowieski) No, no. Allow me --

Q Dr. Baldwin doesn't know either so --

A (Witness Keller) You got it.

(Witness Kowieski) Allow me to analyze here my table.

Q If it helps you, Mr. Kowieski, the prior version of this also has a two in that column.

A Unfortunately, what I think what actually happened, I did not distinguish or draw a distinction between school

evacuation, where a school will provide a bus, and a bus to be provided by Patchogue staging area to evacuate school. And I, unfortunately, think I combined the two evacuations into one. And I called for two buses. That's what we initially planned for 1, in our evaluation of the Shoreham exercise, to use two buses; one bus provided by the Wading River School District and the second bus to be provided by Patchogue staging area in response to the request from another school district, to provide transportation assistance.

So, what actually you see here is ~~the~~ factual. Only maybe my description is not really accurate, what I was asking for.

Q Okay. So, the assumption was that one of the demonstrations of school evacuation would be the Shoreham Wading River bus?

A That's correct.

Q And the second one would be in response to a message from another non-participating school district to have a LILCO bus?

A That's correct.

Q Okay. Now, turning to Page 5 of your letter, under the heading "Missing Procedures," you have a request

for American Red Cross reception center procedures.

Do you see that?

A Yes, I do.

Q Do you recall what that refers to?

A American -- congregate care.

Q I see. So, you were looking for American Red Cross procedures relating to the congregate care --

A (Witness Keller) No, the --

(Witness Kowieski) I'm sorry, no, reception center.

(Witness Keller) The Red Cross, in the -- in the LILCO plan, the Red Cross has some functions at the reception center.

Q Right.

A And the procedures for those functions are not, in fact, in the LILCO plan as an OPIP.

Q Right.

A (Witness Kowieski) And since I explained to you, I believe, this morning, Mr. Tanzman and Lerner were working on the exercise objectives, the critique forms and points of review, and we needed some of the missing procedures to assure that we have a complete set of procedures to develop --

to complete our assignment, our job.

Q So, part of the review that you-all intended to conduct at the reception center would be to determine whether the Red Cross procedures used there were adequate and were implemented effectively and all those things?

A That's correct.

MS. LETSCHE: Let me have marked -- I will do two together again -- as Panel Exhibit Number 21 a memorandum -- no, I'm sorry. It is a multi-page document at the top of which says: From Tom B on 12/6/85.

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(The document referred to is marked as FEMA Panel Exhibit Number 21 for identification.)

WITNESS KOWIESKI: Could we have a break? I would like to consult with one of my co-workers.

(The panel witnesses are conferring.)

MS. LETSCHE: I would like to have marked as Panel Exhibit 22 a four-page document, dated January 22, 1986 to Mr. Kowieski from Mr. Daverio.

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(The document referred to is marked as FEMA Panel Exhibit Number 22 for identification.)

BY MS. LETSCHE: (Continuing)

Q Mr. Baldwin, do you recognize what has been marked as Panel Exhibit 21?

A (Witness Baldwin) Yes, I do.

Q Okay. And was this a document prepared by you or under your supervision?

A Yes. I prepared this particular one. There were -- yes.

Q And, am I correct that this was at least one draft of the points of review?

A This was the first draft of the points of review. It was typed by my secretary in Garden City. I took the objectives as they stood on 12/6/85 and began to put together what would be reascnable points of review.

And then I got sidetracked, as we see when we move back into Field 1, my productivity -- well, my productivity dropped off at Field 9. And then I sent this, as an example, to Roger for his input, were we headed in the right direction, and then directed it to Mr. Lerner and Mr. Tanzman who completed the work.

And that's what went -- these were the beginnings of what went on ~~of~~ to become the points of review on the critique TEB

forms which you've seen.

Q Right. Okay. That's a very helpful explanation. Now, Mr. Kowieski, I would like to direct your attention to what has been marked as FEMA Panel Exhibit Number 22, which is a letter directed to you from Mr. Daverio.

And, do you recognize that document?

A (Witness Kowieski) Yes, I do.

Q And am I correct that this is comments from Mr. Daverio concerning draft points of review that you had given to Mr. Daverio?

A That's also correct.

Q And that you had mentioned earlier today that you had done that?

A That's correct.

Q Now, I take it that the points of review that Mr. Daverio reviewed were a couple of generations further along than what we have marked as Exhibit 21; is that right?

A Sure. That's correct. And I don't really remember how many changes took place between me and Dr. Baldwin and Tanzman and other people.

Q Right. Now, I only have a few questions about Mr. Daverio's letter. I don't have the points of review

that he looked at. And I'm hoping that we can deal with my questions even without those by referring to Dr. Baldwin's points.

Okay. If at any point you can't answer any of my questions, let me know. But let's see what we can do.

A I don't understand your question. You say that you don't have --

Q I don't have the actual copy of the points of review that Mr. Daverio had when he wrote these comments. The only ones I have are the ones that Dr. Baldwin has prepared which is an earlier draft.

So, if at any point you can't answer my question --

A Sure.

Q -- because I don't have that actual document, let me know. But let's see if we can fake it without that.

Okay. If you will turn to the third page of the document that has the list of points of review.

A Right.

Q Under EOC 4, there is a comment which says, "There will be no map showing locations of congregate care centers in the EOC as this is a Red Cross function."

Was that a provision or a provision of the LILCO

plan with which you agreed?

A I really don't recall. I don't have an exact recollection. But I think that'sexactly how the LILCO plan is structured.

(Witness Keller) My recollection, if you will, says that in the LILCO plan they were not going to pre-publicize the location of the congregate care centers, that the Red Cross people in the reception center -- at that time, in the reception cetner -- at the Nassau Coliseum would have maps stacked up. And as they filled a congregate care center -- well, as people were monitored and were clean and who needed housing, they would be directed to the Red Cross desk.

The Red Cross desk would then give them a map with directions to a congregate care center. They only had as many maps as they had spaces in the congregate care center.

And they would then cycle -- as they needed more congregate care centers, they would open more -- the Red Cross would open more congregate care centers so that the plan is structured that the EOC doesn't need to have a map showing the congregate care centers as it is normally in many cases.

Q Okay. Well, from the point of view of -- from

FEMA's point of view, then I take it you don't have any problem with the fact that evacuees and other members of the public won't know unless or until they go to the reception center what locations people would be sent if they needed congregate care treatment; is that right?

A Yes.

(Witness Kowieski) And I think it's an excellent idea not to publicize locations of congregate care centers, and I will tell you why.

You don't want to see people going directly to congregate care center before they are being monitored. So, you want to sort of keep it -- not confidential, but not to publicize. So, this way people first would go to reception center and be monitored, if necessary decontaminated, and then registered and processed and directed to the appropriate congregate care center.

Q I gather that with that kind of arrangement then you are registration function becomes particularly important, since in advance no one is going to know where other people are going to be sent. Their only way of knowing would be once they got to the reception center and assuming everyone got registered; is that right?

A (Witness Baldwin) That's correct.

(Witness Kowieski) Yes.

Q We are talking about uniting families and all of that?

A Yes.

Q All right. Now, EOC Number 5, there is a comment from Mr. Daverio which says that, "LERO cannot communicate with ambulances in the field."

Based on your experience, Mr. Kowieski, in emergency responses, is this a --

A It's normal. I think, I anticipate your question. PBB and I think, yes, it's a normal procedure. Ambulances, ambulettes don't have to have a capability to communicate with EOC because there would be a lot of confusion, okay, if EOC would be directing ambulances, you know, as to where to go, ~~and to communicate,~~ okay. PBB

Ambulances have to have a capability to communicate with medical facilities. And medical facility should have a capability to communicate back with ambulances.

Q Okay.

A And EOC communicate with medical facilities. That's the way it works.

Q Okay. Now --

A (Witness Baldwin) It is my recollection of the plan, for clarification, EOC 5 in this recommended thing here, Mr. Daverio is apparently responding to the issue of the bullet here being capability to establish communications with all emergency response organizations specified in the plan.

It is my recollection of the plan's provisions that in specifically the diagram showing the communications links that it shows communication links, telephone links, with the ambulance companies who in turn have radio communications or other communications with vehicles, with mobile vehicles.

(Witness Kowieski) That's what I meant, okay. Actually, I misspoke. But, you know, yes, with ambulance companies, there must be communication between EOC and ambulance companies. And it's normal practice, as far as I know in New York State and New Jersey.

And, obviously ambulance or ambulette should have a capability to communicate with --

(Witness Baldwin) With the dispatcher.

(Witness Kowieski) -- the dispatcher.

Q Let me just follow up. During the exercise, I gather though that FEMA did not evaluate or observe the communications between ambulance companies and any medical facilities?

A (Witness Kowieski) That's also correct.

Q And other than the I guess two, one ambulance and one ambulette that FEMA evaluated during the exercise, was there any other evaluation by FEMA of communication capabilities of ambulance or ambulette drivers?

A I would have to refresh my memory by going again to post-exercise assessment. But, I believe there was a communication from EOC to the companies.

And the way the plan is structured, that they call in advance for resources to be used. And the resources, ambulettes and ambulances are called to park on the parking lot near EOC. And then when necessary the ambulettes and ambulances would be dispatched from EOC parking lot to respective place to pick up a mobility impaired.

Q But it's your understanding that they would be dispatched by their own ambulance company, even though they are sitting at the EOF -- I mean, at the EWDF, they would be dispatched by their own company 20 miles away or wherever

it happens to be; is that right?

A Right.

Q My question was in terms of observing/evaluating the communication capability of the ambulance drivers, the people in the vehicles themselves, during the exercise FEMA only evaluated that with respect to the two?

A Two. And, we are aware, and we saw, that additional 10 vehicles were dispatched and available during the exercise. So, we saw five, additional five, ambulettes and ambulances actually stationed at EOC.

Q Right. Okay.

A (Witness Keller) I would like to add for clarification to what Roger said. It is normal in all the exercises in New York and New Jersey that we have the communication link that we have just been discussing here.

It is almost always, almost uniform, that there is an additional communication link under the normal, as we call the plan. Normally, the local police communication has access to the medical channel.

If the state and local governments -- the local governments in this case -- are participating in the exercise they have an additional communication link with the ambulances

and ambulettes which LILCO does not have, just to keep it straight.

(Witness Kowieski) That's right. And I confirm it; as a matter of fact, I was in Nassau County in connection with the hurricane evacuation study, and demonstration was made to me several months ago that such a capability exists, okay, at the police department to communicate with medical vehicles.

Q Do you know whether such a communication capability exists with respect to the private ambulance companies that are under contract to LILCO for the LILCO plan?

A (Witness Keller) With which --

Q You said that there is no capability with LILCO. I understand that. My question is, do you know whether this type of police monitoring function is --

A Yes. It's --

Q -- in effect for the private ambulance companies under contract to LILCO?

A It is my understanding -- and it's just an understanding -- that the county dispatch point, commonly sometimes called 911, has the capability to scan many frequencies.

Q Okay.

A The medical frequency which the private and public ambulances use is an emergency frequency, and it's my understanding that they have the capability, the normal county communication system has that capability.

(Witness Baldwin) I would like -- yeah, that is true for ambulances.

(Witness Keller) I'm not sure about ambulettes.

(Witness Baldwin) Ambulettes could be different. We do have a specific comment in the report with regard to radio communications with an ambulette, with the ambulette.

Ambulettes are, as you know, used in a little bit different fashion. They do not necessarily, although could, carry life-support equipment aboard them.

And ambulances, since they carry life-support and are used to transport injured people to hospitals in the preparation of getting the hospital emergency room ready to receive them, typically have communications with the hospitals. Ambulettes, in that case, could be comme-ci, comme-ca.

Q Right. Let me just follow up for one -- excuse me. Okay. Would you let me direct your attention to EOC-16

on Mr. Daverio's draft where he says, "What is a traffic control unit?"

And then he says, "Traffic volume is not a relevant factor in the LERO traffic model."

Do you recall what prompted his question about what is a traffic control unit? Was that just a terminology problem he had or what?

A (Witness Kowieski) To be honest with you, that's one of the, I guess, points that I don't really recollect without going back to my files.

Q So, you don't recall. You don't recall either, Dr. Baldwin?

A (Witness Baldwin) I don't recall specifically. I could speculate, but I'm not --

Q Do you recall any discussion where FEMA was suggesting or assuming that traffic volume was something that traffic guides or trafffic control people would be taking into account?

A (Witness Kowieski) Again, I would suggest that if we -- unless we go again to points of review under EOC-16, then obviously we would be able to provide more intelligent answer. Otherwise, again -- right now, it has been a year

ago and --

(Witness Baldwin) You were right to point out, Ms. Letsche, that what we would really need is the detailed points of review that were sent to Mr. Daverio which would allow us then -- because in the process of adapting the modules, it's my suspicion that the terminology "traffic control unit" came off of the modules and was inserted into this particular --

(Witness Kowieski) In this particular exercise objective.

(Witness Baldwin) -- objective, and language needed to be modified.

Q Right. Okay. I was only inquiring as to whether you-all had any recollection separate from what might have been on the points of review of the discussion or consideration about involving traffic volume or consideration of that.

And, if you don't recall that's fine.

A (Witness Kowieski) I don't.

Q Okay. Let me direct your attention to EOC-17 which appears to refer to a response to impediment traffic, which I believe is EOC-16 on your draft, Dr. Baldwin, but

I don't know where the confusion is in the numbers. But, would you agree with me that on Mr. Daverio's letter he appears to be referring to the impediment objective?

A (Witness Kowieski) And I understand the issue.

(Witness Baldwin) I do, too.

Q I gather from Mr. Daverio's comment that under the LILCO plan, LILCO does not intend or include in the plan a provision for re-routing if there is an impediment; is that right?

A (Witness Kowieski) That's correct.

Q Okay. And that they also don't intend to issue EBS messages if there is an impediment?

A That's also correct.

Q Now, given the objective that you-all had drafted and the 0654 requirements relating to traffic impediments, I assume that it would be your position that a proposal not to re-route and not to issue EBS messages would not be acceptable?

A That's correct.

Q In EOC-19 on Mr. Daverio's letter he discusses the objective relating to access control points. Now, he says here that the plan does not provide for access control

points and that their traffic guides are not even necessarily located on the EPZ boundaries for that purpose.

I take it that in light of the objective and the requirement in 0654 that this provision of the LILCO plan, that it's failure to provide for access control points would be inadequate; is that right?

A (Witness Keller) Not true.

Q And, why is that not true, Mr. Keller?

A This is the discussion we had earlier today. And, I believe there is some confusion with the definition of access control.

My belief is that in the way you were forming your questions earlier, your definition of access control is more analogous to access prohibition.

My belief, and my recollection of the review of Revision 5 of the plan, the RAC review, our definition of access control was not access prohibition.

Q Okay. I understand the distinction you make. Now, let me just direct your attention -- I'm not sure if you have one in front of you -- to Mr. Daverio's letter which is Exhibit 22.

A Yes.

Q Under EOC-9, what he says --

A (Witness Baldwin) 9 or 19?

Q 19, I'm sorry. It's getting late in the day. But he says under -- or next to EOC-19, he says that the plan does not provide for access control points and that, in fact, the traffic guides that are in the plan are not necessarily located on the EPZ boundaries.

Now, setting aside for now his next comment which has to do with advising rather than prohibiting, setting that aside from a minute, he flat out says that the plan doesn't have access control points.

I don't understand, given that, why you would disagree with the conclusion that the plan does not meet the requirement that there be access control when the plan does not provide for access control points.

A (Witness Keller) The plan provides for the positioning of traffic guides at certain positions throughout and in the area of the 10-mile EPZ.

The RAC, in its review of Revision 5, evaluated that this was an acceptable method of meeting the requirements of the particular planning element in NUREG 0654.

The traffic guide concept is similar to what New

Jersey does, what New York does, what most other states do, with the exception that generally -- not always but generally -- in a state and local participation it is a police officer who is manning this position. Some places call them access control points; some call them traffic control points.

In the LILCO plan, they are called traffic guide locations, okay. And I believe that -- the discussion we had a minute ago about the definition of access control point is what determines. I'm not sure, because we don't have -- my suspicion is, my suspicion is that this statement is made having to do with dosimetry or something of that type in the points of review, because of his inclusion of the fact that some of these traffic guides are not even in the EPZ or on its boundary; therefore, a comment should be striken from the point of review.

I surmise from that that what was in the copy -- what we don't have -- was something to do with dosimetry which is not required for people outside the EPZ. That's a guess, pure speculation, because we don't have the copy of the points of review that were given out apparently at the meeting of the 16th. That's what we need.

Q Yeah. Well, I would just suggest that you might

not be right, because none of the EOC objectives refer to dosimetry type questions. Those are in the field objectives, I believe.

A (Witness Baldwin) I would have a different interpretation. And my interpretation would be that Mr. Daverio is taking issue with the use of the terminology "access control point" as opposed to "traffic guiding."

And we have had numerous discussions about that terminology in this form and also with LILCO in putting together this exercise. And I've had a lot of discussions with the Argonne people in putting together the points of review about it.

But, what we were getting at here is that the access control point issue is that they use the terminology in the plan "traffic guides" are used within the 10-mile EPZ to direct traffic. And when the evacuation is completed in a particular area, those guides are withdrawn from the 10-mile area and posted on the perimeter so that -- and people who want to enter the area are then advised at those locations, don't go in the area.

But the note was added on the draft that I had sent in there to my people that -- with a note, traffic

guides role in access control is to advise persons not to enter an evacuated area. So, I guess we are playing a bit of this -- again, this semantics back and forth as to what that really is.

But we understand it to be -- I understand it to be what I just described.

Q That the plan is that the traffic guides are at various and sundry places during the evacuation, but when the evacuation is over they get moved out to the edge of the EPZ; is that your understanding?

A That's true, that they withdraw them. Some are brought back to the Emergency Worker Decontamination Facility or back to a staging area and others are posted at the perimeter, because you need fewer.

Q Now, I gather that that particular aspect of the plan, as you understand it, was not demonstrated during the February 13 exercise; this redeployment of the traffic guides?

A That is correct.

Q Okay.

A (Witness Keller) Wait. A clarification. We are not sure whether it was demonstrated or not, because

there were some things that were demonstrated that FEMA did not evaluate.

Q But, FEMA did not evaluate that?

A We did not evaluate that portion.

Q Okay.

A I don't know about the other one.

(Witness Baldwin) In my mind, using the definition I just went through with traffic guiding and access control, it's the same function.

What they are doing is advising during a traffic control function or traffic guiding function is inside the 10-mile EPZ saying: Go this way or go that way.

And that when they are withdrawn onto the perimeter, they are saying: Please go that way or that way, but don't go in that way. So, they are advising people not to go in a particular direction which would lead them into an evacuated area.

But it's basically the same function.

MS. LETSCHE: Let me have marked as FEMA Panel Exhibit Number 23 a multi-page document from -- the first page of which is a letter from Mr. Kowieski to Mr. Daverio, to which are attached a copy of the final exercise objectives.

This is dated January the 28th, 1986.

indexxx (The document referred to is marked as FEMA Panel Exhibit Number 23 for identification.)

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, I assume you recognize this document?

A (Witness Kowieski) Yes, I do.

Q And, this is the letter that you referred to earlier that you sent to Mr. Daverio telling him that he could release the objectives to the exercise participants and other interested parties; is that right?

A That's correct.

Q Now, I notice on Page 2 of the objectives that are attached to your letter that the third objective down which is the 15-minute alert signal and informational message, that the reference to the water portion of the EPZ has been deleted.

A That's correct.

Q Is that because it was not clear at that point whether or not the Coast Guard was really going to participate?

A That's exactly correct.

MS. LETSCHE: I just have one more document that I would like to get identified, and then we can take a break.

Let me have marked as Panel Exhibit Number 24. It is a one-page memorandum from Chuck Daverio to Roger Kowieski, dated February 4, 1986.

indexxx

(The document referred to is marked as FEMA Panel Exhibit Number 24 for identification.)

BY MS. LETSCHE: (Continuing)

Q Mr. Kowieski, do you recognize the document that has been marked as FEMA Panel Exhibit 24?

A (Witness Kowieski) Yes, I do.

Q This is a memorandum which you received from Mr. Daverio?

A Yes.

Q Now, the memorandum says, "The following TCP have questionable parking." And then it has a number of numbers after it.

Can you tell me the significance of this information?

A Going back to Suffolk County law that stated that if anyone would dare to support LILCO's effort, exercise effort, will be subject to $1,000.00 fine and/or one year in prison. At that point, we ~~are~~ were not certain what actually ~~will~~ would happen, whether or not Suffolk County law ~~will~~ would be declared unconstitutional.

So, at that point in time, we ~~are~~ were still sort of planning not to park in areas that would be sort of obstruction to the traffic.

(Witness Keller) Questionable.

(Witness Kowieski) Questionable areas for cars.

Q Evaluator cars?

A That's right. And, we asked for assistance, all right, to tell us.

Q Okay.

A (Witness Keller) Also, the traffic guide cars. Remember, in the exercise we did not expect the traffic guide to actually set up the traffic cones on the roadway. The traffic guide, he or she, would have to park their vehicle and wait until our evaluator got there.

So, basically what we are saying is we don't want to break any laws. We don't want to pick places which nobody

can park at, which in a real emergency you really wouldn't worry about quite so much, right.

But, in terms of a drill or an exercise, we wanted to find places where people could park.

Q All right. So, you used this information in determining which traffic control points FEMA would actually go and evaluate?

A Only partly. In addition, Mr. Baldwin and I travelled around and observed and made our own judgments.

(Witness Baldwin) And there were other considerations, among them the safety of the evaluators being able to park their cars and not be affected by traffic. And another consideration as to being able to find this traffic guide set-up if it was going to be off the road. So, we needed visibility and safety and --

(Witness Kowieski) Legal.

(Witness Baldwin) Most importantly, the legal.

MS. LETSCHE: All right. Give me just one minute.

(Pause.)

BY MS. LETSCHE: (Continuing)

Q I just have one other question. I think it will

be just one. Mr. Kowieski, we talked a few minutes ago about LILCO or Mr. Daverio's statement to you that the LILCO plan doesn't provide for re-routing around impediments and EBS messages.

I gather that prior to -- or, is it true that prior to the exercise Mr. Daverio requested that LILCO be permitted to train, prior to the exercise, on that function?

A (Witness Kowieski) It is my recollection, that's correct.

Q And, you told them no; is that right?

A No, that's also correct.

Q Why did you tell them that?

A Because it would be prompting of the individuals that would be responsible for this particular function.

Q And that was something that you expected them to be able to do without the prompting?

A That's correct.

MS. LETSCHE: All right. I think this would be a real good time for us to break for the day.

(Whereupon, the taking of the deposition was adjourned at 5:55 p.m., this same date, to reconvene at 9 a.m., Thursday, January 29, 1987.)

ROGER B. KOWIESKI

JOSEPH H. KELLER

THOMAS BALDWIN

LIONEL G. BAILEY, JR.
Notary Public, State of New York
No. 30-5713255
Qualified in Nassau County
Commission Expires March 30, 19

ROBERT A. GRADY
NOTARY PUBLIC, State of New York
No. 30-5[illegible]
Qualified in Nassau County
Commission Expires August 31,

CERTIFICATE OF NOTARY PUBLIC AND COURT REPORTER

I, Garrett J. Walsh, Jr., the officer before whom the foregoing deposition was taken, pages 1 through 283, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me and thereafter reduced to typewriting by me or under my direction; that said deposition is a true record of the testimony given by the witness; that I am neither counsel for, related to nor employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of the action.

Garrett J. Walsh Jr.

GARRETT J. WALSH, JR.

Notary Public in and for the
Commonwealth of Virginia at Large

My Commission Expires: January 9, 1989

OL-3
Board

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Morton B. Margulies, Chairman
Dr. Jerry R. Kline
Mr. Frederick J. Shon

In the Matter of LONG ISLAND LIGHTING COMPANY (Shoreham Nuclear Power Station, Unit 1)	Docket No. 50-322-OL-3 (EP Exercise) (ASLBP No. 86-533-01-OL) January 14, 1987

ORDER
(Setting Discovery and Hearing Schedule)

By Memorandum and Order of December 19, 1987, the Board reopened the record on Contention 24.0; determined that the reopened proceeding constitutes the mechanism for hearing and deciding the remanded Coliseum matter in ALAB-832; defined the issues in the reopened proceeding; and requested the parties to file proposed discovery and hearing schedules. Timely responses were filed by LILCO, Suffolk County, New York State and NRC Staff.

The responses were carefully reviewed and due consideration has been given to the respective positions of the parties for the scheduling of discovery and hearing. Particular attention was paid to the matter of resources and the ongoing companion proceeding. The order requiring testimony to be prefiled was determined on the bases of the burden of

the parties in the proceeding and the information that should be available.

Based upon all of the foregoing, the Board hereby orders that:

1. The time for discovery will commence immediately and conclude on March 6, 1987.

2. LILCO's prefiled testimony is due on March 23, 1987; Intervenors' on April 6, 1987 and Staff's on April 13, 1987.

3. Motions to strike testimony are due April 20, 1987 and responses by April 27, 1987.

4. The due dates are the dates the documents are required to be in the hands of the Board and the parties.

5. The hearing will commence on May 4, 1987.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

Morton B. Margulies, Chairman
ADMINISTRATIVE LAW JUDGE

Jerry R. Kline
ADMINISTRATIVE JUDGE

Frederick J. Shon
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland
this 14th day of January, 1987

FEMA Panel Ex #1

MEETING

DATE: 10-24-85
PM

ATTENDERS: ROGER KOWINSKI – FEMA REGION II (PART. TIME
PHIL MCINTIRE – FEMA REGION II
BOB WILKARSON – FEMA WASHINGTON
W. STOKES – TBYA
S. GLASS – FEMA R II COUNCIL

SUBJECT: SHOREHAM EXERCISE

- PURPOSE WAS TO REVIEW PROJECT OPEN ITEMS AND CLARIFY STATUS
- FEMA STRATEGY IS TO WORK THROUGH ITS "NORMAL" PROCESS AND PROVIDE FACTUAL RESULTS TO NRC. FEMA IS REQUESTING OTHER INVOLVED AGENCIES TO PROVIDE RESOURCES. H/RC WILL PROVI EXERCISE CONTROLLERS, TBYA WILL FUNCTION AS SENIOR CONTRO
- THE EXERCISE CONDUCT WILL BE MANAGED BY AN INDEPENDE GROUP. ROLE PLAY OF GOVERNOR AND COUNTY EXEC ARE SEEN AS ESSENTIAL PARTS OF THE EXERCISE.
- REGION II WILL DEVELOP THE PROPOSED OBJECTIVES. A SERIE OF SECONDARY EVENTS OR SITUATIONS WILL BE CREATED THROUG INJECT MESSAGES. THESE SECONDARY EVENTS WILL BE CREATE BY R II AS TESTS FOR THE LERO PLAN. LILCO SCENARI DEVELOPERS WILL NOT BE PROVIDED ACCESS TO THESE SECOND EVENTS/SITUATIONS MESSAGES.
- PRESENTLY FEMA HAS INDICATED THAT UP TO 55 OBSERVE AND 55 CONTROLLERS MAY BE REQUIRED. WJS TO DEVE THE OFFSITE CONTROL PLAN AND DISCUSS W/ RAC CHAIR
- FEMA IS REQUESTING THE OTHER AGENCIES TO EXPAND AVAILABLE RESOURCES TO PROVIDE ADDITIONAL EVALUA PLANNING ON 70-80% OF EVALUATORS TO COME THRU NORMAL CHANNELS.

7-10365

- RAC CHAIRMAN & SENIOR CONTROLLER WILL HAVE VETO OVER ANY EVALUATOR OR CONTROLLER SELECTION

- FEMA HAS PRESENTLY COMMITTED 15 TOTAL DAYS OF WORK EFFORT FOR EACH EVALUATOR, PLUS TWO TRIPS. RAC CHAIR CAN USE UP TO 15 DAYS & TWO TRIPS FOR TRAINING AND THE EXERCISE.

- REGION II NEEDS MECHANISM TO OBTAIN DIRECT INTERFACE W/ LILCO, HAVE EXPERIENCED LONG DELAYS IN ROUTING DOCUMENTS THROUGH NRC

- CURRENT WINDOW FOR CONDUCT OF AN EXERCISE IS THE FIRST HALF OF JAN '86. IF EXERCISE IS NOT CONDUCTED PRIOR TO JANUARY 15TH, OTHER WORKLOAD COMMITMENTS MAY DELAY A SHOREHAM EXERCISE BY AN ADDITIONAL 3 MO.

- REGION II QUESTIONS THE USE OF TERM "EXERCISE" VS "DR

- CLARIFICATION OF TDA REPORTING RELATIONSHIP. TDA REPORTS TO THE FEMA PROJECT OFFICER IN WASHINGTON ROLE AND RESPONSIBILITIES WILL REQUIRE CLOSE COORDINATION W/ REGION II RAC CHAIR.

- RSW WILL PROVIDE DRAFT OF LETTER TO NRC FOR REGION II REVIEW RESPONSE MUST BE BACK BY CLOSE OF BUSINESS 10-25-85.

- REGION II TO PROVIDE INPUT TO HTGRS AS TO TIMEFRAME REQUIRED FOR DEVELOPMENT OF EXERCISE OBJECTIVES

7403C

FEMA Panel Ex #2

Federal Emergency Management Agency

Washington, D.C. 20472

OCT 25 1985

Bob - Region II's recommendations for changes in the draft are contained below

Phil 10/25

MEMORANDUM FOR: Edward L. Jordan
Director, Division of Emergency Preparedness and Engineering Response
Office of Inspection and Enforcement
U.S. Nuclear Regulatory Commission

FROM: Richard W. Krimm
Assistant Associate Director
State and Local Programs and Support

SUBJECT: Scheduling of Emergency Plan Exercise For Shoreham

This is in response to your memorandum dated June 20, 1985, in which you requested that we proceed with the conduct of "as full an exercise.....as is feasible to test offsite preparedness capabilities at the Shoreham Nuclear Power Plant." FEMA indicated in its October 8, 1985 transmittal, of the review of revision 5 of the LILCO Local Emergency Response Organization (LERO) plan, that we were analyzing the results of the plan review in the context of the various related actions and correspondence. These included the June 20, 1985 memorandum, the September 17, 1985 letter from Chairman Palladino to Congressman Markey, and the various legal proceedings related to Shoreham which now include the appeals board's decision released on October 18.

The deficiencies identified to you in our letter of October 8 do not preclude the conduct of an exercise of the LERO plan. However, the reluctance of county and State officials to participate in such an exercise and the related legal authority issues ~~will~~ would place special parameters on the conduct of a LERO exercise. FEMA would only be able to evaluate those portions of the Shoreham plan where LILCO response functions are not affected by the legal authority issue.

We are not convinced that any meaningful participation by offsite jurisdictions can be expected in short term. Thus, any exercise will be dramaticaly different than is typical at other sites in the State of New York. Any exercise without participation by State and local governments would not allow us sufficient demonstration to reach a finding of reasonable assurance. This conclusion is based on the current legal decision with respect to the utility's authority to perform civil emergency functions. ~~However, that does not preclude the conduct of an exercise that would provide an indication to the Nuclear Regulatory Commission [illegible] capabilities. [illegible] findings.~~ Obviously, the value of such an exercise in the licensing process is a determination which can only be made by the NRC.

790382

FEMA PANEL EX #3

Federal Emergency Management Agency

Washington, D.C. 20472

October 29, 1985

Mr. William J. Dircks
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Dircks:

This is in response to a memorandum dated June 20, 1985, from Edward L. Jordan to Richard W. Krimm in which FEMA was requested to proceed with the conduct of "as full an exercise.....as is feasible to test offsite preparedness capabilities at the Shoreham Nuclear Power Plant." In my October 8, 1985 letter, which transmitted the review of revision 5 of the LILCO Local Emergency Response Organization (LERO) plan, I indicated we were analyzing the results of the plan review in the context of the September 17, 1985 letter from Chairman Palladino to Congressman Markey, and the various legal proceedings related to Shoreham in order to respond to the June 20 memorandum within several weeks. Our analysis includes consideration of the Atomic Safety and Licensing Appeal Board decision of October 18, 1985.

The deficiencies identified in my letter of October 8 do not preclude the conduct of an exercise of the LERO plan. However, the reluctance of county and State officials to participate in such an exercise and the related legal authority issues would place special parameters on the conduct of a LERO exercise.

We have no indication at this time that offsite jurisdictions are willing to directly participate in an exercise in the short term. Thus, any exercise will be dramatically different than is typical at other sites in the State of New York. Any exercise without participation by State and local governments would not allow us sufficient demonstration to reach a finding of reasonable assurance. This conclusion is based on the current legal decision with respect to utility authority to perform civil emergency functions. However, that does not preclude the conduct of an exercise that would provide an indication to the Nuclear Regulatory Commission (NRC) as to utility onsite and offsite emergency capabilities. We believe such a report would have value in decisions to continue the licensing process or possibly provide a basis on which the NRC could make predictive findings. Obviously, the value of such an exercise in the licensing process is a determination which can only be made by the NRC.

Given the nature of your June 20 request and consideration of a practical structure for an exercise, we feel that, while there are a number of variations possible, the basic options for exercising in the near term are limited to two:

Option 1 - This option would require that we set aside all functions and exercise objectives related to issues of authority and State and local participation. Thus, only the functions outlined for LILCO would be exercised. Such

790596

an exercise is possible but its usefulness would seem very limited. An exercise of this type would not address questions such as those raised on pages 35 through 39 of the October 18 decision of the Atomic Safety and Licensing Appeal Board and would be redundant to actions already taken by NRC.

Option 2 - This option would include all functions and normal exercise objectives. This option would exercise Revision 5 of the LERO Plan. Exercise controllers would simulate the roles of key State or local officials unable or unwilling to participate. It would be desirable that State and local government personnel actually play. However, such a simulation mechanism would at least test the utility's ability to respond to ad hoc participation on the part of State and local governments.

The ultimate purpose of an exercise is to support a finding by FEMA for use by the NRC in their licensing process. As we mentioned above, neither of these options would allow a finding by FEMA on offsite preparedness. However, we recognize that Shoreham is in no way typical and that in the past in exercising its adjudicatory powers the Commission and the various Atomic Safety and Licensing Boards have reached predictive findings.

Pursuant to your June 20 request, we are initiating the process necessary to conduct an exercise of either option. We are prepared to conduct such an exercise in approximately 75 days. However, FEMA requires further clarification from NRC as to the scope of the exercise to be conducted. FEMA will proceed with the initiating steps until November 15, at which time we will need a definitive exercise scope from NRC in order to avoid prohibitive costs. If at that time we have received no direction from the Nuclear Regulatory Commission we will suspend activities until a decision is made. Given other demands, we do feel that any delay beyond the current window would require an exercise postponement of at least 90 days beyond the mid-January time frame.

Sincerely,

Samuel W. Speck

Samuel W. Speck
Associate Director
State and Local Programs and Support

790597

FEMA Panel Ex #4

Shoreham

Federal Emergency Management Agency

Washington, D.C. 20472

NOV 1 1985

MEMORANDUM FOR: Frank Petrone
Regional Director
FEMA Region II

FROM: Samuel W. Speck
Associate Director
State and Local Programs
and Support

SUBJECT: Scheduling of Emergency Plan Exercise
For Shoreham

You have, of course, received a copy of my October 29, 1985, letter to Mr. William Dircks of the NRC. NRC's decision on the Shoreham exercise options is still uncertain. In addition to the two options stated in the letter, NRC could choose to have no exercise at all. As you can also see, we are committed to continuing our administrative process until November 15, 1985. These actions would reasonably include the development of exercise objectives for both of the options in the October 29, 1985 letter to Mr. Dircks, and the normal steps in Region 2 for receipt and review of the exercise scenario.

During the staff discussions on October 24 in your office, the resource implications of the preliminary work were outlined at length. The immediate needs identified were: 1) extra support from Argonne in the form of an assistant to the Regional Assistance Committee (RAC) Chairman to deal exclusively with Shoreham requirements; and 2) continued clerical support. Headquarters staff have already discussed the assistant for the RAC Chairman with Argonne; that resource is available on request from the Argonne Field Office in Garden City. Argonne is already providing additional support to the RAC review process. The State and Local Programs Support (SLPS) Directorate is also aggressively pursuing the exemption to allow you to fill the existing clerical vacancy in REP. If you find it impossible to meet the clerical requirement for this exercise, Argonne has been alerted to provide the necessary support.

I would hope that every effort would be made to supply LILCO and the exercise control contractor with the objectives for both options before November 9, 1985 and have on hand the proposed scenario and support materials for both options on November 15.

As a final note, the Office of the Acting Director has waived the requirement to give 10 days notice before asking the Regional offices to initiate work. This was done to facilitate the process of working on this important site.

FEMA Panel Ex. #5 Roger K Shoreham

Federal Emergency Management Agency

Region II 26 Federal Plaza New York, New York 10278

Memorandum For: Richard W. Krimm
Assistant Associate Director
State & Local Programs & Support

From: Roger B. Kowieski
Roger B. Kowieski, Chairman
Regional Assistance Committee

Subject: Scheduling of REP Exercise for Shoreham

This is in response to a memorandum dated November 1, 1985, from Samuel W. Speck to Frank P. Petrone in which FEMA, Region II was requested to develop the exercise objectives for the following two (2) options:

Option 1 - This option would require that we set aside all functions and exercise objectives related to issues of authority and State and local participation. Thus, only the functions outlined for LILCO would be exercised.

Option 2 - This option would include all functions and normal exercise objectives. This option would exercise Revision 5 of the LERO Plan. Exercise controllers would simulate the roles of key State or local officials unable or unwilling to participate.

These two (2) options were presented to NRC on October 29, 1985.

In response to Mr. Speck's request, we have developed the exercise objectives for both options. Exercise objectives related to issues of authority and State and local participation are marked with an asterisk and must be deleted when Option 1 is chosen (copy attached).

The proposed objectives have been developed to generally correspond to the observable elements of NUREG-0654, FEMA-REP-1, Rev. 1.

In order to add more realism to the Shoreham exercise, we would like to see considerable free play of activities including (provided Option 2 is selected):

° Traffic Control Points (TCPs)

Federal evaluators will provide the Exercise Controller information on the location of traffic control points to be demonstrated during the course of the exercise. The Exercise Controller will then request the demonstration of the TCP activation.

731982

° Impediments to Evacuation

Federal evaluators will introduce free play events to test procedures for removal of impediments from evacuation routes. The demonstration will include the actual dispatch of an emergency vehicle to the scene, report from the scene to the EOC requesting appropriate resources, EOC requesting appropriate resources, (e.g. tow truck, gasoline trucks, etc.) estimating the time of arrival at the scene and for clearing the impediment. EOC staff will be expected to quickly analyze the situation and select an alternate evacuation route, if required. In addition, an appropriate EBS message should be issued to inform the population about the impediment(s).

° Bus Evacuation Routes

Federal evaluators will indicate which bus routes are to be demonstrated during the exercise. Upon notification by LERO, the bus drivers will assemble at their dispatch location, be assigned appropriate routes, briefed and deployed in accordance with the appropriate procedures. Upon completion of the routes at the transfer points, the buses and drivers will then proceed to reception centers. The bus routes selected for demonstration on the day of the exercise will include school evacuation routes. Students will not be moved for purposes of this demonstration.

° Evacuation of Non-Institutionalized Mobility-Impaired

Federal evaluators will select several addresses of mobility-impaired persons within 10-mile EPZ. A vehicle for the transportation of the handicapped will be dispatched to these addresses for simulated evacuation. No handicapped evacuees will be picked up for purposes of this demonstration.

° Evacuation of Institutionalized Mobility-Impaired

Federal evaluators will select at least one special facility with mobility-impaired persons within 10-mile EPZ. A vehicle for the transportation of the handicapped will be dispatched to this special facility. No handicapped evacuees will be picked up for purposes of this demonstration.

731983

° Back-up Notification System

Federal evaluators will introduce free play, simulating a limited failure of the siren system. It is expected that LERO will demonstrate an effective use of the back-up notification system (e.g., route alerting).

Proposed Milestone Dates for the Completion of the Exercise Objectives and Scenario

DAYS PRIOR TO EXERCISE	PROPOSED DATE	ACTIVITY
70	11/6/85	FEMA provides the utility with the proposed exercise objectives.
68	11/8/85	Meeting with the utility to establish the exercise scenario requirements.
61	11/15/85	Utility will advise FEMA in writing about suggested modification to the exercise objectives, if any.
58	11/18/85	Utility submits the draft exercise scenario to FEMA and NRC Region for review. This submission will include the on-site (radiological data) and offsite portions of the exercise scenario.
58	11/18/85	Proposed exercise objectives and utility comments/modifications are submitted to the Regional Assistance Committee for review and comments.
55	11/21/85	Taking into account the utility input and RAC comments, FEMA will provide the utility with the revised exercise objectives. In addition, FEMA provides LERO with a list of items to be demonstrated (e.g., number of TCPs, evacuation routes, etc.).

47	11/29/85	Utility submits the final exercise objectives to FEMA and NRC Regional Office.
43	12/3/85	RAC comments on the exercise scenario are provided to the utility. If necessary, FEMA and NRC Region will meet with the utility representatives to discuss modifications necessary to complete the scenario.
40	12/6/85	Utility submits the final exercise scenario which will include, at minimum: ° a comprehensive description of all activities to be demonstrated, consistent with exercise objectives; ° a full schedule of all events at each classification level (matrix); ° dosimetry values to be supplied to the field monitoring and sampling teams by exercise controllers; ° calculation of all offsite doses, including those that trigger protective responses, and applicable meteorological data.
37	12/9/85	Utility submits the starting locations and times of field activities to be demonstrated in chronological order. The locations of all facilities and field activities will be also indicated on the county maps.
35	12/11/85	Final date for the approval of the exercise scenario and field activities.
	(projected) 1/15/86	EXERCISE DAY

731985

It is imperative that the proposed milestone dates are met. In the event the final exercise objectives and scenario are not acceptable to FEMA and NRC at least 35 days prior to the exercise, the FEMA Regional Office will notify the utility, the NRC Region, and FEMA Headquarters.

Although the FEMA Regional Office will make every effort to rectify slips in the timetable, late submission of the acceptable exercise objectives and scenario may lead to postponement of the exercise or FEMA's non-participation.

Another point that I would like to emphasize, is the issue of providing us with the starting locations and times of all field activities to be demonstrated, in chronological order (sample of the form will be furnished to you). This is important since FEMA will be evaluating the exercise against the timetable. The locations of all field activities including address directory (except free play) should also be indicated on the county maps with an appropriate legend.

I hope the enclosed objectives will expedite LILCO's planning efforts for the anticipated exercise.

It should be stressed to the utility that all exercise scenario material must be kept confidential.

If there are any questions concerning the proposed milestone dates, or exercise objectives, please do not hesitate to call me at (212) 264-8395.

Encl.

731988

FEMA Panel Ex No. #6

Federal Emergency Management Agency

Washington, D.C. 20472

NOV 21 1985 NOV 2

MEMORANDUM FOR: Edward L. Jordan
Director, Division of Emergency Preparedness and
Engineering Response
Office of Inspection and Enforcement
Nuclear Regulatory Commission

FROM: Richard W. Krimm
Assistant Associate Director
Office Natural and Technological Hazards Programs

SUBJECT: Transmittal of Objectives For Shoreham Exercise

This is to transmit proposed objectives for an exercise of the Long Island Lighting Company (LILCO) Transition Plan for offsite preparedness at the Shoreham Nuclear Power Station in Suffolk County, New York. The objectives were generated by the Regional Assistance Committee Chairman in Federal Emergency Management Agency (FEMA) Region II.

Marked by an asterisk, for your information, are the objectives which are related, in our view, to the legal authority issue and State and local participation. Please transmit this information to the appropriate LILCO representatives, in preparation for the first meeting with the utility on the exercise process. This is now scheduled to take place on Monday, November 25, 1985. At the meeting, we plan to discuss the proposed objectives, as a basis for the requirements for the exercise scenario.

In order to provide more realism to the Shoreham exercise, we would like to see a considerable amount of free play activities including the following:

*Activation of traffic control points (TCP). Federal evaluators will provide the Exercise Controller information on the location of traffic control points to be demonstrated during the exercise. The Exercise Controller will then request the demonstration of the TCP activation.

*Impediments to Evacuation. Federal evaluators will introduce free play events to test procedures for the removal of impediments from evacuation routes. The demonstration will include the actual dispatch of an emergency vehicle to the scene, report from the scene to the EOC requesting appropriate resources, EOC requesting apporpriate resources (e.g., tow trucks, gasoline trucks, etc.), estimating the time of arrival at the scene and for clearing the impediment. EOC staff will be expected to quickly analyse the situation and select an alternate evacuation route, if required. In addition, an appropriate EBS message should be issued to inform the public about the impedient(s).

790590

•Bus Evacuation Routes. Federal evaluators will indicate which bus routes are to be demonstrated during the exercise. Upon notification by LILCO's Local Emergency Response Organization (LERO), bus drivers will assemble at their dispatch location, be assigned appropriate routes, be briefed and deployed in accordance with the appropriate procedures. Upon completion of the routes at the transfer points, the buses and drivers will then proceed to reception centers. The bus routes selected for demonstration on the day of the exercise will include school evacuation routes. Students will not be moved for purposes of this demonstration.

•Evacuation of Non-Institutionalized Mobility-Impaired People. Federal evaluators will select several addresses of mobility-impaired persons within the 10-mile EPZ. A vehicle for the transportation of the handicapped will be dispatched to these addresses for simulated evacuation. No handicapped evacuees will be picked up for purposes of this demonstration.

•Evacuation of Institutionalized Mobility-Impaired People. Federal evaluators will select at least one special facility with mobility-impaired persons within the 10-mile EPZ. A vehicle for the transportation of handicapped will be dispatched to this special facility. No handicapped evacuees will be moved for purposes of this demonstration.

•Back-up Notification System. Federal evaluators will introduce free play, simulating a limited failure of the siren system. It is expected that LERO will demonstrate an effective use of the back-up notification system (e.g., route alerting).

We would like to emphasize the need to provide us with starting locations and times of all field activities to be demonstrated, in chronological order. A sample form to record this information will be provided. This is important since FEMA will be evaluating the exercise against this timetable. The locations of all field activities including an address directory (except free play) should also be indicated on county maps, with an appropriate legend.

I hope that the enclosed objectives will expedite LILCO's planning efforts for the anticipated exercise.

It should be stressed to the utility that all exercise scenario material must be kept confidential.

If you have any questions concerning this material, please do not hesitate to contact me at 646-2872 or Robert S. Wilkerson at 646-2859.

Attachment
As Stated

FEMA Panel Ex. #7

PROPOSED EXERCISE OBJECTIVES

for the

1986 SHOREHAM EXERCISE

November 6, 1985

790593

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Center (EOC)

Demonstrate the ability to receive initial and follow-up emergency notifications.

Demonstrate the ability to mobilize staff and activate the Local Emergency Response Organization (LERO) EOC in a timely manner.

Demonstrate through rosters, the ability to maintain staffing in the LERO EOC on a 24-hour basis.

Demonstrate that the LERO EOC has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the LERO can establish appropriate communication links, both primary and backup systems (communication with the State and county via RECS to be simulated).

* Demonstrate that the LERO EOC has adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

* Demonstrate that the appropriate official is in charge and in control of an overall coordinated response including decisions on protective action recommendations.

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*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

790593

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Emergency Operations Center - Continued

* Demonstrate the ability of the designated official to determine the need for and ability to obtain State assistance.

* Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

Demonstrate the ability to receive and interpret radiation dosage projection information, and to determine appropriate protective measures, based on PAGs and information received from the Brookhaven Area Office (BAO).

* Demonstrate the ability to provide advance coordination of public alerting and instructional messages with the State and county (State and county participation simulated).

* Demonstrate the ability to activate the prompt notification siren system in coordination with State and county (State and county participation simulated).

* Demonstrate the capability for providing both an alert signal and an informational or instructional message to the population on an area wide basis throughout the 10 mile EPZ, within 15 minutes.

* Demonstrate the organizational ability to manage an orderly evacuation of all or part of the 10-mile EPZ.

*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

790600

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Emergency Operations Center - Continued

* Demonstrate the organizational ability to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

* Demonstrate the organizational ability necessary to effect an early dismissal of schools within the 10-mile EPZ.

* Demonstrate the organizational ability necessary to control access to an evacuated area.

* Demonstrate the organizational ability necessary to effect an orderly evacuation of schools within the 10-mile EPZ. If this protective action is not recommended by the decision-makers, e.g. schools were dismissed early, a free play controllers message may be inserted to demonstrate this activity.

*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

790601

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Field Activities

Demonstrate the ability to continuously monitor and control emergency worker exposure including proper use of personnel dosimetry.

Demonstrate the ability to mobilize and deploy field monitoring teams in a timely manner.

Demonstrate appropriate equipment and procedures for determining ambient radiation levels.

Demonstrate appropriate equipment and procedures for measurement of airborne radioiodine concentrations as low as 0.1 picocurries/cc in the presence of noble gases.

* Demonstrate the ability to provide backup public alerting, if necessary, in the event of partial siren system failure.

Demonstrate that the permanent population has received information on how they will be notified and what their actions should be in the event of a radiological emergency and that this information is updated on an annual basis.

Demonstrate that information on emergency actions has been provided to transient populations.

* Demonstrate that access control points can be established in a timely manner.

Demonstrate the ability to supply and administer KI, once the decision has been made to do so.

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*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

790602

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Field Activities - Continued

Demonstrate that emergency workers understand who can authorize excess exposure under the Protective Action Guidelines.

Demonstrate a sample of resources necessary to implement an orderly evacuation of all or part of the 10-mile EPZ.

* Demonstrate a sample of resources necessary to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

* Demonstrate a sample of resources necessary to control access to an evacuated area.

* Demonstrate the adequacy of evacuation bus transfer points including access and parking/transfer areas.

Demonstrate a sample of resources necessary to effect an orderly evacuation of the institutionalized mobility-impaired individuals within the 10-mile EPZ.

Demonstrate a sample of resources necessary to effect an orderly evacuation of the non-institutionalized mobility-impaired individuals within the 10-mile EPZ.

*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

790603

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Field Activities - Continued

Demonstrate a sample of resources necessary to effect an early dismissal of schools within the 10-mile EPZ.

Demonstrate a sample of resources necessary to effect an orderly evacuation of schools within the 10-mile EPZ.

Demonstrate the ability to mobilize staff and activate Reception Center in a timely manner.

Demonstrate the ability to mobilize staff and activate Congregate Care Center in a timely manner.

Demonstrate by shift change or through rosters, the ability to maintain staffing at the Reception Center on a 24-hour basis.

Demonstrate by shift change or through roster, the ability to maintain staffing at the Congregate Care Center on a 24-hour basis.

* Demonstrate the adequacy of procedures for registration, radiological monitoring, and decontamination of evacuees and vehicles including adequate provisions for handling contaminated waste.

Demonstrate the adequacy of facilities for mass care of evacuees.

Demonstrate adequacy for ambulance facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/off-site injury).

Demonstrate adequacy of hospital facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/off-site injury).

790604

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Brookhaven Area Office (BAO)

Demonstrate the ability to receive initial and follow up emergency notifications.

Demonstrate the ability to mobilize staff and activate the BAO in a timely manner.

Demonstrate through rosters, the ability to maintain staffing in the BAO on a 24-hour basis.

Demonstrate that the BAO has adequate space, equipment, and supplies to support emergency operations.

Demonstrate that the BAO can establish appropriate communication links, using both primary and backup systems.

Demonstrate that the BAO has adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

Demonstrate that the appropriate official is in charge and in control of an overall accident assessment function.

Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

Demonstrate the ability to project radiation dosage to the public via plume exposure, based on plant data and field measurements, and to determine appropriate protective measures, based on PAGs and effectively communicate them to the LERO EOC.

790605

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Staging Areas

Demonstrate the ability to receive emergency notifications.

Demonstrate the ability to mobilize staff and activate the staging areas in a timely manner.

Demonstrate through rosters, the ability to maintain staffing at the staging areas on a 24-hour basis.

Demonstrate that the staging areas have adequate space, parking area, equipment, and supplies to support emergency operations.

Demonstrate that the staging areas can establish appropriate communication links with the LERO EOC and field personnel using both primary and backup systems.

* Demonstrate that the staging areas have adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

Demonstrate that the appropriate official is in charge and in control of an overall response assigned to the staging area.

* Demonstrate the ability to dispatch to and direct emergency workers in the field.

*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Staging Areas - Continued

Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

790607

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Workers Decontamination Facility

Demonstrate the ability to mobilize staff and activate Emergency Worker Decontamination Facility.

Demonstrate by shift change or through rosters, the ability to maintain staffing of Emergency Worker Decontamination Facility on a 24-hour basis.

Demonstrate adequate equipment and procedures for decontamination of emergency workers, equipment and vehicles including adequate provisions for handling contaminated waste.

790608

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency News Center (ENC)

Demonstrate the ability to mobilize staff and activate LERO functions at the ENC in a timely manner.

Demonstrate through shift change or through rosters, the ability to maintain staffing of LERO functions at the ENC on a 24-hour basis.

Demonstrate the ability to brief the media in a clear accurate, and timely manner.

* Demonstrate the ability to share information with other agencies at the ENC prior to its release.

Demonstrate the ability to establish and operate rumor control in a coordinated manner.

* Demonstrate the ability to prepare and implement EBS in a timely manner (i.e., within 15 minutes after command and control decision for implementation of protective action recommendations).

Demonstrate that the ENC has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the ENC has adequate access control and that security can be maintained.

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*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

790603

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Facility (EOF)

Demonstrate the ability to mobilize staff and activate ~~State~~ LERO functions at the EOF in a timely manner.

Demonstrate by shift change or through rosters, the ability to maintain staffing of LERO functions in the EOF on a 24-hour basis.

Demonstrate that the Emergency Operations Facility has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the Emergency Operations Facilities have adequate access control and that security can be maintained.

*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

790610

FEMA Panel Ex #8 501-2

ARGONNE
NATIONAL
LABORATORY

INTRA-LABORATORY MEMO

November 26, 1985

TO: R. Kowieski, FEMA Region II

FROM: E. Tanzman, ANL

SUBJECT: Agreements Reached at November 25, 1985 Meeting with LILCO Concerning Shoreham Exercise

Per your request yesterday afternoon, this memorandum collects and summarizes my understanding of the commitments made by Charles Daverio on behalf of Long Island Lighting Company (LILCO), and by yourself on behalf of FEMA, at the meeting held yesterday at FEMA Region II to plan for the proposed exercise at the Shoreham Nuclear Power Station. Insofar as I was unfamiliar with the plan, the proposed objectives, and the proposed scenario at the time of this meeting, I suggest that you review this carefully to assure that I did not misunderstand the context in which various statements were made (and, hence, the substance of the commitments).

I. COMMITMENTS BY LILCO

A. The scenario is to be kept strictly confidential as it evolves so that no exercise participants have access to it. The letter from John A. Weismantle, LILCO, to you dated November 25, 1985 on this subject (distributed at the meeting) is to be followed by another reflecting additional requirements suggested by Stuart Glass, Esq.

B. The exercise is to be no earlier than February 13, 1985. LILCO is to try to arrange for that date; the only problem is that the Nassau Colosseum may not be available because setup for the upcoming boat show might interfere with the exercise. LILCO will get back to you about this.

C. The exercise will be of Revision 5 of the LILCO Transition Plan; further revisions to reflect the RAC review of Revision 5 will not be made.

D. The exercise will take no more than one day, with the starting time no earlier than 6:00 A.M. and the termination no later than 5:00 P.M.

E. Exercise participants will be told no more than the date of the exercise.

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F. The "Proposed Wind Directions for Periods of Radioactive Material Release" which you submitted to LILCO is acceptable and will be used as the basis for a scenario. As much of this as possible (perhaps the entire scenario) will be submitted by December 6, 1985. Stokes, Weiss, Amato, Keller, and you each are to receive a copy of that submission; those sent to NRC are to comply with legal requirements enabling them to be exempt from filing in the Public Document Room (probably including mailing in a double envelope with "PROPRIETARY" stamped on the outside).

G. No shift change will be demonstrated at the exercise.

H. No actual traffic direction will take place at the exercise; traffic guides will be questioned by evaluators at their locations to determine the level of performance.

I. LILCO will provide assistance based on its knowledge and experience concerning how to assure that the exercise and its observation are in complete compliance with all applicable laws. In particular, this is to include a list of traffic control points at which it could be illegal for an observer to park, exit his or her vehicle, and question a traffic guide positioned there.

J. LILCO will respond to your suggestion that it write each school district and request that it participate in the exercise.

K. LILCO will permit Stokes and Weiss to attend the drill scheduled for December 3-4, 1985, and will permit you to attend future drills (e.g., the "dress rehearsal" in January 1986).

II. COMMITMENTS BY FEMA

A. You will send LILCO a letter with a revised "time line," i.e., milestone schedule leading up to the exercise.

B. You will send a formal letter with the proposed scenario parameters (i.e., wind and radiation) as presented informally at the meeting.

C. It is acceptable to FEMA for the relocation center at the Nassau Colosseum to be activated somewhat out of sync with the exercise scenario, provided that it is activated on the same day as the exercise and in such a way that communications with the Colosseum can be demonstrated realistically.

D. It is acceptable to FEMA for the medical drill to be performed out of sync with the exercise scenario, provided that it takes place on the same day as the exercise. FEMA will accept a demonstration of either an onsite or an offsite injury.

E. It is acceptable to FEMA that the Red Cross actually demonstrate its capability at no more than one or two locations.

F. It is acceptable to FEMA that the EBS station(s) not air exercise messages, provided that the exercise messages all are drafted as planned and a test message is aired. The objective on p. 11 of the "Proposed Exercise Objectives for the 1986 Shoreham Exercise" (dated November 6, 1985), which states that the Emergency News Center must demonstrate its ability to draft EBS messages, will be rewritten to reflect the fact that EBS messages are drafted in the EOC, provided that LILCO explains this in a letter to FEMA. At least one EBS message will be aired after the sirens are sounded (by FEMA).

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501-4

G. The objective on p. 4 of the "Proposed Exercise Objectives for the 1986 Shoreham Exercise (dated November 6, 1985), which states that access control points must be demonstrated, will be rewritten to reflect the fact that only traffic guidance is planned (as distinguished from control), provided that LILCO explains this in a letter to FEMA.

H. The objective on p. 4 of the "Proposed Exercise Objectives for the 1986 Shoreham Exercise (dated November 6, 1985), which states that a demonstration must be made that the permanent population has received information about the plan, will not be demonstrated, provided that LILCO gives a good reason why in a letter to FEMA, and provided that the remainder of the public alerting system (sirens, EBS, and route alerting) is demonstrated as planned.

I. Although the exercise will demonstrate revision 5 of the plan, it is acceptable to FEMA for LILCO to clarify it at the observer training session which will precede the exercise.

ET/srs

AFTER REVIEWING ED TANZMAN'S MEMO, WE WOULD LIKE TO ADD THIS PARAGRAPH.

DISCUSSED THE PROPOSED EXERCISE OBJECTIVE MODIFIED FOR SHOREHAM, SINCE THERE WILL NOT BE STATE OR LOCAL PARTICIPATION. ALL ASPECTS OF THE LERO PLAN (REV. 5) WILL BE TESTED, WITH THE EXCEPTION OF INGESTION PATHWAY AND RECOVERY AND RE-ENTRY. PACKAGE FROM UTILITY MUST BE IN REGIONAL OFFICE BY 6 DEC. LILCO SAID THEY MAY HAVE TROUBLE IMPLEMENTING SOME OBJECTIVES (IE: PAGE 3 OF 12 - OBJECTIVE 3 OF PROPOSED OBJECTIVES, SCHOOL DISMISSAL, ETC.).

731789

FEDERAL EMERGENCY MANAGEMENT AGENCY

MEETING ATTENDANCE RECORD

LOCATION: New York, N.Y. / 26 Federal Plaza

DATE: 11/25/85

NATURE OF MEETING: Exercise Planning Meeting for Shoreham

NAME (Please print)	ORGANIZATION (Please print)	PHONE
Roger B. Kowieski	FEMA, R2	(212) 264-8395
Edward Tanzman	Argonne National Laboratory	312/972-3265
[illegible] Stokes	TBA / FEMA-NATL	213-413-6686
Bernard Weiss	NRC / HQs	301/492-7053
Spence W. Perry	FEMA / OGC	202 646 4097
Stewart M. Glass	FEMA / OGC	212/264-8980
[illegible]	LILCO / [illegible]	516 420-6204
	[illegible]	516 420-[illegible]
Raymond Seiter	Impell for LILCO	516 420 3317
[illegible]	USNRC R I / EPS	215-337-5[illegible]
[illegible]	FEMA II	212-264 3395

731790

FEMA Form 90-9 DEC 84

FEMA Panel Ex #9

Federal Emergency Management Agency

Region II 26 Federal Plaza New York, New York 10278

2 DEC 1985

Mr. Charles A. Daverio
Long Island Lighting Company
175 East Old Country Road
Hicksville, New York 11801

Subject: Status and Milestones Relating to the Proposed Radiological Plan Exercise for Shoreham

Dear Mr. Daverio:

The purpose of this letter is to summarize our discussions and confirm the agreements reached at the November 25, 1985 meeting in New York City attended by:

Charles Daverio	-	LILCO
Brant Aidikoff	-	LILCO/Aidikoff Assoc.
Raymond Seiter	-	LILCO/Impell
Charles Amato	-	NRC, Region I
William Stokes	-	TBA/FEMA
Edward Tanzman	-	Argonne National Laboratory
Bernard Weiss	-	NRC, National Office
Robert L. Acerno	-	FEMA, Region II
Stewart M. Glass	-	FEMA, Region II/OGC
Spence W. Perry	-	FEMA, National/OGC
Roger B. Kowieski	-	FEMA, Region II/RAC Chairman

I. GENERAL DISCUSSION

o The scenario is to be kept strictly confidential as it evolves, so that no exercise participants have access to it. The letter from John A. Weismantle, LILCO, to Roger Kowieski dated November 25, 1985 on this subject (dsitributed at the meeting) is to be followed by another one reflecting additional requirements suggested by Stewart Glass, Esq.

o The exercise is to be no earlier than February 13, 1986. LILCO will try to arrange for that date; the main problem is the Nassau Coliseum may not be available because setup for the upcoming boat show might interfere with the exercise. LILCO will get back to FEMA about this issue.

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- The exercise will test Revision 5 of the LILCO Transition Plan; further revisions to reflect the RAC review of Revision 5 will not be made prior to the exercise.

- The exercise will take no more than one day, approximately between 6:00 a.m. and 5:00 p.m.

II. EXERCISE OBJECTIVES

On November 6, 1985, I submitted the proposed objectives to be demonstrated in the upcoming offsite exercise to Mr. Richard Krimm of FEMA headquarters office. On November 21, 1985, the exercise objectives were forwarded to Mr. Edward Jordan of NRC. Consequently, on November 22, 1985 a copy of Mr. Krimm's memorandum to Mr. Jordan and the proposed exercise objectives were transmitted to your office.

At our November 25, 1985 meeting, there was a brief discussion of the exercise objectives. Some of the key agreements reached at this meeting were the following:

- No shift change will be demonstrated at the exercise. The ability to maintain staffing in the LERO organization will be demonstrated by rosters.

- No actual traffic direction will take place at the exercise; traffic guides will be questioned by evaluators at TCP locations to determine the level of performance.

- It is acceptable to FEMA for the relocation center at the Nassau County Coliseum to be activated somewhat out of sequence with the exercise scenario, provided that it is activated on the same day as the exercise, and in such a way that communications between the Coloseum and EOC can be demonstrated realistically.

- It is acceptable to FEMA for the medical drill to be performed out of sequence with the exercise scenario, provided that it takes place on the same day as the exercise. FEMA will accept a demonstration of either an onsite or an offsite injury.

- It is acceptable to FEMA that the Red Cross actually demonstrate its capability at no more than two locations.

- The objective which states that access control points must be demonstrated, will be rewritten to reflect the fact that only traffic guidance is planned (as distinquished from control), provided that LILCO explains this in a letter to FEMA.

- LILCO will advise FEMA about the level of participation by various school districts.

It was agreed at this meeting that LILCO will advise FEMA in writing (around December 4, 1985) of suggested modifications to the exercise objectives, if any.

III. EXERCISE SCENARIO REQUIREMENTS

At the November 25, 1985 meeting, FEMA provided LILCO with the specific instructions regarding the exercise scenario:

A. Proposed wind directions for periods of radioactive material release:

1st direction - out of ≈70°, toward wsw (4%)

Radious	Zones Affected - assuming 3 sectors	Population
0-2 miles	A,B small part of C	7,969 without C 11,415 with C
2-5 miles	A,B,F, G	37,326
5-10 miles	F,G,K,L,R,Q	87,561

2nd direction - out of 30°, toward ESE (12%)

0-2 miles	A,C,D,E	11,519
2-5 miles	C,D,E,I,J	10,913
5-10	I,J,O,P,S	12,975

B. Source Term and Meteorological Conditions.

FEMA requested that the exercise scenario produce the following:

- o total intergraded dose between 4.0 to 5.5 miles in 1st wind direction will exceed 140% of PAG (/1.4 Rem whole body or 7.0 Rem thyroid).
- o No constraints on dose in 2nd wind direction except it will be measurable in the 2-3 mile area.

A note of clarification is required concerning the exercise duration and the scenario requirements discussed during our November 25th meeting. It is FEMA's stated objective "....schedule as full an exercise of the LILCO Local Emergency Response Organization (LERO) plan as is feasible....", therefore, the discussion of scenario duration and scenario requirements should not be construed as limiting the level of play on the LERO functions exercised. The twelve hour duration discussed during the meeting is intended as a guide, bassd on our previous experience.

However, if the level of participation desired by LILCO warrants a longer exercise duration, FEMA could consider a greater than 12 hour exercise scenario.

FEMA requested that the draft scenario be submitted to the Regional Assistance Committee for review and comments by December 6, 1985. LILCO indicated that they will try to meet this date.

IV. PROPOSED MILESTONE DATES FOR THE COMPLETION OF THE EXERCISE SCENARIO

DAYS PRIOR TO EXERCISE	PROPOSED DATE	ACTIVITY
80	11/25/85	FEMA provides the utility with the proposed exercise objectives.
80	11/25/85	Meeting with the utility to establish the exercise scenario requirements.
71	12/4/85	Utility will advise FEMA in writing about suggested modification to the exercise objectives, if any.
69	12/6/85	Utility submits the draft exercise scenario to FEMA and NRC Region for review. This submission will include the on-site (radiological data) and off-site portions of the exercise scenario.
69	12/6/85	Proposed exercise objectives and utility comments/modifications are submitted to the Regional Assistance Committee for review and comments.
62	12/13/85	Taking into account the utility input and RAC comments, FEMA will provide the utility with the revised exercise objectives. In addition, FEMA provides LERO with a list of items to be demonstrated (e.g., number of TCPs, evacuation routes, etc.).

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DAYS PRIOR TO EXERCISE	PROPOSED DATE	ACTIVITY
57	12/18/85	Utility submits the final exercise objectives to FEMA and NRC Regional office.
55	12/20/85	RAC comments on the exercise scenario are provided to the utility. If necessary, FEMA and NRC Region will meet with the utility representatives to discuss modifications necessary to complete the scenario.
41	1/3/86	Utility submits the final exercise scenario which will include, at a minimum: o a comprehensive description of all activities to be demonstrated, consistent with exercise objectives; o a full schedule of all events at each classification level (matrix); o dosimetry values to be supplied to the field monitoring and sampling teams by exercise controllers; o calculation of all offsite doses, including those that trigger protective responses, and applicable meteorological data.
38	1/6/86	Utility submits the starting locations and times of field activities to be demonstrated in chronological order. The locations of all facilities and field activities will be also indicated on the county maps.
35	1/9/86	Final date for the approval of the exercise scenario and field activities.

DAYS PRIOR TO EXERCISE .	PROPOSED DATE	ACTIVITY
15	1/29/86	Table-top exercise.
0	2/13/86	EXERCISE DAY.

Although the FEMA Regional office will make every effort to rectify slips in the timetable, late submission of the acceptable exercise objectives and scenario material may lead to postponing the exercise.

Since FEMA is already committed to evaluate a number of exercises in the first quarter of 1986, even a one week delay in submission of the exercise material, may require the postponement of the exercise for 30 days or more.

If you have any questions with regard to information contained in this letter, please contact me at your earliest convenience.

Sincerely,

Roger B. Kowieski

Roger B. Kowieski, P.E.
Chairman
Regional Assistance Committee

790583

FEMA Panel Ex #10

LILCO
LONG ISLAND LIGHTING COMPANY
175 EAST OLD COUNTRY ROAD · HICKSVILLE, NEW YORK 11801

Direct Dial Number

November 25, 1985

Mr. Roger Kowieski
RAC Chairman
Federal Emergency Management Agency
26 Federal Plaza
New York City, NY

Dear Mr. Kowieski:

A project instruction was established in February of 1984 for development of the Shoreham scenario. This instruction contains requirements for security which apply to all phases of scenario production including development, review, approval, reproduction, distribution and revisions. The scenario and all of its associated documentation is maintained in a locked cabinet at IMPELL's offices, a LILCO consultant.

The scenario was typed on IMPELL's word processing system. A security code has been established and is maintained by the project clerical staff. Access to scenario software is controlled by the Project Engineer.

A control list of personnel allowed to develop or review the scenario are included in the instruction, including all secretarial support. Each person who has, or ever has had access to the written scenarios has known that it was a confidential document and that its contents should not, under any circumstances, be revealed to anyone without approved access. No person who has had access or will have access to the scenario will be allowed to participate in the graded exercise. Mr. Charles A. Daverio, has been designated, LILCO's Lead Controller, for the purposes of scenario development.

If you need further information, please contact Mr. Daverio.

Very truly yours,

John A. Weismantle

John A. Weismantle
Vice President - Engineering

CAD/jg

731241

FEMA Panel Ex #11

LILCO
LONG ISLAND LIGHTING COMPANY
175 EAST OLD COUNTRY ROAD · HICKSVILLE, NEW YORK 11801

Direct Dial Number

December 6, 1985

Federal Emergency Management Agency
Region II
26 Federal Plaza
New York, New York 10278

ATTENTION: Mr. Roger Kowieski

SUBJECT: Shoreham Nuclear Power Station
Local Emergency Response Organization
Exercise Scenario for the 1986 Shoreham Exercise

Gentlemen:

Attached for your review are two (2) copies of a draft scenario to be used during the upcoming Shoreham exercise. This scenario was developed in accordance with the procedure described in J.A. Weismantle's letter to you dated November 25, 1985. This procedure will remain in effect until the exercise has been completed. The list of people which have access to the scenario have been reduced, per our discussion on November 25, 1985.

This material is to be considered as "Privileged Information and Confidential" and is not to be reproduced. It is my understanding additional copies should not be released without your prior concurrence. The information contained herein is not to be divulged or discussed with any person who will be participating in the exercise as a "player". This information should not be sent to the public document room until the exercise has been completed.

Very truly yours,

Charles A. Daverio
Manager, Emergency Preparedness Division

CAD/DMB/jmm

cc: Mr. W. Stokes (w/1)
Mr. J. Keller (w/1)
Mr. C. Amato and D. Vito - NRC Region I (w/4)
Mr. B. Weiss - NRC Washington (w/C,

731586

FEMA PANEL EX #12

Federal Emergency Management Agency

Region II 26 Federal Plaza New York, New York 10278

Memorandum For: Charles Amato, NRC
Herbert Fish, DOE
Paul A. Giardina, EPA
Ronald E. Bernacki, FDA
Paul Lutz, DOT
George E. Bickerton, USDA
Joseph H. Keller, INEL
Thomas E. Baldwin, ANL

6 DEC 1985

From: Roger B. Kowieski
Roger B. Kowieski
Chairman
Regional Assistance Committee

Subject: Proposed Exercise Objectives for Shoreham

As referenced in my December 4th memorandum to you, enclosed find the proposed Exercise Objectives for Shoreham with the utility comments.

Please review the documents and submit your findings to me by December 11, 1985. If I do not receive your comments by that date, I will assume that you concur with the proposed objectives.

Thank you for your continued cooperation in reviewing Shoreham material.

Encl.

cc: Edward Tanzman
William Stokes

731964

LILCO
LONG ISLAND LIGHTING

LONG ISLAND LIGHTING COMPANY

175 EAST OLD COUNTRY ROAD · HICKSVILLE, NEW YORK 11801

Direct Dial Number

December 5, 1985

Federal Emergency Management Agency
Region II
26 Federal Plaza
New York, New York 10278

ATTENTION: Mr. Roger Kowieski

SUBJECT: Shoreham Nuclear Power Station
Local Emergency Management Agency
Proposed Exercise Objectives for tne 1986 Shoreham Exercise

REFERENCE: LILCO/FEMA Meeting on November 25, 1985

Gentlemen:

Pursuant to the referenced meeting, we have enclosed your Proposed Exercise Objectives for tne 1986 Shoreham Exercise, witn our comments footnoted at the bottom of each page. Where additional space was needed, separate pages were inserted between pages of tne document. These separate pages are not numbered.

Within tne proposed objectives and our subsequent comments, there are a number of items which I would like to bring to your attention.

First, is the subject of Access Control [Ref: pg. 3 of 12, fn. (1); pg. 4 of 12, fn. (2); pg. 5 of 12, fn. (1)]. Here, I would like to point out tnat LERO treats access control to evacuated areas as a subset of traffic control. Access control is provided at traffic control points located on zone boundaries by Traffic Guides performing their traffic control duties. It should be noted that the same constraints on traffic control, related to the issue of legal authority, apply to access control.

Second, security functions at LERO emergency facilities are provided by LERO personnel and are tnerefore, not related to legal authority.

Third, on page 6 of 12, we have deleted the last two objectives which are related to tne demonstration of emergency medical facilities for the handling of injured and contaminated individuals. These objectives are being deleted because tne volunteer ambulance company and hospital have expressed a preference for a weekend drill.

731965

As an alternative, we would like to suggest that FEMA attend the next scheduled Emergency Medical Drill, and that these objectives be evaluated out of sequence with the Graded Exercise.

I think that you will find the remainder of our comments to be self explanatory. If I can be of further assistance or should you have any questions concerning the exercise, please do not hesitate to contact me at (516) 420-6211.

Very truly yours,

Charles A. Daverio
Manager, Emergency Preparedness Division

CAD/DMB/cjc

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PROPOSED EXERCISE OBJECTIVES

for the

1986 SHOREHAM EXERCISE

November 6, 1985

731967

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Center (EOC)

Demonstrate the ability to receive initial and follow-up emergency notifications.

Demonstrate the ability to mobilize staff and activate the Local Emergency Response Organization (LERO) EOC in a timely manner.

Demonstrate through rosters, the ability to maintain staffing in the LERO EOC on a 24-hour basis.

Demonstrate that the LERO EOC has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the LERO can establish appropriate communication links, both primary and backup systems (communication with the State and county via RECS to be simulated).

X Demonstrate that the LERO EOC has adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

* Demonstrate that the appropriate official is in charge and in control of an overall coordinated response including decisions on protective action recommendations.

(1) Insert objective.

*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

(1) Insert the following objective:

Demonstrate the ability to coordinate the emergency response with simulated county or State officials should they decide to participate on an ad-hoc basis. (Role of State and/or county official to be simulated by FEMA designated personnel.)

731968

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Center - Continued

(1) X Demonstrate the ability of the designated official to determine the need for and ability to obtain State assistance.

X Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

Demonstrate the ability to receive and interpret radiation dosage projection information, and to determine appropriate protective measures, based on PAGs and information received from the Brookhaven Area Office (BAO).

* Demonstrate the ability to provide advance coordination of public alerting and instructional messages with the State and county (State and county participation simulated).

(2) * Demonstrate the ability to activate the prompt notification siren system in coordination with State and county (State and county participation simulated).

(2) * Demonstrate the capability for providing both an alert signal and an informational or instructional message to the population on an area wide basis throughout the 10 mile EPZ, within 15 minutes.

* Demonstrate the organizational ability to manage an orderly evacuation of all or part of the 10-mile EPZ.

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*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

(1) This objective will be satisfied via discussions between the Director of Local Response and FEMA Evaluator concerning the need and procedures for requesting assistance from the State of New York or other appropriate organization.

731960

(2) The siren system will be activated in coordination with the simulated issuance of an EBS message. Local radio stations will broadcast an explanation of the siren test with no reference to protective action recommendations.

The actual demonstration of this objective is still being considered.

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Emergency Operations Center - Continued

* Demonstrate the organizational ability to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

* Demonstrate the organizational ability necessary to effect an early dismissal of schools within the 10-mile EPZ.

(1) * Demonstrate the organizational ability necessary to control access to an evacuated area.

(2) * Demonstrate the organizational ability necessary to effect an orderly evacuation of schools within the 10-mile EPZ. If this protective action is not recommended by the decision-makers, e.g. schools were dismissed early, a free play controllers message may be inserted to demonstrate this activity.

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*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

(1) LERO Traffic Guides will control access to evacuated areas in accordance with OPIP 3.6.3. Traffic Guides can only advise people not to enter the area.

(2) Schools will be notified during the exercise via tone alert radios and simulated phone calls from the Public and Private Schools Coordinators as set forth in the OPIPs. As we discussed at our meeting, it is not expected that any school district will participate in an exercise except the Shoreham/Wading School District.

The activation of the tone alert radios is still being reviewed.

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Field Activities

Demonstrate the ability to continuously monitor and control emergency worker exposure including proper use of personnel dosimetry.

Demonstrate the ability to mobilize and deploy field monitoring teams in a timely manner.

Demonstrate appropriate equipment and procedures for determining ambient radiation levels.

Demonstrate appropriate equipment and procedures for measurement of airborne radioiodine concentrations as low as 0.1 picocurries/cc in the presence of noble gases.

* Demonstrate the ability to provide backup public alerting, if necessary, in the event of partial siren system failure.

Demonstrate that the permanent population has received information on how they will be notified and what their actions should be in the event of a radiological emergency and that this information is updated on an annual basis.

Demonstrate that information on emergency actions has been provided to transient populations.

(1) * Demonstrate that access control points can be established in a timely manner.

Demonstrate the ability to supply and administer KI, once the decision has been made to do so.

---

*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

(1) Access control points are Traffic Control Points manned by Traffic Guides, along sector boundaries.

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Field Activities - Continued

Demonstrate that emergency workers understand who can authorize excess exposure under the Protective Action Guidelines.

Demonstrate a sample of resources necessary to implement an orderly evacuation of all or part of the 10-mile EPZ.

* Demonstrate a sample of resources necessary to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

(1) * Demonstrate a sample of resources necessary to control access to an evacuated area.

* Demonstrate the adequacy of evacuation bus transfer points including access and parking/transfer areas.

Demonstrate a sample of resources necessary to effect an orderly evacuation of the institutionalized mobility-impaired individuals within the 10-mile EPZ.

Demonstrate a sample of resources necessary to effect an orderly evacuation of the non-institutionalized mobility-impaired individuals within the 10-mile EPZ.

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*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

(1) These resources are the same as those required for traffic control [Ref. page 3 of 12, footnote (1)].

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Field Activities - Continued

(1) ~~Demonstrate a sample of resources necessary to effect an early dismissal of schools within the 10-mile EPZ.~~

(1) Demonstrate a sample of resources necessary to effect an orderly evacuation of schools within the 10-mile EPZ.

(2) Demonstrate the ability to mobilize staff and activate Reception Center in a timely manner.

(2)(3) Demonstrate the ability to mobilize staff and activate Congregate Care Center in a timely manner.

Demonstrate by shift change or through rosters, the ability to maintain staffing at the Reception Center on a 24-hour basis.

Demonstrate by shift change or through roster, the ability to maintain staffing at the Congregate Care Center on a 24-hour basis.

X Demonstrate the adequacy of procedures for registration, radiological monitoring, and decontamination of evacuees and vehicles including adequate provisions for handling contaminated waste.

Demonstrate the adequacy of facilities for mass care of evacuees.

~~Demonstrate adequacy for ambulance facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/off-site injury).~~

~~Demonstrate adequacy of hospital facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/off-site injury).~~

(1) In accordance with procedures, only one of these options can be implemented. Should decision makers decide to recommend early dismissal, it will be up to controllers to exercise a contingency message to prevent early dismissal of schools which would lead to a demonstration of evacuation resources.

731974

(2) May need to be demonstrated out of time sequence, depending on availability of facilities.

(3) The congregate care function is provided by the Nassau County Red Cross.

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

(1) Brookhaven Area Office (BAO)

Demonstrate the ability to receive initial and follow up emergency notifications.

Demonstrate the ability to mobilize staff and activate the BAO in a timely manner.

Demonstrate through rosters, the ability to maintain staffing in the BAO on a 24-hour basis.

Demonstrate that the BAO has adequate space, equipment, and supplies to support emergency operations.

Demonstrate that the BAO can establish appropriate communication links, using both primary and backup systems.

Demonstrate that the BAO has adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

Demonstrate that the appropriate official is in charge and in control of an overall accident assessment function.

Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

Demonstrate the ability to project radiation dosage to the public via plume exposure, based on plant data and field measurements, and to determine appropriate protective measures, based on PAGs and effectively communicate them to the LERO EOC.

(1) These objectives have not been reviewed by the Brookhaven Area Office.

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Staging Areas

Demonstrate the ability to receive emergency notifications.

Demonstrate the ability to mobilize staff and activate the staging areas in a timely manner.

Demonstrate through rosters, the ability to maintain staffing at the staging areas on a 24-hour basis.

Demonstrate that the staging areas have adequate space, parking area, equipment, and supplies to support emergency operations.

Demonstrate that the staging areas can establish appropriate communication links with the LERO EOC and field personnel using both primary and backup systems.

X Demonstrate that the staging areas have adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

Demonstrate that the appropriate official is in charge and in control of an overall response assigned to the staging area.

* Demonstrate the ability to dispatch to and direct emergency workers in the field.

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*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

731977

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Staging Areas - Continued

Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

731978

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Workers Decontamination Facility

Demonstrate the ability to mobilize staff and activate Emergency Worker Decontamination Facility.

Demonstrate by shift change or through rosters, the ability to maintain staffing of Emergency Worker Decontamination Facility on a 24-hour basis.

X Demonstrate adequate equipment and procedures for decontamination of emergency workers, equipment and vehicles including adequate provisions for handling contaminated waste.

731973

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency News Center (ENC)

Demonstrate the ability to mobilize staff and activate LERO functions at the ENC in a timely manner.

Demonstrate through shift change or through rosters, the ability to maintain staffing of LERO functions at the ENC on a 24-hour basis.

Demonstrate the ability to brief the media in a clear accurate, and timely manner.

* Demonstrate the ability to share information with other agencies at the ENC prior to its release.

Demonstrate the ability to establish and operate rumor control in a coordinated manner.

(1)* ~~Demonstrate the ability to prepare and implement EBS in a timely manner (i.e., within 15 minutes after command and control decision for implementation of protective action recommendations).~~

Demonstrate that the ENC has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the ENC has adequate access control and that security can be maintained.

---

*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

(1) EBS messages are prepared and communicated from the EOC only; by LERO procedures.

731980

November 6, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Facility (EOF)

(1) Demonstrate the ability to mobilize staff and activate ~~State~~ LERO functions at the EOF in a timely manner.

(1) Demonstrate by shift change or through rosters, the ability to maintain staffing of LERO functions in the EOF on a 24-hour basis.

Demonstrate that the Emergency Operations Facility has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the Emergency Operations Facilities have adequate access control and that security can be maintained.

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*Note: Exercise objective related to issue of legal authority and State and local participation. This objective to be set aside when Option 1 is selected for exercising of the LERO plan (see Mr. Speck's letter to Mr. Dirks of NRC dated October 29, 1985).

(1) The LERO plan does not include dispatching a person to the EOF.

731981

FEMA Panel Ex #13

12/13/85

RAC Comments on Proposed Exercise Objectives

731615

INEL
Idaho National Engineering Laboratory

JHK-73-85

Decemebr 12, 1985

Roger B. Kowieski, Chairman
Regional Assistance Committee
Region II
Federal Emergency Management Agency
26 Federal Plaza
New York, NY 10278

Dear Mr. Kowieski:

Subject: Shoreham Objectives

I have reviewed the proposed objectives along with the LILCO comments transmitted with your letter of 6 Dec. 85. In general the orginal proposed objectives are comprehensive and should allow for an evaluation of most areas of the plan. In addition, these objectives are very similar to those used in other Region II fullscale exercises.

I have the following specific comments almost all of which involve the LILCO additions or comments:

1. Page 1 The added objective is unclear. I have no problem with the simulation of county and State personnel however, it should be established before the exercise which path will be followed. Either the county and State will participate or simulations will be used. If simulations are to be used, I feel strongly about how the simulations will be handled. I believe that the personnel chosen to simulate the county and State must not be allowed access to the scenario. The simulators are intended to interact with the LERO staff, as suggested in the new objective. It is possible that leading questions could be raised if the simulators are aware of the scenario. The whole concept of operation involves LERO providing information to the simulators during the exercise play. The personnel acting as simulators should therefore only be aware of the information supplied by LERO. These simulators should be considered as players not controllers.

2. Page 2 2nd (2) There can be no discussion on this objective. The 15 minute "rule" for notification of the public is evaluated in all Region II fullscale exercises. Delete 2nd comment on page 2a.

3. Page 3 (2) If the implementation of the plan is to be evaluated, the

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731616

decision maker must be allowed to make any decision he/she deems correct and the follow-up actions called for in the plan must be performed. The plan calls for the notification of the by tone alert radio therefore these instruments must be activated.

4. Page 6 (1) While in any given incident only one option will be used, we have in past exercises used both objectives. Depending on the decision made during the exercise, the second demonstration of can be run out of sequence.

5. Page 6 (2) I have no problem with CCC demonstrations being out of sequence on the exercise day since this is often done in Region II for various reasons. I believe it would be unwise to deviate from the plan with regard to reception center operation.

6. Page 6 The two objectives crossed-out should be reinstated.

7. Page 11 (1) Reinstate the objective but move to EOC for evaluation.

8. Page 12 Considering the concept of operations described in comment (1), why is FEMA going to evaluate the EOF. The last two objectives are really NRC problems unless offsite authorities are present.

If you have any questions, please contact me.

Sincerely,

J. H. Keller, Fellow Scientist
Special Programs

cc: M. Lawless - FEMA
C. Siebentritt - FEMA

731617

FEMA PANEL #14

Federal Emergency Management Agency

Region II 26 Federal Plaza New York, New York 10278

Mr. Charles A. Daverio
Manager, Emergency Preparedness Division
Long Island Lighting Company
175 East Old Country Road
Hicksville, NY 11801

Subject: Revised Objectives for Shoreham Exercise and Proposed List of Demonstrations

Dear Mr. Daverio:

The Regional Assistance Committee has reviewed the proposed exercise objectives and your suggested modifications footnoted at the bottom of each page and those contained in your letter to me dated December 5, 1985. Our comments are as follows:

Page 1

- Sixth objective - the demonstration of this objective is not affected by the legal authority issue and, therefore the asterisk has been deleted.

- One new exercise objective was added which reads:

  * "Demonstrate the ability to coordinate the emergency response with county and State officials. (Role of State and/or county officials will be simulated by FEMA designated personnel".

- Footnote was modified and now reads:

  "The demonstration of this objective is affected by the legal authority issue".

  This change is applicable to every page of the exercise objectives.

Page 2

- First exercise objective was modified by deleting "and ability".

- Sixth and seventh objectives were modified by adding reference to the water portion of the 10 mile EPZ.

- With respect to your comment regarding the prompt notification system, FEMA, Region 2 evaluates the 15 minutes "rule" for alert and notification of the public in all full-scale exercises.

790555

Page 3

° In response to your comment concerning the notification of schools during the exercise via tone alert radios and telephone calls from the Public and Private School Coordinators, it is FEMA's position that if the implementation of the plan is to be evaluated, the decision-maker must be allowed to make any decision he deems appropriate, and the follow-up actions called for in the plan must be performed. The plan calls for the notification by tone alert radios and telephones therefore, these capabilities must be demonstrated.

We would appreciate receiving a clear guidance as to what demonstrations we should be prepared to observe during the exercise.

Page 4

° Second, third and fourth objectives were modified by referencing BAO personnel.

° Ninth objective was modified by adding reference to the Traffic Guides.

Page 5

° Fourth exercise objective modified by adding reference to the Traffic Guides.

Page 6

° We did not accept your recommendation to delete the first exercise objective. Although we agree that in any given accident only one option will be used (early dismissal of school or evacuation), we have in past exercises used both options. Depending on the decision made during the exercise, the second demonstration can be run out of sequence (free play message).

° With respect to the demonstration of medical drill (objectives ninth and tenth) FEMA agrees to evaluate a weekend drill provided a prior arrangement is made. The two objectives crossed-out should be reinstated.

° It is FEMA's position that Reception Center must be evaluated in sequence with the exercise scenario.

790556

° Fifth and sixth objectives were modified by deleting "by shift change".

Page 7

° Eighth objective was modified by deleting "an overall accident" and substituting with "dose ". In addition, reference to BAO was added.

° Tenth objective was modified by deleting "determine" with "recommend".

Page 8

° Sixth objective - asterisk indicating that this objective is affected by the legal authority issue was deleted.

Page 9

° No comments

Page 10

° Second objective was modified by deleting "by shift change".

Page 11

° Second objective was modified by deleting "through shift change or".

° Sixth objective should be reinstated, but moved to page 1.

Page 12

° First and second objectives were deleted.

° Third objective was modified by adding: "and interaction with LERO EOC".

° New objective was added to read:

* "Demonstrate the ability to coordinate the dose projections based on plant data and field measurements with county and/or state officials (Role of State and/or county officials will be simulated by FEMA designated personnel)."

LIST OF ACTIVITIES TO BE DEMONSTRATED BY LILCO AND EVALUATED BY FEMA

Per my letter of December 2, 1985 and discussions at the December 12 meeting, I recommend that the following activities/facilities be demonstrated during the February 13, 1986 exercise.

Activities to be demonstrated	Pre-designated	Free Play	In Sequence	Out of Sequence	No
Warning Point	x		x		1
EOC	x		x		1
EOF	x		x		1
ENC	x		x		1
Reception Center	x		x		1
Emergency Worker Decon.	x			x	1
Staging Areas	x		x		3
Cong. Care Centers	x			x	2
Bus Routes (Gen. pop.)		x		x	8
School Evacuation (Schools requesting assistance		x			2
Mobility Impaired at home		x			6 addr
Mobility Impaired at special facilities		x	x		2
Transfer Points in sequence with bus routes		x	x		
Boat Alerting (Coast Guard)	x		x		1
Route Alerting (Siren Failure		x		x	3
TCPs		x		x	3x
Impediments to Evacuation		x	x		2
Medical Drill	x			x	
Radiological Monitoring	x		x		2
Accident Assessment	x		x		2

I request that you provide me with the location of each facility (map, address, and telephone numbers) by December 20, 1985. In addition, you should indicate an approximate time when FEMA can evaluate each activity (time window).

Any free play activities will be selected by FEMA.

OTHER ISSUES RELATED TO SHOREHAM EXERCISE

At the December 12, 1985 meeting with you, the following agreements were reached:

- LILCO will confirm the February 13, 1986 exercise date in writing.
- LILCO will advise FEMA why sirens cannot be sounded in sequence with the exercise scenario.
- LILCO will provide FEMA with a floor plan and traffic flow for each staging area.
- LILCO will provide FEMA with information on mobility impaired at home and special facilities that depend on buses, ambulances, etc. (by type of vehicle required).
- LILCO will advise FEMA about a drill which could be informally observed and evaluated in January 1986.

In addition to the above, I request that LILCO arrange for desks and telephones for Federal Observers at the following facilities:

- EOC
- Staging Areas
- News Center
- EOF
- BAO

LILCO also should arrange for desks and telephones for simulators (State and local representatives) at:

- EOC
- EOF
- Staging Areas (actual need to be determined later)

If you have any questions concerning this letter, please let me know at your earliest convenience.

Sincerely,

Roger B. Kowieski

Roger B. Kowieski, P.E.
Chairman
Regional Assistance Committee

790550

PROPOSED EXERCISE OBJECTIVES

for the

1986 SHOREHAM EXERCISE

Revised December 13, 1985

790560

December 13, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Center (EOC)

Demonstrate the ability to receive initial and follow-up emergency notifications.

Demonstrate the ability to mobilize staff and activate the Local Emergency Response Organization (LERO) EOC in a timely manner.

Demonstrate through rosters, the ability to maintain staffing in the LERO EOC on a 24-hour basis.

Demonstrate that the LERO EOC has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the LERO can establish appropriate communication links, both primary and backup systems (communication with the State and county via RECS to be simulated).

— Demonstrate that the LERO EOC has adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

* Demonstrate that the appropriate official is in charge and in control of an overall coordinated response including decisions on protective action recommendations.

* Demonstrate the ability to coordinate the emergency response with county and State officials. (Role of State and/or county officials will be simulated by FEMA designated personnel.)

*Note: The demonstration of this objective is affected by the legal authority issue.

December 13, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Center - Continued

* Demonstrate the ability of the designated official to determine the need to obtain State assistance.

* Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

Demonstrate the ability to receive and interpret radiation dosage projection information, and to determine appropriate protective measures, based on PAGs and information received from the Brookhaven Area Office (BAO).

* Demonstrate the ability to provide advance coordination of public alerting and instructional messages with the State and county (State and county participation simulated).

* Demonstrate the ability to activate the prompt notification siren system in coordination with State and county (State and county participation simulated).

* Demonstrate the capability for providing both an alert signal and an informational or instructional message to the population on an area-wide basis throughout the 10 mile EPZ, <u>including the water portion</u>, within 15 minutes (<u>45 minutes for water portion</u>).

* Demonstrate the organizational ability to manage an orderly evacuation of all or part of the 10-mile EPZ including the water portion.

*Note: The demonstration of this objective is affected by the legal authority issue.

790562

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Center - Continued

* Demonstrate the organizational ability to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

* Demonstrate the organizational ability necessary to effect an early dismissal of schools within the 10-mile EPZ.

* Demonstrate the organizational ability necessary to control access to an evacuated area.

* Demonstrate the organizational ability necessary to effect an orderly evacuation of schools within the 10-mile EPZ. If this protective action is not recommended by the decision-makers, e.g. schools were dismissed early, a free play controllers message may be inserted to demonstrate this activity.

* Demonstrate the ability to prepare and implement EBS in a timely manner (i.e., within 15 minutes after command and control decision for implementation of protective action recommendations).

*Note: The demonstration of this objective is affected by the legal authority issue.

December 13, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Field Activities

Demonstrate the ability to continuously monitor and control emergency worker exposure including proper use of personnel dosimetry.

Demonstrate the ability to mobilize and deploy BAO field monitoring teams in a timely manner.

Demonstrate appropriate equipment and procedures for determining ambient radiation levels (BAO personnel).

Demonstrate appropriate equipment and procedures for measurement of airborne radioiodine concentrations as low as 0.1 picocurries/cc in the presence of noble gases (BAO personnel).

* Demonstrate the ability to provide backup public alerting, if necessary, in the event of partial siren system failure.

Demonstrate that the permanent population has received information on how they will be notified and what their actions should be in the event of a radiological emergency and that this information is updated on an annual basis.

Demonstrate that information on emergency actions has been provided to transient populations.

* Demonstrate that access control points can be established and manned by Traffic Guides in a timely manner.

Demonstrate the ability to supply and administer KI, once the decision has been made to do so.

*Note: The demonstration of this objective is affected by the legal authority issue.

December 13, 1985

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Field Activities - Continued

Demonstrate that emergency workers understand who can authorize excess exposure under the Protective Action Guidelines.

Demonstrate a sample of resources necessary to implement an orderly evacuation of all or part of the 10-mile EPZ.

* Demonstrate a sample of resources necessary to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

* Demonstrate a sample of resources necessary to control access to an evacuated area (Traffic Guides).

* Demonstrate the adequacy of evacuation bus transfer points including access and parking/transfer areas.

Demonstrate a sample of resources necessary to effect an orderly evacuation of the institutionalized mobility-impaired individuals within the 10-mile EPZ.

Demonstrate a sample of resources necessary to effect an orderly evacuation of the non-institutionalized mobility-impaired individuals within the 10-mile EPZ.

*Note: The demonstration of this objective is affected by the legal authority issue.

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Field Activities - Continued

Demonstrate a sample of resources necessary to effect an early dismissal of schools within the 10-mile EPZ.

Demonstrate a sample of resources necessary to effect an orderly evacuation of schools within the 10-mile EPZ.

Demonstrate the ability to mobilize staff and activate Reception Center in a timely manner.

Demonstrate the ability to mobilize staff and activate Congregate Care Center in a timely manner.

Demonstrate through rosters the ability to maintain staffing at the Reception Center on a 24-hour basis.

Demonstrate through rosters the ability to maintain staffing at the Congregate Care Center on a 24-hour basis.

* Demonstrate the adequacy of procedures for registration, radiological monitoring, and decontamination of evacuees and vehicles including adequate provisions for handling contaminated waste.

Demonstrate the adequacy of facilities for mass care of evacuees.

Demonstrate adequacy for ambulance facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/ off-site injury).

Demonstrate adequacy of hospital facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/ off-site injury).

*Note: The demonstration of this objective is affected by the legal authority issue.

December 13, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Brookhaven Area Office (BAO)

Demonstrate the ability to receive initial and follow up emergency notifications.

Demonstrate the ability to mobilize staff and activate the BAO in a timely manner.

Demonstrate through rosters, the ability to maintain staffing in the BAO on a 24-hour basis.

Demonstrate that the BAO has adequate space, equipment, and supplies to support emergency operations.

Demonstrate that the BAO can establish appropriate communication links, using both primary and backup systems.

Demonstrate that the BAO has adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

Demonstrate that the appropriate official is in charge and in control of dose assessment function assigned to the BAO.

Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

Demonstrate the ability to project radiation dosage to the public via plume exposure, based on plant data and field measurements, and to recommend appropriate protective measures, based on PAGs and effectively communicate them to the LERO EOC.

December 13, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Staging Areas

Demonstrate the ability to receive emergency notifications.

Demonstrate the ability to mobilize staff and activate the staging areas in a timely manner.

Demonstrate through rosters, the ability to maintain staffing at the staging areas on a 24-hour basis.

Demonstrate that the staging areas have adequate space, parking area, equipment, and supplies to support emergency operations.

Demonstrate that the staging areas can establish appropriate communication links with the LERO EOC and field personnel using both primary and backup systems.

—— Demonstrate that the staging areas have adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

Demonstrate that the appropriate official is in charge and in control of an overall response assigned to the staging area.

* Demonstrate the ability to dispatch to and direct emergency workers in the field.

*Note: The demonstration of this objective is affected by the legal authority issue.

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PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Staging Areas - Continued

Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

790506

December 13, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Workers Decontamination Facility

Demonstrate the ability to mobilize staff and activate Emergency Worker Decontamination Facility.

Demonstrate through rosters, the ability to maintain staffing of Emergency Worker Decontamination Facility on a 24-hour basis.

* Demonstrate adequate equipment and procedures for decontamination of emergency workers, equipment and vehicles including adequate provisions for handling contaminated waste.

*Note: The demonstration of this objective is affected by the legal authority issue.

December 13, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency News Center (ENC)

Demonstrate the ability to mobilize staff and activate LERO functions at the ENC in a timely manner.

Demonstrate through rosters the ability to maintain staffing of LERO functions at the ENC on a 24-hour basis.

Demonstrate the ability to brief the media in a clear accurate, and timely manner.

* Demonstrate the ability to share information with other agencies at the ENC prior to its release.

Demonstrate the ability to establish and operate rumor control in a coordinated manner.

* Demonstrate the ability to prepare and implement EBS in a timely manner (i.e., within 15 minutes after command and control decision for implementation of protective action recommendations).

Demonstrate that the ENC has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the ENC has adequate access control and that security can be maintained.

*Note: The demonstration of this objective is affected by the legal authority issue.

December 13, 1985

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Facility (EOF)

Demonstrate the ability to mobilize staff and activate ~~State~~ LERO functions at the EOF in a timely manner.

Demonstrate by shift change or through rosters, the ability to maintain staffing of LERO functions in the EOF on a 24-hour basis.

Demonstrate that the Emergency Operations Facility has adequate space, equipment, and supplies to support emergency operations and interaction with LERO EOC.

Demonstrate that the Emergency Operations Facilities have adequate access control and that security can be maintained.

* Demonstrate the ability to coordinate the dose projections based on plant data and field measurements with county and/or State officials (Role of State and/or county officials will be simulated by FEMA designated personnel).

*Note: The demonstration of this objective is affected by the legal authority issue.

PLAN

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Rev. 2	11/07/83
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Page	3.11-1	3.11-2	Att. 3.11.1	Page 1	2	3	4	5	6	7	8
Revision No.	5	4		0	0	0	0	0	0	0	0

Chapter 4

Page	4.1-1	4.1-2	4.1-3	4.1-4	4.1-5	Fig. 4.1.1
Revision No.	5	0	5	5	2	5

Page	Fig. 4.1.2	Fig. 4.1.3	Att. 4.1.1	4.2-1
Revision No.	5	5	5	6

Page	4.2-2	Fig. 4.2.1	Fig. 4.2.2	4.3-1
Revision No.	5	5	6	5

Page	4.3-2
Revision No.	5

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Page	4.4-1	4.4-2	4.4-3	4.5-1	Fig. 4.5.1	4.6-1	4.7-1	4.8-1
Revision No.	5	3	4	5	5	5	5	5

Chapter 5

Page	5.1-1	5.1-2	5.1-3	5.1-4	5.1-5	5.1-6
Revision No.	5	5	5	5	5	5

Page	5.1-7	5.1-8	5.1-9
Revision No.	5	5	5

Page	Fig. 5.1.1	Page	1	2	Table 5.1.1	Page	1	2	5.2-1
Revision No.			5	5			0	0	5

Page	5.2-2	5.2-3	5.2-4	5.2-5	5.2-6	5.2-7	Fig. 5.2.1	Page	1	2
Revision No.	5	5	5	5	5	5			5	5

Page	5.3-1	5.3-2	5.4-1	5.4-2
Revision No.	5	0	5	3

Appendix A

Page	A-i
Revision No.	0

Appendix B

Page	B-i	B-ii	B-iii	B-iv	B-v	B-vi	B-vii
Revision No.	4	4	4	4	5	5	6

Appendix C

Page	C-i
Revision No.	5

790027

FEMA Panel Ex # 15

Federal Emergency Management Agency

Region II 26 Federal Plaza New York, New York 10278

12/10/85

Memorandum For: The File

From: Roger B. Kowieski RBK

Subject: Meeting with Argonne Staff Regarding the Shoreham Exercise

On December 9, 1985 a meeting was held with Argonne representatives to discuss the activities related to the Shoreham exercise.

In attendance:

- Thomas Baldwin - Argonne National Laboratory
- Edward Tanzman - Argonne National Laboratory
- Roger Kowieski - FEMA

It was agreed that various tasks related to the Shoreham exercise will be divided among the following individuals:

1. Exercise itinerary by Roger Kowieski
2. Observer organization chart by Tom Baldwin/Roger Kowieski
3. Observer assignment sheets by Ed Tanzman
4. Observer critique forms
5. Address directory by Bob Acerno/Tom Baldwin
6. Observation location map by Tom Baldwin
7. Logistics by Bob Acerno
8. Scenario Overview by LILCO/Roger Kowieski/Joe Keller
9. Exercise timeline by Roger Kowieski/Tom Baldwin/Ed Tanzman

Other tasks discussed and assigned:

1. Modify the exercise objectives and develop points of review by Ed Tanzman.
2. Establish the list of activities to be demonstrated by Roger K.
3. Modify the exercise critique form by Roger K./Tom B./Ed T.
4. Select free play locations by Tom B.
5. Prepare appropriate maps by Tom B.
6. Free play messages by Ed T.

There was also discussion about the functions/activities to be demonstrated and the number of federal observers required. Based on the preliminary estimate, there will be need for approximately 45-50 observers.

731960

FEMA Panel Ex. # 16

INEL
Idaho National Engineering Laboratory

JHK-70-85

December 11, 1985

Roger B. Kowieski, Chairman
Regional Assistance Committee
Region II
Federal Emergency Management Agency
26 Federal Plaza
New York, NY 10278

Dear Mr. Kowieski:

Subject: Shoreham Scenario Review

I have reviewed the subject document and I have the following comments.

Offsite Radiological Data

I have calculated the offsite dose rates using the proposed scenario source terms and meteorological conditions and standard calculational methods (EPA methodology). The results of my calculations agree well with the offsite data proposed (within 10-30% from 2-10 miles). The isopleth maps provided for controller use are of a good scale and will be readable during the exercise. The map, Figure 6.5.4, shows that isopleths "E" and "F" terminate at downwind distances of 4 and 5 miles respectively. Using Tables 6.5.3.a-e, the child thyroid dose commitment will be 7.3 and 5.1 Rem in isopleths "E" and "F". According to a disussion with Dennis Behr of Impell Corp., the scenario preparer, the data is intended to be used so that there will be constant readings within an entire isopleth. In my view these proposed dose commitments do not meet the intent of the agreements in your 2 Dec. 85 letter to Mr. Daverio however, the desired exercise result will be achieved with the current data. As I understand the plan, if a PAR is considered for any portion of a planning zone, then the whole zone is considered. Figure 3 of Appendix A of the plan shows that planning zone "G" starts about 2.5 miles downwind and extends to about 6.2 miles downwind. Clearly the integrated child thyroid dose commitment will exceed the PAG well into planning zone "G".

I have several other comments regarding the proposed offsite data.

1. LILCO should be tasked with assuring that the dose projections which will be made by DOE will be in reasonable agreement with the scenario data. Also the radioiodine field counting data must be compatible with the DOE methods and procedures. Since I do not have, or care to have, the DOE procedures I can not

make this evaluation. Lilco should contact DOE personnel who are not going to participate in the exercise and make this critical comparison.

2. The ten hour default release projection (page 6-225) will result in a projected thyroid dose at ten miles which will be very close to the PAG. Based on Table 6.5.3.b and a ten hour release, 4.9 Rem would be projected. The actual dose will be well below this value due to decreasing release rate, shorter release time and a wind shift. Since PAR's are based on projections initially, I am concerned that the projected dose commitment is too close to the PAG. This could be very troublesome if the DOE dose projection methods give only slightly higher results than those in the scenario (see #1 above).
3. The data for the minor release shown via Table 6.5.3.a and the maps, should be corrected for use of the DOE instrumentation shown in the plan. The DOE field teams have available instrumentation which will allow detection of low radiation levels.

Scenario Event Summary

Some of the following comments should probably be made by NRC however, I will include my thoughts.

1. The initiating events for this scenario appear to be disconnected and largely unrelated. This will make projection based on plant status very difficuly.
2. There appear to be several cases where are reasonable operator actions which could terminate the scenario which must be stopped by the controllers. This will put a heavy burden on the controllers.
3. The time line should be modified slightly to move the critical events off even time elements-use 0528 instead of 0530 etc.
4. The cleanup efficiency for the RBSVS seems low. My calculations indicate that the scenario uses 5% for radioiodine.
5. Pages 3-8 and 3-10 show notifications to the State and county via RECS. This can not be since RECS has been removed.
6. Page 3-28 Message L-3 should be removed. This is prompting (see page 4-33). The participants should use their plans and procedures and not be issued the procedures by controllers.
7. Page 3-30 Message L-4C. Why not allow for early school closing if that is the decision. The school evacuations can be run out of sequence as in other exercises.
8. Page 3-30 Message L-5C. Why not allow for siren activation at the first decision to sound the sirens. Subsequent siren activations could be simulated.
9. Page 3-36 Message L-10. The controllers should not be involved with the dispatch of the DOE fiels teams. DOE may well deploy earlier than the time listed.
10. Page 3-40 Message L-15. I do not believe that this CCC is in accord with the plan. I understand that FEMA wants the ARC to activate two CCC's from their usual list.

11. Page 3-41 Messages L-16 to L-23. These messages are not in accord with my understanding of what is to be "free play". All of these messages (see pages 4-46 to 4-56) should be deleted. FEMA will input via the controllers this information on the day of the exercise.

Evaluation Instructions

1. Page 7-5 Sect. 2.b,c,d. I do not understand the use of "simulated" in these sections. FEMA expects that the messages will be prepared and read to the EBS station etc.
2. Page 7-7 Sect. 7.d. Ingestion pathway is not an objective.
3. Page 7-8 Sect. 8.e and g. Again, ingestion pathway is not an objective.
4. Page 7-8 Sect. 8.i. Offsite recovery and reentry is not an objective.

If you have any questions, please contact me.

Sincerely,

J. H. Keller, Fellow Scientist
Special Programs

cc; M. Lawless - FEMA
C. Siebentritt - FEMA

731614

FEMA Panel Ex #17

Federal Emergency Management Agency

Region II 26 Federal Plaza New York, New York 10278

December 13, 1985

Mr. Charles A. Daverio
Manager
Emergency Preparedness Division
Long Island Lighting Company
175 East Old Country Road
Hicksville, New York 11801

Subject: Review of the Draft Exercise Scenario for Shoreham

Dear Mr. Daverio:

We have reviewed the draft exercise scenario dated December 6, 1985 and our comments are outlined below. These comments were also discussed with you at our December 12, 1985 meeting in New York City.

I. OFFSITE RADIOLOGICAL DATA

We have calculated the offsite dose rates using the proposed scenario source terms and meteorological conditions and standard calculational methods (EPA methodology). The results of our calculations agree well with the offsite data proposed (within 10-30% from 2-10 miles). The isopleth maps provided for controller use are of a good scale and will be readable during the exercise. The map, Figure 6.5.4, shows that isopleths "E" and "F" terminate at downwind distances of 4 and 5 miles respectively. Using Tables 6.5.3.a-e, the child thyroid dose commitment will be 7.3 and 5.1 Rem in isopleths "E" and "F". According to a discussion of Mr. Keller with Dennis Behr of Impell Corp., the scenario author, the data is intended to be used so that there will be constant readings within an entire isopleth. In our view these proposed dose commitments do not meet the requirement of total integraded dose between 4.00 to 5.5 miles (1.4 Rem or 7.0 Rem thyroid/ set forth in my December 2, 1985 letter to you. However, the desired exercise result will be achieved with the current data. As we understand the plan, if a Protective Action Recommendation (PAR) is considered for any portion of a planning zone, then the whole zone is affected. Figure 3 of Appendix A of the plan shows that planning zone "G" starts about 2.5 miles downwind and extends to about 6.2 miles downwind. Clearly, the integrated child thyroid dose commitment will exceed the PAG well into planning zone "G".

731143

We have several other comments regarding the proposed offsite data.

1. LILCO should be tasked with assuring that the dose projections which will be made by DOE will be in reasonable agreement with the scenario data. Also, the radioiodine field counting data must be compatible with the DOE methods and procedures. Since we do not have the DOE procedures, we cannot make this evaluation. LILCO should contact DOE personnel who are not going to participate in the exercise and make this critical comparison (using other data than one contained in the scenario).

2. The ten hour default release projection (page 6-225) will result in a projected thyroid dose at ten miles which will be very close to the PAG. Based on Table 6.5.3.b and a ten hour release, 4.9 Rem would be projected. The actual dose will be well below this value due to decreasing release rate, shorter release time, and a wind shift. Since PAR's are initially based on projections, we are concerned that the projected dose commitment is too close to the PAG. This could be very troublesome if the DOE dose projection methods give only slightly higher results than those in the scenario (see #1 above).

3. The data for the minor release shown via Table 6.5.3.a and the maps, should be corrected for use of the DOE instrumentation shown in the plan. The DOE field teams have available instrumentation which will allow detection of low radiation levels.

4. The proposed data for plume map zones "J" and "K" is very unrealistic and should be revised. We understand that the wind shift is to be instantaneous, however, the effect of this new wind direction on a plume which is ten miles long and more than two miles wide can not be instantaneous. What is needed at a minimum is to break these two zones into subzones with different data. This is particularly important for the downwind areas from the original plume direction.

II. SCENARIO EVENT SUMMARY

Other comments that you should consider and implement as appropriate are listed below.

1. The initiating events for this scenario appear to be disconnected and largely unrelated. This will make projection based on plant status very difficult.

2. There appear to be several cases where the operator could terminate the exercise which will require the intervention of controllers. This will put a heavy burden on the controllers.

3. The time line should be modified slightly to move the critical events off even time elements-use 0528 instead of 0530, etc.

4. Pages 3-8 and 3-10 show notifications to the State and county via RECS. This cannot be accomplished since RECS has been disconnected at the State EOC.

5. Page 3-28, Message L-3 should be removed. This constitutes prompting (see page 4-33). The participants should use their plans and procedures 3-30 Message L-4C. Why not allow for early school closing if that is the decision. The school evacuations can be run out of sequence as in other exercises.

6. Page 3-30, Message L-5C. Why not allow for siren activation at the first decision to sound the sirens. Subsequent siren activations could be simulated.

7. Page 3-36, Message L-10. The controllers should not be involved with the dispatch of the DOE field teams. DOE may well deploy earlier than the time listed in the scenario.

8. Page 3-40, Message L-15. We do not believe that this congregate Care Center (CCC) is in accordance with the plan. FEMA would like the ARC to activate two CCC's from their usual list.

9. Page 3-41, Messages L-16 to L-23. These messages are not in accordance with FEMA's concept of "free play". All these messages (see pages 4-46 to 4-56) should be deleted. FEMA will input this information, via controllers, on the day of the exercise.

Evaluation Instructions

1. Page 7-5 Sect. 2.b,c,d. We do not understand the use of "simulated" in these sections. FEMA expects that the messages will be prepared and read to the EBS station, etc.
2. Page 7-7 Sect. 7.d. Ingestion pathway is not an objective.
3. Page 7-8 Sect. 8.e and g. Again, ingestion pathway is not an objective for this exercise.
4. Page 7-8 Sect. 8.i. Offsite recovery and reentry is not an objective for this exercise.

Please be aware that although we discussed and verified the dose projections with NRC, Region I, the above comments do not reflect the formal NRC review. The NRC RAC member may elect to provide additional comments on the offsite portion of the scenario at a later date. We would appreciate if you could implement the necessary revision to the exercise scenario at the earliest date possible.

If you have any questions concerning these comments, please do not hesitate to call me.

Sincerely,

Roger B. Kowieski

Roger B. Kowieski, P.E.
Chairman
Regional Assistance Committee

731446

FEMA Panel Ex #18

Federal Emergency Management Agency

Region II 26 Federal Plaza New York, New York 10278

12/13/85

Memorandum For: The File

From: Roger B. Kowieski

Subject: Meeting with LILCO representatives to discuss the exercise objectives and scenario

On December 12, 1985 a meeting was held at 26 Federal Plaza to discuss the proposed exercise objectives and scenario requirements.

In attendance:

Name	Organization	Telephone No.
Roger B. Kowieski	FEMA	(212) 264-8395
Dennis Behr	Impell	(516) 420-3421
Charles Daverio	LILCO	(516) 420-6211
Robert L. Acerno	FEMA	(212) 264-3276
Joe Keller	INEL/FEMA	(208) 526-2123
Raymond Seiter	Impell for LILCO	(516) 420-3317

Exercise Scenario Requirements

- Roger Kowieski and Joseph Keller presented to LILCO representatives the exercise scenario requirements.
- Chuck Daverio indicated that early dismissal of schools can be accomplished by LERO representative from home.
- Daverio raised a concern about siren sounding at 6:00 am, before the majority of the public is awaken. Kowieski agreed to consider a later hour for siren sounding (e.g. 8:00 am).

Number of Exercise Demonstrations

- Kowieski explained the demonstrations that FEMA will require (for details see Mr. Kowieski's letter to LILCO).
- Kowieski requested a flow diagram for each staging area.

731752

- All parties agreed that the medical drill could be held on the weekend.

- With respect to Mobility Impaired at home, FEMA will advise LILCO on the type of vehicle(s) to be used (e.g. ambulette, ambulance, van or bus).

- Daverio indicated that LILCO would like to use a different set-up for Reception Center than one shown in the plan. Reason: Better accessibility and efficiency. LILCO indicated that the revised floor plan will be submitted to FEMA (thru NRC) for review.

FEMA Panel Ex #19 Shoreham

LILCO LONG ISLAND LIGHTING

LONG ISLAND LIGHTING COMPANY

175 EAST OLD COUNTRY ROAD • HICKSVILLE, NEW YORK 11801

Direct Dial Number

December 19, 1985

Federal Emergency Management Agency
Region II
26 Federal Plaza
New York, New York 10278

ATTENTION: Mr. Roger Kowieski

SUBJECT: Shoreham Nuclear Power Station
Local Emergency Response Organization
1986 Graded Exercise - Revised Objectives and Proposed Demonstrations

REFERENCE:
1. FEMA letter dated December 13, 1985
2. Telecon between Messrs. Charles Daverio/Roger Kowieski on 12/18/85

Gentlemen:

Pursuant to our conversation and in response to your letter, we have the following questions or comments on your proposed list of activities to be demonstrated.

1. We will be performing essentially all the activities in sequence. Attachment 1 provides the time frames of each of the activities listed on page 4 of your letter. If you need to observe something outside of those times, you may need a controller message to ensure that the activities are performed at an appropriate observation time.

2. Relative to congregate care, since it is performed by the Red Cross by their own authority using their own procedures, we believe it would be appropriate for them to choose any facility with which they have an agreement at the time of the exercise. We believe this would be consistent with how they would function if a real need did occur.

3. Bus routes will be run in sequence. We would request that you review with us the method by which you expect to enter bus route free play messages.

731227

4. It is our understanding that one school district will demonstrate an appropriate protective action based on the exercise scenario. Furthermore, a FEMA controller may input a school transportation assistance free play message. Please note that our procedures (OPIP 3.6.5) identifies which schools by pre-arrangement will need assistance. If your free play message requests assistance at another location, the message will need to detail the location of the school and the reception location to be used.

5. We will provide you with the list of homebound, mobility impaired persons by the end of the year. It will include the type of vehicle necessary. This list should be returned to us without having been copied and should be held in confidence. We understand you will use this list to determine the types of vehicles to be used in demonstrations.

6. For the mobility impaired at a special facility, we would recommend that one ambulance and one ambulette be used for the demonstration from one special facility.

7. We still do not have confirmation that the Coast Guard is willing to participate.

8. As we stated in our conversation, there is no problem with inputting of siren failure messages. These messages should be inputted to the Coordinator of Public Information at the EOC.

9. As we mentioned to you on the phone, given the scenario, there is a possibility that the initial protective actions would be to evacuate two miles around the plant and 5 miles in a downwind direction. Given our procedures and the wind direction this would cause traffic guides to be dispatched from all three staging areas and bus drivers from Port Jefferson and Patchogue. If this happens, you will need a controller message for the Riverhead bus drivers to be dispatched.

10. As we discussed, LILCO will provide space as defined on page 5 of your letter for Federal Observers. However, we don't believe it appropriate to provide special facilities for the simulators of State and local representatives.

11. Attachment 2 is the requested information concerning personnel flow at each of the three staging areas.

12. We will provide potential dates for the medical drill by early January.

13. If LERO decides to activate the sirens at the Alert level, we recommend that a controller message be exercised to prevent this from occurring. This is because the Alert should be declared at 6:00 a.m. We recommend that the sirens be sounded once, at the Site Area Emergency level which should occur at approximately 8:00 a.m. when most people are awake.

14. The drill schedule for January has not yet been finalized. We will provide you with the requested dates by early January.

15. We will provide you with the addresses and a map locating each demonstration by January 1, 1986.

16. We would like to meet with you to review the means by which free play messages will be used to control the items to be demonstrated on Attachment 1. This review would not be for content but rather to ensure that the message is input to the proper LERO position. We also believe a discussion concerning the simulation of State and local representation is necessary.

If you have any questions or concerns regarding this letter, please do not hesitate to contact the undersigned at (516) 420-6211.

Very truly yours,

Charles A. Dave.o
Manager, Nuclear Emergency
Preparedness Division

CAD/DMB/cjc

731229

FEMA Panel Ex #20 SHOREHAM

Federal Emergency Management Agency
Region II 26 Federal Plaza New York, New York 10278

8 JAN 86

Mr. Charles A. Daverio
Manager, Emergency Preparedness Division
Long Island Lighting Company
175 East Old Country Road
Hicksville, NY 11801

Subject: Revised Objectives for Shoreham Exercise and Proposed List of Demonstrations

Dear Mr. Daverio:

The purpose of this letter is twofold:

- To respond to your questions and comments raised in your December 19, 1985 letter to me regarding the proposed list of activities, and
- To provide additional comments on and/or modifications to the proposed exercise objectives.

I. PROPOSED LIST OF ACTIVITIES

For easy reference, I will address each question and/or comment in the same order as outlined in your December 19, 1985 letter.

1. Time frames for each of the activities

FEMA plans to observe the following activities out of sequence:

- Emergency Worker Decontamination facility
- Route Alerting

With respect to Congregate Care Centers, facilities should be opened between 4:00 - 12:00 of scenario time.

Impediments to evacuation will be introduced after TCPs are evaluated.

Since notification of the public must be accomplished no later than Site Area Emergency, suggested boat alerting at 05:30 of scenario time appears too late.

731262

2. Congregate Care Centers

I think it is prudent to contact the facilities to be used as congregate care centers before the exercise. It is especially important, since our observers must receive specific instructions far in advance of the exercise. I would appreciate your advising me about two (2) facilities to be used as congregate care centers at the earliest date possib

3. Bus Routes

We plan to review with you the method by which free play messages will be introduced.

4. School Evacuation

We agree with your comment. We also intend to discuss with you the method by which free play message: will be introduced.

5. List of mobility impaired at home

We plan to comply with your request and will return the list of homebound individuals to you.

6. Evacuation of Special Facilities

We plan to use one ambulance and one ambulette for the demonstration.

7. We have received a copy of the Coast Guard letter confirming their participation in the Shoreham exercise

8. Route Alerting (siren failure)

Siren failure messages will be inputted to the Coordinator of Public Information at the EOC.

9. Dispatching of bus drivers

The method by which a controller message would be introduced to dispatch the Riverhead bus drivers needs to be discussed.

10. Desks and telephones for federal observers

Your assurance that federal observers will be provided with desks and telephones is satisfactory to FEMA.

731263

11. Staging Areas

We have received the floor plan for each staging area.

12. Medical Drill

We are still awaiting your advice on potential dates of medical drill.

13. Siren activation

The method by which a controller message be introduced to prevent siren sounding at the Alert level needs to be discussed.

14. Table-top exercise

You need to advise FEMA about the date of the table-top exercise.

15. Addresses of various facilities

We are still awaiting the addresses and telephone number of various facilities to be demonstrated and observed.

16. Meeting between LILCO and FEMA

The meeting to discuss the message flow during the Shoreham exercise needs to be scheduled. This will assure that free play messages are introduced at the proper location.

In addition to the above comments, I am attaching the revised list of activities to be demonstrated by LILCO. Changes were made only with respect to the activities to be demonstrated in sequence and out of sequence.

REVISED

[illegible] ACTIVITIES TO BE DEMONSTRATED BY [illegible]
[illegible] EVALUATED BY FEMA

Activities to be demonstrated	Pre-designated	Free Play	In Sequence	Out of Sequence	No.
Warning Point	x		x		1
EOC	x		x		1
EOF	x		x		1
EMC	x		x		1
Reception Center	x		x		1
Emergency Worker Decon.	x		x		1
Staging Areas	x			x	1
Cong. Care Centers	x		x		3
Bus Routes (Gen. pop.)			x		2
School Evacuation (Schools requesting assistance		x	x		8
Mobility Impaired at home		x			2
Mobility Impaired at special facilities		x			6 addres
Transfer Points in sequence with bus routes		x	x		2
Boat Alerting (Coast Guard)		x	x		
Route Alerting (Siren Failure	x		x		1
TCPs		x		x	3
Impediments to Evacuation		x	x		3x3
Medical Drill		x	x		2
Radiological Monitoring	x			x	
Accident Assessment	x		x		2
	x		x		2

731265

II. ADDITIONAL MODIFICATIONS TO EXERCISE OBJECTIVES

The following modifications to be incorporated into the exercise objectives:

Page 1

° Sixth objective - it has been determined that this objective is affected by the legal authority issue and, therefore, the asterisk should be added.

Page 7

° For all exercise objectives please change the abbreviation of Brookhaven Area Office from "BAO" to "BHO".

° Tenth objective - 5th line, add "to LERO" after measures. In addition add the sentence to read: "LERO is responsible for the final decision on protective action recommendations."

Page 8

° Sixth objective - it has been determined that this objective is affected by the legal authority issue and, therefore, the asterisk should be added.

III. MISSING PROCEDURES

Prior to the exercise we would like to receive the following procedures/attachments which are not part of the LILCO Transition plan, Revision 5:

° American Red Cross - Need reception center procedures

° Inventories of equipment for:

-- Staging Areas - OPIP 5.3.1, Attachments 8-10 (Staging Area Objective 4)
-- Decon. Center - OPIP 5.3.1, Attachment 6 (Decon. Center Objective 3)

° EOC Communications System Diagram in OPIP 3.4.1, Attachment 1 for:

-- Staging Areas (Staging Area Objective 5)
-- Staging Areas (Staging Area Objective 10)
-- EOC (EOC Objective 5)

If you have any questions concerning my letter, please call me at (212) 264-8395.

Sincerely,

Roger B. Kowieski

Roger B. Kowieski, P.E.
Chairman
Regional Assistance Committee

731207

PROPOSED EXERCISE OBJECTIVES

for the

1986 SHOREHAM EXERCISE

Revised January 8, 1986, Rev. 2

731268

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Center (EOC)

Demonstrate the ability to receive initial and follow-up emergency notifications.

Demonstrate the ability to mobilize staff and activate the Local Emergency Response Organization (LERO) EOC in a timely manner.

Demonstrate through rosters, the ability to maintain staffing in the LERO EOC on a 24-hour basis.

Demonstrate that the LERO EOC has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the LERO can establish appropriate communication links, both primary and backup systems (communication with the State and county via RECS to be simulated).

* Demonstrate that the LERO EOC has adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

* Demonstrate that the appropriate official is in charge and in control of an overall coordinated response including decisions on protective action recommendations.

* Demonstrate the ability to coordinate the emergency response with county and State officials. (Role of State and/or county officials will be simulated by FEMA designated personnel.)

*Note: The demonstration of this objective is affected by the legal authority issue.

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Emergency Operations Center - Continued

* Demonstrate the ability of the designated official to determine the need to obtain State assistance.

* Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

Demonstrate the ability to receive and interpret radiation dosage projection information, and to determine appropriate protective measures, based on PAGs and information received from the Brookhaven Area Office (BAO).

* Demonstrate the ability to provide advance coordination of public alerting and instructional messages with the State and county (State and county participation simulated).

* Demonstrate the ability to activate the prompt notification siren system in coordination with State and county (State and county participation simulated).

* Demonstrate the capability for providing both an alert signal and an informational or instructional message to the population on an area-wide basis throughout the 10 mile EPZ, <u>including the water portion</u>, within 15 minutes (<u>45 minutes for water portion</u>).

* Demonstrate the organizational ability to manage an orderly evacuation of all or part of the 10-mile EPZ including the water portion.

*Note: The demonstration of this objective is affected by the legal authority issue.

731270

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Center - Continued

* Demonstrate the organizational ability to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

* Demonstrate the organizational ability necessary to effect an early dismissal of schools within the 10-mile EPZ.

* Demonstrate the organizational ability necessary to control access to an evacuated area.

* Demonstrate the organizational ability necessary to effect an orderly evacuation of schools within the 10-mile EPZ. If this protective action is not recommended by the decision-makers, e.g. schools were dismissed early, a free play controllers message may be inserted to demonstrate this activity.

* Demonstrate the ability to prepare and implement EBS in a timely manner (i.e., within 15 minutes after command and control decision for implementation of protective action recommendations).

*Note: The demonstration of this objective is affected by the legal authority issue.

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Field Activities

Demonstrate the ability to continuously monitor and control emergency worker exposure including proper use of personnel dosimetry.

Demonstrate the ability to mobilize and deploy BAO field monitoring teams in a timely manner.

Demonstrate appropriate equipment and procedures for determining ambient radiation levels (BAO personnel).

Demonstrate appropriate equipment and procedures for measurement of airborne radioiodine concentrations as low as 0.1 picocurries/cc in the presence of noble gases (BAO personnel).

* Demonstrate the ability to provide backup public alerting, if necessary, in the event of partial siren system failure.

Demonstrate that the permanent population has received information on how they will be notified and what their actions should be in the event of a radiological emergency and that this information is updated on an annual basis.

Demonstrate that information on emergency actions has been provided to transient populations.

* Demonstrate that access control points can be established and manned by Traffic Guides in a timely manner.

Demonstrate the ability to supply and administer KI, once the decision has been made to do so.

*Note: The demonstration of this objective is affected by the legal authority issue.

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Field Activities - Continued

Demonstrate that emergency workers understand who can authorize excess exposure under the Protective Action Guidelines.

Demonstrate a sample of resources necessary to implement an orderly evacuation of all or part of the 10-mile EPZ.

* Demonstrate a sample of resources necessary to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

* Demonstrate a sample of resources necessary to control access to an evacuated area (Traffic Guides).

* Demonstrate the adequacy of evacuation bus transfer points including access and parking/transfer areas.

Demonstrate a sample of resources necessary to effect an orderly evacuation of the institutionalized mobility-impaired individuals within the 10-mile EPZ.

Demonstrate a sample of resources necessary to effect an orderly evacuation of the non-institutionalized mobility-impaired individuals within the 10-mile EPZ.

*Note: The demonstration of this objective is affected by the legal authority issue.

731273

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Field Activities - Continued

Demonstrate a sample of resources necessary to effect an early dismissal of schools within the 10-mile EPZ.

Demonstrate a sample of resources necessary to effect an orderly evacuation of schools within the 10-mile EPZ.

Demonstrate the ability to mobilize staff and activate Reception Center in a timely manner.

Demonstrate the ability to mobilize staff and activate Congregate Care Center in a timely manner.

Demonstrate through rosters the ability to maintain staffing at the Reception Center on a 24-hour basis.

Demonstrate through rosters the ability to maintain staffing at the Congregate Care Center on a 24-hour basis.

* Demonstrate the adequacy of procedures for registration, radiological monitoring, and decontamination of evacuees and vehicles including adequate provisions for handling contaminated waste.

Demonstrate the adequacy of facilities for mass care of evacuees.

Demonstrate adequacy for ambulance facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/off-site injury).

Demonstrate adequacy of hospital facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/off-site injury).

*Note: The demonstration of this objective is affected by the legal authority issue.

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Brookhaven Area Office (BHO)

Demonstrate the ability to receive initial and follow up emergency notifications.

Demonstrate the ability to mobilize staff and activate the BHO in a timely manner.

Demonstrate through rosters, the ability to maintain staffing in the BHO on a 24-hour basis.

Demonstrate that the BHO has adequate space, equipment, and supplies to support emergency operations.

Demonstrate that the BHO can establish appropriate communication links, using both primary and backup systems.

Demonstrate that the BHO has adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

Demonstrate that the appropriate official is in charge and in control of dose assessment function assigned to the BHO.

Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

Demonstrate the ability to project radiation dosage to the public via plume exposure, based on plant data and field measurements, and to recommend appropriate protective measures to LERO, based on PAGs and effectively communicate them to the LERO EOC. LERO is responsible for the final decision on protective action recommendations.

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Staging Areas

Demonstrate the ability to receive emergency notifications.

Demonstrate the ability to mobilize staff and activate the staging areas in a timely manner.

Demonstrate through rosters, the ability to maintain staffing at the staging areas on a 24-hour basis.

Demonstrate that the staging areas have adequate space, parking area, equipment, and supplies to support emergency operations.

Demonstrate that the staging areas can establish appropriate communication links with the LERO EOC and field personnel using both primary and backup systems.

* Demonstrate that the staging areas have adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

Demonstrate that the appropriate official is in charge and in control of an overall response assigned to the staging area.

* Demonstrate the ability to dispatch to and direct emergency workers in the field.

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*Note: The demonstration of this objective is affected by the legal authority issue.

731276

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR
THE 1986 SHOREHAM EXERCISE

Staging Areas - Continued

Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Workers Decontamination Facility

Demonstrate the ability to mobilize staff and activate Emergency Worker Decontamination Facility.

Demonstrate through rosters, the ability to maintain staffing of Emergency Worker Decontamination Facility on a 24-hour basis.

Demonstrate adequate equipment and procedures for decontamination of emergency workers, equipment and vehicles including adequate provisions for handling contaminated waste.

*Note: The demonstration of this objective is affected by the legal authority issue.

731273

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency News Center (ENC)

Demonstrate the ability to mobilize staff and activate LERO functions at the ENC in a timely manner.

Demonstrate through rosters the ability to maintain staffing of LERO functions at the ENC on a 24-hour basis.

Demonstrate the ability to brief the media in a clear accurate, and timely manner.

* Demonstrate the ability to share information with other agencies at the ENC prior to its release.

Demonstrate the ability to establish and operate rumor control in a coordinated manner.

* Demonstrate the ability to prepare and implement EBS in a timely manner (i.e., within 15 minutes after command and control decision for implementation of protective action recommendations).

Demonstrate that the ENC has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the ENC has adequate access control and that security can be maintained.

*Note: The demonstration of this objective is affected by the legal authority issue.

January 8, 1986

PROPOSED EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Facility (EOF)

Demonstrate the ability to mobilize staff and activate ~~State~~ LERO functions at the EOF in a timely manner.

Demonstrate by shift change or through rosters, the ability to maintain staffing of LERO functions in the EOF on a 24-hour basis.

Demonstrate that the Emergency Operations Facility has adequate space, equipment, and supplies to support emergency operations and interaction with LERO EOC.

Demonstrate that the Emergency Operations Facilities have adequate access control and that security can be maintained.

* Demonstrate the ability to coordinate the dose projections based on plant data and field measurements with county and/or State officials (Role of State and/or county officials will be simulated by FEMA designated personnel).

*Note: The demonstration of this objective is affected by the legal authority issue.

731280

FEMA Panel Ex #21 From Tom B on 12/06/85

EOC 1 Demonstrate the ability to receive initial and follow-up emergency notifications.

- RECS telephone line operational and staffed.
- RECS messages received and recorded on standard forms at:
  - LERO warning point
  - LERO EOC
- RECS notification received for all changes in:
  - Emergency Classification Level (ECL)
  - Protective Action Recommendations (PARs)
  - Plant conditions
  - Weather/meteorological conditions
- Roll call at conclusion of each RECS message.
- Verification of emergency notification - IF NOTIFIED BY COMMERCIAL TELEPHONE OR MEANS OTHER THAN RECS

EOC 2 Demonstrate the ability to mobilize staff and activate the Local Emergency Response Organization (LERO) EOC in a timely manner.

- Activation of Pagers (using Group Tone system) by supervising Shift Operator in Hicksville.
- Notification of personnel via commercial telephone IF NOTIFICATION OF INDIVIDUAL(S) IS NOT VERIFIED WITHIN TIME FRAME PRESCRIBED IN THE PLAN.

Group Tone	Minutes
1	15
2	30
3	30
4	?

- Verification of pager notification (see OPIP 3.3.5)
- Activation of Local EOC (see Section 3.3, OPIP 3.3.3, and OPIP 4.1.1).
- Mobilization of response personnel (see OPIP 3.3.3).

731756

EOC 3 Demonstrate through rosters, the ability to maintain staffing in the LERO EOC on a 24-hour basis.

- Roster(s) of personnel designated to fill EOC positions (see Figure 2.1.1 and OPIP 3.3.3, Attachment 2).

EOC 4 Demonstrate that the LERO EOC has adequate space, equipment, and supplies to support emergency operations.

- Adequacy of operations facilities
  - Space
  - Furniture
  - Telephones
  - Lighting
  - Noise suppression
- Ability to support extended operations (i.e., are there bunks, showers, kitchen facilities).
- Availability of back up power.
- Availability and maintenance of visible status board(s) showing ECL and significant events.
- Availability and adequacy of maps:
  - Plume EPZ showing ERPAs
  - Population by ERPA
  - Evacuation routes
  - Reception center(s)
  - Congregate care centers
  - Traffic control points
  - Radiological monitoring points
  - Ingestion pathway EPZ
- Inventory of food processing, handling and distribution facilities within the ingestion pathway EPZ.

EOC 5 Demonstrate that the LERO can establish appropriate communication links, both primary and back up systems (communication with the State and county via RECS to be simulated).

- Capability to establish communications with all emergency response organizations specified in the plan (see Section 3.4 and Figure 3.4.1 of the plan).

EOC 6 Demonstrate that the LERO EOC has adequate access control and that security can be maintained.

- Maintenance of Log-in sheets.
- Distribution of LERO identification badges.
- Security/access control to the Local EOC as specified in OPIP 4.7.1 (see Sections 5.1.2 and 5.1.7).

EOC 7 Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

- Timeliness and accuracy of information transmitted to emergency response locations from the local EOC.
- Maintenance of message logs by emergency coordinators (see OPIP 4.1.2).
- Use of message forms by LERO local EOC staff (see OPIP 4.1.2).
- Maintenance of Status Boards within the EOC (see OPIP 4.1.2, Section 5.2).
- Periodic briefings of key organizations on the status of LERO emergency operations by Director of Local Response or designee (see OPIP 3.1.1, Attachment 1, Page 10 of 12).
- Briefing of incoming personnel as appropriate.

EOC 8 Demonstrate that the appropriate official is in charge and in control of an overall coordinated response including decisions on protective action recommendations.

- Command of emergency operations by LERO Director of Local Response or designee (see OPIP 3.1.1, Attachment 1).
- Use of EOC staff in operations, decision-making and implementation of response (see OPIP 3.1.1).
- Availability and use of the plan, procedures and check lists.

EOC 9 Demonstrate the ability of the designated official to determine the need for and ability to obtain State assistance.

- Implementation of OPIP 3.1.1, specifically parts D3 and D6 by LERO Director of Local Response or designee (see OPIP 3.1.1, Attachment 1, pages 10 and 12).

EOC 10 Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

- Adequacy of EOC communications equipment and procedures (see Figure 3.4.1 and OPIP 3.4.1).
- Use of EOC communications equipment and procedures by LERO coordinators and staff.

EOC 11 Demonstrate the ability to receive and interpret radiation dosage projection information, and to determine appropriate protective measures, based on PAGs and information received from the Brookhaven Area Office (BAO).

- Implementation of:
  - OPIP 3.1.1, Attachment 3 (Health Services Coordinator).
  - OPIP 3.5.2.

EOC 12 Demonstrate the ability to provide advance coordination of public alerting and instructional messages with the State and county (State and county participation simulated).

- Implementation of OPIP 3.8.2.

EOC 13 Demonstrate the ability to activate the prompt notification siren system in coordination with State and county (State and county participation simulated).

- Implementation of OPIP 3.3.4.

EOC 14 Demonstrate the capability for providing both an alert signal and an informational or instructional message to the population on an area wide basis throughout the 10 mile EPZ, within 15 minutes.

- Implementation of:
  - OPIP 3.3.4
  - OPIP 3.8.2

EOC 15 Demonstrate the organizational ability to manage an orderly evacuation of all or part of the 10-mile EPZ.

- Implementation of OPIP 3.1.1, Attachment 4.

EOC 16 Demonstrate the organizational ability to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

EOC 17 Demonstrate the organizational ability necessary to effect an early dismissal of schools within the 10-mile EPZ.

- Implementation of OPIP 3.6.5, Section 5.10.2.

EOC 18 Demonstrate the organizational ability necessary to control access to an evacuated area.

- Implementation of OPIP 3.1.1, Attachment 4, Section C3.a.

  Note: Traffic guide's role in access control is to advise persons not to enter an evacuated area.

EOC 19 Demonstrate the organizational ability necessary to effect an orderly evacuation of schools within the 10-mile EPZ. If this protective action is not recommended by the decision-makers, e.g., schools were dismissed early, a free play controllers message may be inserted to demonstrate this activity.

- Implementation of:

  - OPIP 3.1.1, Attachment 4, Section C3.b.
  - OPIP 3.6.5, Section 5.10.3.

FIELD 1 Demonstrate the ability to continuously monitor and control emergency worker exposure including proper use of personnel dosimetry.

- Implementation of OPIP 3.9.1.

FIELD 2 Demonstrate the ability to mobilize and deploy field monitoring teams in a timely manner.

- Mobilization and deployment per DOE-RAP Team procedures.
- Coordination of status of RAP Team mobilization with LERO Radiation Health Coordinator (see OPIP 3.5.2, Section 5.1.1.c.

FIELD 3 Demonstrate appropriate equipment and procedures for determining ambient radiation levels.

- Implementation of DOE-RAP Team procedures.

FIELD 4 Demonstrate appropriate equipment and procedures for measurement of airborne radioiodine concentrations as low as 0.1 picocurries/cc in the presence of noble gases.

- Implementation of DOE-RAP Team procedures.

FIELD 5 Demonstrate the ability to provide back up public alerting, if necessary, in the event of partial siren system failure.

- Implementation of OPIP 3.3.4, Section 5.3

FIELD 6 Demonstrate that the permanent population has received information on how they will be notified and what their actions should be in the event of a radiological emergency and that this information is updated on an annual basis.

- Implementation of OPIP 3.8.1, Sections 2.1 and 5.1.1.
- Public awareness of public information brochure.
- Public receipt of public information brochure.
- Public knowledge of information contained in the brochure.

Note: The LERO public information brochure has not been distributed to the public in the 10-mile EPZ.

FIELD 7 Demonstrate that information on emergency actions has been provided to transient populations.

- Suffolk County telephone book inserts containing information for transient populations.
- Posted notices at all concentrations of transient population, such as: motels, gas stations, beaches, restaurants, and other recreation areas.
- Posted notices will be provided to local institutions (nursing homes, hospitals, etc.). Notices will be provided to places with public bulletin boards (post offices, libraries, etc.).

Note: Public information program has not been completed in Suffolk County.

FIELD 8 Demonstrate that access control points can be established in a timely manner.

- Implementation of OPIP 3.6.3, Attachment 1.

Note: Traffic Guide's role in access control is to advise persons not to enter an evacuated area.

FIELD 9 Demonstrate the ability to supply and administer KI, once the decision has been made to do so.

- Implementation of OPIP 3.6.2.

FIELD 10 Demonstrate that emergency workers understand who can authorize excess exposure under the Protective Action Guidelines.

FIELD 11 Demonstrate a sample of resources necessary to implement an orderly evacuation of all or part of the 10-mile EPZ.

FIELD 12 Demonstrate a sample of resources necessary to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

FIELD 13 Demonstrate a sample of resources necessary to control access to an evacuated area.

FIELD 14 Demonstrate the adequacy of evacuation bus transfer points including access and parking/transfer areas.

FIELD 15 Demonstrate a sample of resources necessary to effect an orderly evacuation of the institutionalized mobility-impaired individuals within the 10-mile EPZ.

FIELD 16 Demonstrate a sample of resources necessary to effect an orderly evacuation of the non-institutionalized mobility-impaired individuals within the 10-mile EPZ.

FIELD 17 Demonstrate a sample of resources necessary to effect an early dismissal of schools within the 10-mile EPZ.

FIELD 18 Demonstrate a sample of resources necessary to effect an orderly evacuation of schools within the 10-mile EPZ.

FIELD 19 Demonstrate the ability to mobilize staff and activate Reception Center in a timely manner.

FIELD 20 Demonstrate the ability to mobilize staff and activate Congregate Care Center in a timely manner.

FIELD 21 Demonstrate by shift change or through rosters, the ability to maintain staffing at the Reception Center on a 24-hour basis.

FIELD 22 Demonstrate by shift change or through roster, the ability to maintain staffing at the Congregate Care Center on a 24-hour basis.

FIELD 23 Demonstrate the adequacy of procedures for registration, radiological monitoring, and decontamination of evacuees and vehicles including adequate provisions for handling contaminated waste.

FIELD 24 Demonstrate the adequacy of facilities for mass care of evacuees.

FIELD 25 Demonstrate adequacy for ambulance facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/ off-site injury.)

FIELD 26 Demonstrate adequacy of hospital facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/ off-site injury.)

731767

FEMA Panel Ex #22 SHOREHAM

Confidential - Scenario Information

LILCO LONG ISLAND LIGHTING COMPANY

175 EAST OLD COUNTRY ROAD · HICKSVILLE, NEW YORK 11801

Direct Dial Number

January 22, 1986

Federal Emergency Management Agency
Region II
26 Federal Plaza
New York, New York 10278

ATTENTION: Mr. Roger Kowieski

SUBJECT: Shoreham Nuclear Power Station
1986 Graded Exercise - Analysis of
Shoreham Points of Observer Review

REFERENCES: 1. LILCO/FEMA Meeting on January 16, 1986
2. Shoreham Points of Observer Review document

Gentlemen:

As promised during last weeks meeting, you will find our analysis of the subject document attached to this letter.

In clarification to our comment regarding Appendix A:

- Appendix A is a document which contains all of the details necessary for LERO to implement an evacuation PAR. However, Appendix A does not provide methodology for implementation of the PAR. This is provided by the OPIPs, in particular OPIPs 3.6.3 Traffic Control, 3.6.4 Bus Routes and 3.6.5 Protective Actions fo Special Populations.

Also, with respect to Route Alert drivers, due to existing sensitivities regarding the legal authority issue, LERO may elect not to mount Public Address Systems on the vehicles, as this may cause these vehicles to resemble law enforcement automobiles. Should this be the case, we are prepared to demonstrate the installation and operation of the equipment at a Staging Area. In either case, Route Alert drivers will drive their routes, however, announcements will not be broadcast. We will keep you advised as this issue develops.

731242

Confidential - Scenario
Information

If we can be of further assistance to you for clarification of any of the above or attached points, please do not hesitate to contact the undersigned at (516) 420-6211.

Very truly yours,

Charles A. Daverio
Manager, Nuclear Emergency
Preparedness Division

731243

Confidential - Scenario Information

SHOREHAM POINTS OF OBSERVER REVIEW

ANALYSIS

EOC 1	The receipt of RECS messages for changes in ECL, PAR, plant conditions and weather is not a point of evaluation for LERO as it is LILCO's responsibility to transmit the message.
EOC 2	Supervising Shift Operator, should read Supervising Service Operator.
	Group Tone 4 personnel do not verify notification.
EOC 4	There will be no map showing locations of Congregate Care Centers in the EOC as this is a Red Cross function.
EOC 5	LERO cannot communicate with ambulances in the field. Ambulances are called in from out of the area and staged at the EOC, from where they are dispatched if needed.
EOC 7	There is no provision in the procedures for providing updated information to the Reception Center.
EOC 12	Cannot read the last bullet.
EOC 16	What is a traffic control unit? Traffic volume is not a relevant factor in the LERO traffic model. Define etc (third bullet).
EOC 17	Delete the second and third bullets as traffic re-routing and the issuance of EBS messages associated with such re-routing is contrary to the LERO plan and our testimony concerning traffic control.
EOC 19	The LERO plan does not provide for access control points. Traffic guides are not necessarily located on the EPZ or ERPA boundaries for this purpose. Traffic guides located at traffic control points will advise persons not to enter an evacuated area.
FIELD 2	Bullets 1, 3 and 4 apply to BHO procedures and not to the LERO plan.
FIELD 5	LERO may elect not to mount public address systems on the route alerting vehicles. If this is the case, it will be possible to demonstrate the mounting and operation of the system on LILCO property. Should LERO elect to mount the PA systems on the vehicles, the public alerting messages will not be broadcast.

731244

FIELD 6	Same comment as EOC 19.
FIELD 9	OPIP 3.6.6 applies to the ingestion pathway, and OPIP 5.3.1 to equipment inventory. We suggest that reference to these procedures be deleted and replaced with OPIPs 3.6.3, 3.6.4 and 3.6.5. Delete all references to the implementation of Appendix A, Evacuation Plan. Appendix A merely contains the evacuation related details of the plan and is not an implementation document. The OPIPs are the implementation documents which make use of these details and delineate observable actions.
FIELD 10	Same comment as EOC 17.
FIELD 11	Same comment as EOC 19.
FIELD 13	Vehicles used to evacuate institutionalized mobility impaired individuals do not have radio communication capability with the EOC or Staging Areas.
FIELD 14	Buses do not have radio communication capability with the EOC or Staging Areas. Transfer points do have this capability with Staging Areas.
FIELD 15	Early dismissal of schools makes use of normal school buses and school bus drivers. Running correct routes in this case is not an observable action.
FIELD 16	Same comment as FIELD 14.
FIELD 18	These are American Red Cross responsibilities.
FIELD 20	Same comment as FIELD 18.
FIELD 22	Same comment as FIELD 18. Congregate Care Centers do not have radio communication capability with the EOC.
FIELD 23 24	These activities will be demonstrated out of sequence with the exercise on February 9, 1986 not January 8.
SA 10	Same comment as FIELD 14.

FEMA Panel Ex #23

Federal Emergency Management Agency

Region II 26 Federal Plaza New York, New York 10278

Charles A. Daverio
Manager, Emergency Preparedness Division
Long Island Lighting Company
175 East Old Country Road
Hicksville, NY 11801

Subject: Final Exercise Objectives for the 1986 Shoreham Exercise

Dear Mr. Daverio:

Please find an enclosed copy of the Final Exercise Objectives for the 1986 Shoreham Exercise, scheduled for February 13, 1986.

These Final Objectives represent the agreements that my staff and your staff have reached through the various meetings, discussions, and exchanges of correspondence held these last few months.

As we have previously discussed, LILCO may release these objectives to the exercise participants and other interested parties.

If there are any questions, please let me know.

Sincerely,

Roger B. Kowieski

Roger B. Kowieski
Chairman
Regional Assistance Committee

Encls.

731837

Federal Emergency Management Agency

Region II 26 Federal Plaza New York, New York 10278

2[illegible]

Memorandum For: Robert S. Wilkerson
Chief, Technological Hazards Division

From: Roger B. Kowieski
Roger B. Kowieski
Chairman
Regional Assistance Committee

Subject: Final Exercise Objectives for the 1986 Shoreham Exercise

Please find an enclosed copy of the Final Exercise Objectives for the 1986 Shoreham Exercise, scheduled for February 13, 1986.

This final set of objectives represent the agreements reached through our discussions, meetings and correspondence with FEMA, NRC Region I, FEMA Region II RAC members and representatives of LILCO.

We have forwarded (under separate letter) these objectives to LILCO and advised them that they may release them to exercise participants and other interested parties.

We request that your office forward these objectives to NRC National and make them available to other interested parties.

If you have any questions, please do not hesitate to contact me.

Encls.

731838

FINAL EXERCISE OBJECTIVES

for the

1986 SHOREHAM EXERCISE

January 28, 1986

731839

January 28, 1986

FINAL EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Center (EOC)

Demonstrate the ability to receive initial and followup emergency notifications.

Demonstrate the ability to mobilize staff and activate the Local Emergency Response Organization (LERO) EOC in a timely manner.

Demonstrate through rosters, the ability to maintain staffing in the LERO EOC on a 24-hour basis.

Demonstrate that the LERO EOC has adequate space, equipment, and supplies to support emergency operations.

- Demonstrate that the LERO can establish appropriate communication links, both primary and back up systems (communication with the State and county will be via telephone).

- Demonstrate that the LERO EOC has adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

- Demonstrate that the appropriate official is in charge and in control of an overall coordinated response including decisions on protective action recommendations.

- Demonstrate the ability to coordinate the emergency response with county and State officials. (Role of State and/or county officials will be simulated by FEMA designated personnel.)

- Demonstrate the ability of the designated official to determine the need to obtain State assistance.

- Demonstrate the ability to communicate with all appropriate locations, organizations, and field personnel.

Demonstrate the ability to receive and interpret radiation dosage projection information, and to determine appropriate protective measures, based on PAGs and information received from the Brookhaven Area Office (BHO).

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*Note: The demonstration of this objective is affected by the legal authority issue.

January 28, 1986

FINAL EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Center - Continued

- Demonstrate the ability to provide advance coordination of public alerting and instructional messages with the State and county (State and county participation simulated).

- Demonstrate the ability to activate the prompt notification siren system in coordination with State and county (State and county participation simulated).

- Demonstrate the capability for providing both an alert signal and an informational or instructional message to the population on an area-wide basis throughout the 10 mile EPZ, within 15 minutes (to be simulated).

- Demonstrate the organizational ability to manage an orderly evacuation of all or part of the 10-mile EPZ including the water portion.

- Demonstrate the organizational ability to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

- Demonstrate the organizational ability necessary to effect an early dismissal of schools within the 10-mile EPZ.

- Demonstrate the organizational ability necessary to control access to an evacuated area.

- Demonstrate the organizational ability necessary to effect an orderly evacuation of schools within the 10-mile EPZ. If this protective action is not recommended by the decision-makers, e.g., schools were dismissed early, a free play controllers message may be inserted to demonstrate this activity.

- Demonstrate the ability to prepare and implement EBS in a timely manner (to be simulated within 15 minutes after command and control decision for implementation of protective action recommendations).

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*Note: The demonstration of this objective is affected by the legal authority issue.

January 28, 1986

FINAL EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Field Activities

Demonstrate the ability to continuously monitor and control emergency worker exposure including proper use of personnel dosimetry.

Demonstrate the ability to mobilize and deploy BHO field monitoring teams in a timely manner.

Demonstrate appropriate equipment and procedures for determining ambient radiation levels (BHO personnel).

Demonstrate appropriate equipment and procedures for measurement of airborne radioiodine concentrations as low as 0.1 picocuries/cc in the presence of noble gases (BHO personnel).

* Demonstrate the ability to provide backup public alerting, if necessary, in the event of partial siren system failure.

* Demonstrate that access control points can be established and manned by Traffic Guides in a timely manner.

Demonstrate the ability to supply and administer KI, once the decision has been made to do so.

Demonstrate that emergency workers understand who can authorize exposure in excess of the general public Protective Action Guidelines.

Demonstrate a sample of resources necessary to implement an orderly evacuation of all or part of the 10-mile EPZ.

* Demonstrate a sample of resources necessary to deal with impediments to evacuation, such as inclement weather or traffic obstructions.

* Demonstrate a sample of resources necessary to control access to an evacuated area (Traffic Guides).

* Demonstrate the adequacy of evacuation bus transfer points including access and parking/transfer areas.

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*Note: The demonstration of this objective is affected by the legal authority issue.

January 28, 1986

FINAL EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Field Activities - Continued

Demonstrate a sample of resources necessary to effect an orderly evacuation of the institutionalized mobility-impaired individuals within the 10-mile EPZ.

Demonstrate a sample of resources necessary to effect an orderly evacuation of the non-institutionalized mobility-impaired individuals within the 10-mile EPZ.

Demonstrate a sample of resources necessary to effect an early dismissal of schools within the 10-mile EPZ (to be simulated out of sequence, if appropriate).

Demonstrate a sample of resources necessary to effect an orderly evacuation of schools within the 10-mile EPZ.

Demonstrate the ability to mobilize staff and activate Reception Center in a timely manner.

Demonstrate the ability to mobilize staff and activate Congregate Care Centers in a timely manner.

Demonstrate through rosters the ability to maintain staffing at the Reception Centers on a 24-hour basis.

Demonstrate through rosters the ability to maintain staffing at the Congregate Care Centers on a 24-hour basis.

* Demonstrate the adequacy of procedures for registration, radiological monitoring, and decontamination of evacuees and vehicles including adequate provisions for handling contaminated waste at the Reception Center.

Demonstrate the adequacy of facilities for mass care of evacuees at congregate centers.

Demonstrate adequacy for ambulance facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/off-site injury).

Demonstrate adequacy of hospital facilities and procedures for handling injured and contaminated individuals. (Medical drill involves an on-site/off-site injury).

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*Note: The demonstration of this objective is affected by the legal authority issue.

January 28, 1986

FINAL EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Brookhaven Area Office (BHO)

Demonstrate the ability to receive initial and follow up emergency notifications.

Demonstrate the ability to mobilize staff and activate the BHO in a timely manner.

Demonstrate through rosters, the ability to maintain staffing in the BHO on a 24-hour basis.

Demonstrate that the BHO has adequate space, equipment, and supplies to support emergency operations.

Demonstrate that the BHO can establish appropriate communication links with the LERO EOC, using both primary and backup systems.

Demonstrate that the BHO has adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

Demonstrate that the appropriate official is in charge and in control of dose assessment function assigned to the BHO.

Demonstrate the ability to communicate with all appropriate field locations and personnel.

Demonstrate the ability to project radiation dosage to the public via plume exposure, based on plant data and field measurements, and to recommend appropriate protective measures to LERO, based on PAGs and effectively communicate them to the LERO EOC. LERO is responsible for the final decision on protective action recommendations.

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January 28, 1986

FINAL EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Staging Areas

Demonstrate the ability to receive emergency notifications.

Demonstrate the ability to mobilize staff and activate the staging areas in a timely manner.

Demonstrate through rosters, the ability to maintain staffing at the staging areas on a 24-hour basis.

Demonstrate that the staging areas have adequate space, parking area, equipment, and supplies to support emergency operations.

Demonstrate that the staging areas can establish appropriate communication links with the LERO EOC using both primary and backup systems.

* Demonstrate that the staging areas have adequate access control and that security can be maintained.

Demonstrate that messages are transmitted in an accurate and timely manner, messages are properly logged, that status boards are accurately maintained and updated, that appropriate briefings are held, and that incoming personnel are briefed.

Demonstrate that the appropriate official is in charge and in control of an overall response assigned to the staging area.

* Demonstrate the ability to dispatch to and direct emergency workers in the field.

Demonstrate the ability to communicate with all appropriate field locations and personnel.

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*Note: The demonstration of this objective is affected by the legal authority issue.

January 28, 1986

FINAL EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Worker Decontamination Facility

Demonstrate the ability to mobilize staff and activate Emergency Worker Decontamination Facility.

Demonstrate through rosters, the ability to maintain staffing of Emergency Worker Decontamination Facility on a 24-hour basis.

* Demonstrate adequate equipment and procedures for decontamination of emergency workers, equipment and vehicles including adequate provisions for handling contaminated waste at the Emergency Worker Decontamination Facility.

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*Note: The demonstration of this objective is affected by the legal authority issue.

January 28, 1986

FINAL EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency News Center (ENC)

Demonstrate the ability to mobilize staff and activate LERO functions at the ENC in a timely manner.

Demonstrate through rosters the ability to maintain staffing of LERO functions at the ENC on a 24-hour basis.

Demonstrate the ability to brief the media in a clear, accurate, and timely manner.

* Demonstrate the ability to share information with other agencies at the ENC prior to its release.

Demonstrate the ability to establish and operate rumor control in a coordinated manner.

Demonstrate that the ENC has adequate space, equipment, and supplies to support emergency operations.

* Demonstrate that the ENC has adequate access control and that security can be maintained.

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*Note: The demonstration of this objective is affected by the legal authority issue.

January 28, 1986

FINAL EXERCISE OBJECTIVES FOR THE 1986 SHOREHAM EXERCISE

Emergency Operations Facility (EOF)

Demonstrate that the Emergency Operations Facility has adequate space, equipment, and supplies to support emergency operations and interaction with LERO EOC.

Demonstrate that the Emergency Operations Facilities have adequate access control and that security can be maintained.

* Demonstrate the ability to coordinate the dose projections based on plant data and field measurements with county and/or State officials (Role of State and/or county officials will be simulated by FEMA designated personnel).

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*Note: The demonstration of this objective is affected by the legal authority issue.

FEMA Panel Ex #24

Confidential - Scenario Information

TO: Roger Kowieski

FROM: Chuck Daverio CAD

DATE: February 4, 1986

SUBJECT: Traffic Control Points

The following TCP have questionable parking:

11, 12, 25, 33, 34, 45, 53, 54, 88,
113, 114, 116, 117, 118, 120, 129

CD/cjc