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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

(Shoreham Nuclear Power Station,  
Unit 1)

)  
)  
) Docket No. 50-322-OL-5  
) (EP Exercise)  
)  
)

LILCO'S TESTIMONY ON CONTENTIONS EX 22.A  
AND EX 49 (MONITORING AT NASSAU COLISEUM)

Hunton & Williams  
707 East Main Street  
P.O. Box 1535  
Richmond, Virginia 23212

February 27, 1987

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LILCO'S TESTIMONY ON CONTENTIONS EX 22.A  
AND EX 49 (MONITORING AT NASSAU COLISEUM)

1. Q. Please state your names and business addresses.

A. [Weismantle] My name is John A. Weismantle. My business address is Long Island Lighting Company, 1660 Walt Whitman Road, Melville, NY 11747.

[Robinson] My name is Elaine D. Robinson. My business address is Boston Edison Company, The I & S Building, Rocky Hill Road, Plymouth, MA 02360.

[Watts] My name is Richard J. Watts. My business address is 404 Bluhm Road, Fairport, NY 14450.

2. Q. What are your professional qualifications, including your participation during the February 13, 1986 Exercise of the LILCO Plan, related to Contentions EX 22.A and 49?

A. [Weismantle] I am Vice-President, Engineering for LILCO. My familiarity with the issues raised in Contentions EX 22.A and 49 stems from my previous position as the Manager of the Local Emergency Response Implementing Organization (LERIO) for LILCO. LERIO was responsible for the development and implementation of the Shoreham Offsite Emergency Response Plan (LILCO Plan). In addition, I participated in the February 13,

1986 Exercise as the Manager of Local Response for the Local Emergency Response Organization (LERO), and so have direct factual knowledge about LERO's monitoring response at the Nassau Coliseum during the Exercise. My full professional qualifications have been provided in the bound volume entitled "Professional Qualifications of LILCO Witnesses on Exercise Contentions," filed separately in this proceeding on February 27, 1987.

[Robinson] I am currently Manager of Nuclear Information for Boston Edison Company in Boston, Massachusetts. Until February 1987, I was employed in LILCO's Office of Corporate Affairs. Prior to that I was a Division Manager of LERO, and so helped develop and implement the LILCO Plan. On the day of the Exercise, I served as the LERO Spokesperson at the Emergency News Center (ENC). My full professional qualifications have been provided separately in the bound volume entitled "Professional Qualifications of LILCO Witnesses on Exercise Contentions," filed February 27, 1987.

[Watts] I am a health physicist and serve as a consultant to LILCO on radiological emergency planning. During the February 13, 1986 Exercise I was the Radiation Health Coordinator for LERO. In these capacities, I have direct knowledge of the monitoring techniques used at the Coliseum and how they were implemented during the Exercise. My full professional qualifications have been provided separately in the bound volume entitled "Professional Qualifications of LILCO Witnesses on Exercise Contentions," filed February 27, 1987.

3. Q. Please summarize the issues raised in Contentions EX 22.A and 49.

A. [Weismantle, Robinson, Watts] In Contention EX 22.A, the Intervenor's argue in essence that because the Nassau Veterans Memorial Coliseum is no longer relied upon in the LILCO Plan as a reception center for the registration, radiological monitoring, and decontamination of evacuees, the Exercise cannot support a finding of reasonable assurance that adequate protective measures can and will be taken in an emergency at Shoreham. Contention EX 46, which was not separately admitted but is to be dealt with under EX 22.A in accordance with the Licensing Board's September 19, 1986 Order admitting contentions, reiterates the Intervenor's allegations that the use of the Nassau Coliseum is an "essential premise" of the Exercise, and that its unavailability invalidates the Exercise.

Contention EX 49 alleges that the Exercise showed LILCO incapable of monitoring evacuees in a timely fashion due to slow monitoring, an insufficient number of monitors, and the inability to bring in additional monitors from non-LERO sources such as INPO. Contention EX 31, which was not admitted separately but is subsumed under EX 49.A in accordance with the Licensing Board's September 19, 1986 Order admitting contentions, reiterates the Intervenor's allegations that LERO monitored evacuees too slowly during the Exercise.

The complete text of Contentions EX 22.A, 46, 49, and 31 is Attachment A to this testimony.

4. Q. Please summarize your testimony on those issues.

A. [Weismantle, Robinson, Watts] As with all exercises of emergency plans, the Exercise on February 13 tested the LILCO Plan in existence on February 13. At that time, Nassau Veterans Memorial Coliseum was

identified as the reception center for evacuees in the LILCO Plan, and so of course was included in the scenario and the activities in the Exercise. It is wrong, however, to take the position, as the Intervenors have in their contentions, that the Nassau Coliseum was some sort of "essential" piece of the LILCO Plan and that its subsequent withdrawal for planning purposes by Nassau County somehow invalidates the entire Exercise. The exchange of one piece of equipment, or a building, or any resource in a plan does not invalidate the results of an Exercise. The Exercise tests organizational functions, not merely particular resources. Provisions for setting up a monitoring system, training people to monitor evacuees, transporting evacuees who need transportation to a place where they can be monitored and, if necessary, decontaminated, documenting the monitoring and decontamination effort, planning ahead so a place is provided for these activities, and notifying the public are all items that were tested in the February 13, 1986 Exercise and indeed that are likely to be tested in every Exercise of the LILCO Plan, regardless of where they are performed.

The subsequent withdrawal by Nassau County of the Coliseum for use in planning has, of course, necessitated changes to the Plan to make arrangements for other facilities to be used. Those changes are the subject of litigation on remand before the OL-3 Board, and are outside the scope of this proceeding; we do not reach them here.

As to Contention EX 49, the instances where monitoring took longer than the 90-second basis identified in Revision 6 of the LILCO Plan were isolated incidents rather than across-the-board behavior by all monitors. It has been our experience that some people do monitor more slowly in a non-emergency situation, in part because the urgency associated with people

standing in line waiting is lacking, so monitors practice their skills slowly. These isolated incidents do not amount to a defect in the LILCO Plan rendering it inadequate. During a real emergency, LERO would have been able to monitor evacuees in a timely fashion, using the primary and back-up methods identified in Revision 6 of the LILCO Plan, and if necessary calling on other organizations for monitoring support.

Finally, LILCO's ability to obtain assistance and secure additional monitoring personnel from organizations such as INPO was tested during the Exercise. The capabilities of these other organizations and entities are well established and are relied upon nationally for monitoring assistance, and therefore they need not be mobilized during the exercise of any particular plan to establish that they would be available in an emergency.

5. Q. Please define the scope of your testimony.

A. [Weismantle, Robinson, Watts] The issues raised in EX 49.C concerning shadow phenomenon will be discussed in testimony filed in this proceeding at a later date, in connection with the issues on Contentions EX 38 and EX 39. As previously noted, changes to the LILCO Plan to identify new reception centers are the subject of the remand proceeding before the OL-3 Board and therefore will not be reached here. The number of evacuees that one must plan to monitor and, if necessary, decontaminate is the subject of a pending appeal by LILCO in the OL-3 proceeding and therefore also will not be reached here. Contentions EX 22.A and EX 49 will be discussed only in the context of activities during the day of the Exercise, as defined by the Board during the Prehearing Conference that took place on February 10, 1987.

Availability of Nassau Coliseum

6. Q. On the day of the Exercise, what provisions were included in the LILCO Plan for reception centers?
- A. [Weismantle, Robinson, Watts] Revision 6 of the LILCO Plan, which was the current revision at the time of the Exercise, provided for a central "reception center" where evacuees would be directed to go for monitoring and, if necessary, decontamination, and to receive instructions regarding congregate care centers where they could obtain shelter if they needed it. Transportation to the reception center was provided for the public and 78 LERO monitors were at the center to monitor evacuees. In Revision 6 of the Plan, the Nassau Veterans Memorial Coliseum was identified as the reception center for evacuees other than those with special needs. In accordance with Revision 6 of the Plan, the EBS messages in the Plan directed evacuees to report to reception centers identified in the emergency brochures for radiological monitoring and decontamination, and for directions to congregate care centers. LILCO Plan at 4.2-1 through 4.2-2; OPIP 4.2.3.
7. Q. During the February 13, 1986 Exercise, were these provisions of the Plan tested?
- A. [Weismantle, Robinson, Watts] Yes. During the Exercise, simulated EBS messages directed evacuees to report to the reception center for monitoring, and indicated that directions to facilities for sheltering would be available at the reception center; LERO buses, which would be used to take people needing transportation to the Coliseum in an emergency, completed routes to the Coliseum; and LERO monitors reported to the Coliseum and monitored people acting as evacuees. In short, the provisions for a reception center for evacuees in Revision 6 of the Plan were exercised thoroughly on February 13.

8. Q. Were these provisions relied upon by FEMA in their assessment of the Exercise?

A. [Weismantle, Robinson, Watts] Yes.

9. Q. Is the Nassau Veterans Memorial Coliseum identified in the LILCO Plan today as the reception center to which evacuees would be directed to report for radiological monitoring and decontamination during an emergency?

A. [Weismantle] No. The Nassau Coliseum was subsequently withdrawn for use in emergency planning for Shoreham by the Nassau County Board of Supervisors. LILCO has identified other facilities to take its place. The adequacy of the facilities relied upon now for reception centers in the LILCO Plan is the subject of litigation before another Licensing Board, and so the details of the changes to the Plan will not be discussed here.

10. Q. Do you agree with Contention EX 22.A when it says that "because the exercise and FEMA's conclusions were premised on the false assumption that the Nassau Coliseum would be available as a reception center, the results of the exercise preclude a finding of reasonable assurance that adequate protective measures can and will be taken"?

A. [Weismantle, Robinson, Watts] No, we do not. All the activities that were planned for and tested during the February 13 Exercise, including obtaining a valid agreement for a reception center, identifying that center, including information about that center in EBS messages, providing transportation to the center, providing monitoring and decontamination at the center -- in fact all the activities listed in the Intervenors' Contention EX 46 -- were carried out by LILCO in its planning process and by LERO during the Exercise. The Exercise and prior planning upon which it was based provide a predictive basis for a finding that LILCO and LERO will likely be able to conduct those activities again, both in continuing planning and, if it ever becomes necessary, in a real emergency. The Exercise demonstrated LERO's ability organizationally to provide and use facilities and people to

respond in an emergency as required. That ability has been demonstrated regardless of whether the Nassau Coliseum is available today as a reception center or not.

11. Q. Do you agree with the Intervenor's assertion in Contention EX 46 that, because the Nassau Coliseum is no longer available for planning purposes, FEMA's conclusions about the February 13 Exercise "were premised on" a "false assumption"?
- A. [Weismantle, Robinson, Watts] No, we do not. The pertinent information is that on the day of the Exercise there was a valid agreement for the use of the Nassau Coliseum, and that LERO implemented the then current plan in accordance with its procedures during the Exercise. Subsequent events, such as the withdrawal of the Nassau Coliseum for planning purposes, do not affect the validity of the activities taken during the Exercise or the conclusions FEMA drew based on those activities. An exercise need not be held each time a change is made to an emergency plan.

#### Timely Monitoring of Evacuees

12. Q. What is the issue raised in Contention EX 49.A?
- A. [Weismantle, Robinson, Watts] In Contention EX 49.A, the Intervenor alleges that LERO failed to show that evacuees could be monitored in a timely manner because monitoring each individual took far longer than the 90 seconds per person provided for in Revision 6 of the LILCO Plan. Contention EX 31 reiterates this allegation.
13. Q. Is there any basis for the allegation in Contention EX 49 that monitoring "frequently took up to five minutes per evacuee"?
- A. [Weismantle, Robinson, Watts] No. The FEMA Post Exercise Assessment states that on several occasions monitoring took up to 4 or 5 minutes.

FEMA Report at 80-81. But during his deposition, Mr. Joseph Keller testified that monitoring took more than 90 seconds only a few times, when the three federal evaluators were the individuals being monitored. See Attachment B. Consequently there is no basis to the allegation that the reported delay in monitoring occurred frequently, making it unlikely that 32,000 evacuees could be monitored within the 12 hours prescribed in NUREG-0654 II.J.12.

14. Q. Is it possible to monitor a person in 90 seconds?

A. [Watts] Yes, of course. During the Exercise, LERO monitors used an HP 270 probe to monitor people acting as evacuees. Monitors used a whole-body frisking technique, which can be quickly and accurately accomplished in an average of 90 seconds or less per person, in accordance with OPIP 3.9.2. As is obvious from the FEMA Report, the vast majority of the monitoring at the reception center was in fact completed in 90 seconds or less per person on the day of the Exercise.

15. Q. Why did monitoring take up to five minutes on several occasions?

A. [Watts] The monitoring at the reception center was demonstrated by having over one hundred bus drivers act as general population evacuees requiring monitoring. While this number of people was adequate to evaluate the ability of monitors to implement their procedure, it did not keep all the monitors busy at all times, as would a group of thousands. Evacuees were not lined up waiting to be monitored, and therefore there was no particular pressure to perform the monitoring with any particular degree of expedition. As a result, monitors tended to scan more slowly than would have been necessary for obtaining an accurate reading.

16. Q. Do you think that 32,000 people could in fact have been monitored at the Coliseum on the day of the Exercise if that had been necessary?
- A. [Watts] Yes, the monitors during a real emergency would have been processing the evacuees on a timely basis since the necessity to do so would have been obvious. I have seen the same phenomenon during monitoring in other emergency and non-emergency situations.
17. Q. Do you think that substantially more than 32,000 people could have been monitored at the Coliseum on the day of the Exercise if that had been necessary?
- A. [Weismantle, Watts, Robinson] Yes. OPIP 4.2.3. Section 5.11 (Rev. 6) of the LILCO Plan provided a modified monitoring technique should that be necessary to monitor additional numbers of evacuees. The modified method had LERO personnel monitoring the head, hands, and feet of the driver of each car coming to the reception center, and taking a swipe sample of the car hood and wheelwell to determine whether additional monitoring would be indicated.
18. Q. Was this modified method demonstrated on the day of the Exercise?
- A. [Weismantle] Yes, it was. When the information was received that the number of evacuees being directed to the reception center had been increased to approximately 100,000, the modified monitoring method was instituted. The method of monitoring was demonstrated on LERO emergency workers driving their own cars.
19. Q. Could LERO have monitored the 100,000 people arriving at the Coliseum?
- A. [Weismantle, Robinson, Watts] Yes, using the modified method of monitoring described in OPIP 4.2.3 (Rev. 6) and demonstrated during the exercise, the evacuees could have been accommodated.

Obtaining Additional Monitors

20. Q. What is the issue raised by Contention EX 49.B?
- A. [Weismantle, Watts] Contention EX 49.B alleges that the Exercise did not establish LILCO's ability to obtain additional monitoring help from INPO and other entities should it be necessary during an emergency.
21. Q. What is INPO and what service does it provide LILCO?
- A. [Weismantle, Robinson, Watts] INPO is the Institute of Nuclear Power Operations. LILCO is one of the utilities participating in the INPO Emergency Response Voluntary Assistance Agreement, which provides for mutual aid in response to a radiological emergency. INPO maintains and distributes an Emergency Resource Manual which identifies technical experts and specialized equipment that utilities and suppliers reasonably could be expected to provide.
22. Q. How does INPO support LERO during an emergency?
- A. [Weismantle] INPO provides a 24 hour emergency number for requests that INPO coordinate the response and assistance from other utilities. Because INPO's agreement is with LILCO and not LERO, initial requests for monitoring assistance from LERO are relayed through the LILCO EOF. Subsequently, conversations proceed directly between LERO and INPO.
23. Q. What role did INPO play during the February 13 Exercise?
- A. [Weismantle] On the day of the Exercise, as the Manager of Local Response I requested at approximately 12:00 that the Emergency Planning Advisor in the EOF contact INPO and make arrangements for additional monitoring resources. At approximately 12:30 INPO called me; I told them of

the potential need for assistance. At 1:00 p.m. I called INPO and was told that 88 people from five utilities would be available in approximately 6 hours. At 1:40 p.m., I called INPO and requested 200 more people. At 2:45 p.m., INPO called and stated that additional people would be available in approximately 12 hours. At 3:20 p.m., I called INPO to confirm that the 2:45 p.m. information was accurate, and that the people were on their way.

24. Q. Was this information valid?

A. [Weismantle] Yes. During the January 30, 1986 practice exercise, LERO requested monitoring assistance, through INPO, from other utilities. INPO actually contacted senior management personnel that day at numerous utilities, and obtained details of the numbers of personnel actually available and their expected arrival times. INPO used these data during the February 13 Exercise because they did not feel it was appropriate to call utility personnel on a non-emergency basis again after only two weeks.

ATTACHMENT A

Contention EX 22. The exercise scenario and the activities, reports, and events which occurred during the exercise include or are premised upon certain assumptions, enumerated below, which conflict with established facts, uncontroverted evidence, and ASLB findings. Accordingly, FEMA's findings and conclusions identified in subparts A below, which incorporate or are based upon such false assumptions, are without basis and invalid, and cannot support a finding of reasonable assurance that the LILCO Plan can be implemented as required by 10 C.F.R. § 50.47(a)(2). Thus, the exercise precludes a finding of reasonable assurance that adequate protective measures can and will be taken in the event of a Shoreham emergency as required by 10 C.F.R. § 50.47 (a)(1), and, accordingly, the LILCO Plan is fundamentally flawed.

EX 22.A [EX 46 to be dealt with under this subpart]. In the LILCO Plan, the Nassau Veterans Memorial Coliseum is identified as the only "reception center" for evacuees other than those with special needs. Thus, under the Plan, evacuees would be directed to report to the Coliseum for radiological monitoring and decontamination, registration, and direction to facilities for sheltering. Plan at 4.2-1 thru 4.2-2; OPIP 4.2.3. The exercise scenario, and FEMA's conclusions on objectives EOC 16 and FIELD 9, 17, 19 and 21, are all based upon an assumption that the Nassau Veterans Memorial Coliseum is available for use by LILCO and the American Red Cross as a Reception Center for the registration and radiological monitoring and decontamination of evacuees and vehicles pursuant to the LILCO Plan. That assumption is false. In fact, there is no valid agreement permitting the use of the Coliseum as set forth in the LILCO Plan. Nassau County has expressly refused to agree to, or permit, the use of Nassau County facilities as part of, or to implement, the LILCO Plan. See Nassau County Board of Supervisors Resolution No. 782B-1986, June 16, 1986. Since the basic underlying premise of FEMA's conclusions that objectives EOC 16 and FIELD 9, 17, 19 and 21 were met or partly met (see FEMA Report at 34, 58, 74 and 80) is factually and legally incorrect, those conclusions are without basis and are invalid. Because the exercise and FEMA's conclusions were premised on the false assumption that the Nassau Coliseum would be available as a reception center, the results of the exercise preclude a finding of reasonable assurance that adequate protective measures can and will be taken. Accordingly, the LILCO Plan is fundamentally flawed.

EX 46. [Not separately admitted but substance to be dealt with under subpart A of EX 22]. The exercise results demonstrated a fundamental flaw in the LILCO Plan in that the implementation of the Plan is dependent upon the availability of the Nassau Coliseum as the reception center for evacuees, when, in fact, that facility cannot be used for that purpose.

The exercise was fundamentally premised on the availability and use of the Nassau Coliseum as the focus and endpoint of a supposedly orderly evacuation. It was the facility to which LERO players assumed: evacuees would go for radiological monitoring

and decontamination of themselves and their vehicles; hundreds of buses and vans carrying persons out of the EPZ would report, discharge passengers, and be decontaminated; evacuees would be registered, reunited with family members, and provided with assistance in seeking health care, housing, food and other services, and from which evacuees would be provided directions, or transportation to congregate care centers for sheltering. E.g., objectives EOC 16, FIELD 17, 19, 21; exercise EBS messages. Thus, the evacuation time estimates, traffic control strategies, and other provisions of the LILCO Plan purportedly implemented during the exercise, as well as all the directions, decisions, and actions of LERO players during the exercise, were premised on the assumption that the ultimate goal of the emergency response was to enable evacuees to reach the Nassau Coliseum if necessary (for monitoring and decontamination) or if desired (for reuniting with family members or shelter). All exercise activities relating to evacuation -- that is, everything that took place from shortly after 8:00 (when "prestaging" began) until the exercise ended at 4:30 -- were premised on the basic assumption that the Nassau Coliseum was available to LILCO to be a reception center. Indeed, during the exercise the LILCO players in simulated EBS radio announcements advised approximately 100,000 "evacuees" to report to the Nassau Coliseum for monitoring and decontamination because they had potentially been exposed to radiation during their supposed evacuation efforts.

The exercise thus demonstrated that the availability of the Nassau Coliseum (a) is an essential element of the LILCO Plan as exercised, and (b) was an essential premise of the actions of the LERO players in attempting to implement that Plan during the exercise. The Coliseum is not in fact available for LILCO's use as a relocation center, however. See Nassau Coliseum Board of Supervisors' Resolution, June 16, 1986. Since the exercise demonstrated that LILCO is not capable of implementing key portions of its Plan unless the Coliseum is available for LILCO's use, and since LILCO has no alternate reception center and failed to demonstrate during the exercise that it could implement critical aspects of its Plan, including managing an orderly evacuation, if the Coliseum were not available, the exercise demonstrated that in fact the Plan cannot be implemented and hence is fundamentally flawed. Therefore, LILCO failed to satisfy the exercise objectives cited in this contention, the Plan fails to comply with 10 C.F.R. § 50.47 (a)(1), (b)(8) and (b)(10), and NUREG 0654 § II.A.3 and J.9, 10, and 12, and the exercise precludes a finding of reasonable assurance that adequate protective measures can and will be taken in the event of a Shoreham accident.

Contention EX 49. The exercise revealed a fundamental flaw in the LILCO Plan in that LILCO is incapable of performing necessary registration and radiological monitoring of evacuees within 12 hours as required by NUREG 0654 § II.J.12. For the reasons set forth below, during the exercise LILCO demonstrated that it

has insufficient staffing, and insufficient equipment, to perform the necessary registration, monitoring and decontamination of evacuees which is required to effect an evacuation and to comply with 10 C.F.R. § 50.47 (b)(1), (b)(8), (b)(10). Therefore, LILCO does not satisfy objective FIELD 21 and its Plan is fundamentally flawed since it has no capacity to handle satisfactorily the evacuees that may arrive after a Shoreham emergency.

EX 49.A. [EX 31 will be dealt with under this subpart]. Although the Plan asserts that LILCO personnel assigned to the reception center to perform radiological monitoring will monitor one evacuee every ninety seconds (OPIP 3.9.2 § 5.4.7), in fact during the exercise this procedure frequently took up to five minutes per evacuee. At that actual monitoring rate, the 78 monitors assigned to the reception center in the Plan could monitor only 11,232 evacuees in 12 hours (assuming no breaks, and assuming all monitors were constantly available and monitoring). This is far less than the 32,000 evacuees which LILCO used to believe might be directed to the Coliseum and demonstrates the fundamental flaw in LILCO's planning for evacuees needing monitoring and decontamination. In fact, during the exercise, LILCO in simulated EBS messages advised over 100,000 evacuees (i.e., all those in zones A, B, F, G, K, and Q) to report to the Nassau Coliseum for radiological monitoring because they had been potentially exposed to radiation during their simulated evacuation trips. Clearly, under the LILCO Plan, even assuming that no persons other than those advised to do so by LILCO actually report to the reception center for monitoring and, if necessary, decontamination, such a number of anticipated evacuees could not be monitored in a timely fashion -- i.e., within 12 hours.

EX 31. [Not separately admitted but will be subsumed under subpart A of EX 49]. The Reception Center ARCA refers to the fact that it took LERO personnel four to five minutes to monitor an individual evacuee, as opposed to 90 seconds as presumed in OPIP 3.9.2 § 5.4.7. FEMA Report at 81. According to the LILCO Plan, 78 monitors are expected to perform the radiological monitoring of all evacuees who report to the Reception Center. OPIP 4.2.3 § 5.5.1. During the exercise approximately 100,000 persons were advised in simulated EBS messages to report to the Coliseum for monitoring. At the rate of 4 minutes per evacuee the 78 monitors would need approximately 85 hours to perform the monitoring required by NUREG 0654 § II.J.12. Thus, this deficiency precludes a finding that LILCO has sufficient staff to respond as required by 10 C.F.R. § 50.47(b)(1). It also precludes a finding of reasonable assurance that adequate protective measures can and will be taken in the event of a Shoreham accident.

EX 49.B. Furthermore, the LILCO proposal to telephone INPO, other power plants, and other entities to obtain additional monitoring personnel, and the other features of the purported "alternate" monitoring plan in OPIP 4.2.3, § 5.11, were not implemented

or demonstrated during the exercise. Such entities did not participate in the exercise nor was there any demonstration of the capability of those entities either to provide the personnel or equipment which LILCO players pretended would be available, or to provide them in a timely manner. In addition, FEMA did not evaluate the adequacy or implementability of any such proposals during the exercise. See FEMA Report at 81. Thus, the exercise provides no basis to find that such proposals could be implemented, or, even if they could, that they would result in an ability to perform the necessary monitoring of the number of evacuees anticipated to report to the reception center.

EX 49.C. There is no basis to assume that only those persons expressly advised by LERO to report to the reception center for monitoring because of potential exposure during evacuation activities would actually seek such monitoring. Indeed, upon hearing that all residents of so many zones had potentially been exposed, and in light of the large amount of voluntary evacuation likely to occur for the reasons set forth in Contention EX 44, substantially more people than the number expressly advised to report would be likely to seek such monitoring. Thus, the LILCO responses would, in fact, be even more deficient than was demonstrated during the exercise.

For the foregoing reasons, the LILCO Plan fails to comply with 10 C.F.R. § 50.47(b)(1), (b)(8), (b)(10) and NUREG 0654 § II.J.12. The exercise thus precludes a finding of reasonable assurance that adequate protective measures can and will be taken in the event of a Shoreham emergency, as required by 10 C.F.R. § 50.47(a)(1).

ATTACHMENT B

# TRANSCRIPT OF PROCEEDINGS

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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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)  
 :  
-----x

## DEPOSITION OF

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

New York, New York

Friday, January 30, 1987

ACE-FEDERAL REPORTERS, INC.

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1           Q       Mr. Keller, let me again focus with you. You  
2 mentioned that at this time you believe your analysis of  
3 this issue as set forth in Contention 49 will be different  
4 than the analysis used in the contention.

5                    Could you -- I'm not clear what you are referring  
6 to. What analysis is used in the contention that you are  
7 referring to?

8           A       (Witness Keller) Look at 49.A, for example.

9           Q       Okay.

10          A       At the bottom of 49.A, the contention says that  
11 there were 78 monitors assigned to the reception center,  
12 et cetera. And at the top of Page 85, the analysis used  
13 in the contention says that you can monitor 11,232 evacuees  
14 in 12 hours.

15                   My analysis indicates 32,000. We are obviously  
16 using a different basis for our analysis.

17          Q       Okay. Now, how did you perform your analysis?

18          A       I used 90 seconds. You used five minutes.

19          Q       Now, we did discuss this issue the other day.

20          A       We certainly did.

21          Q       There were some instances of LILCO personnel  
22 taking upwards of five minutes to perform monitoring

1 functions during the exercise; is that correct?

2 A That is correct.

3 Q Okay.

4 A However, the contention says that, in fact,  
5 during the exercise this procedure frequently took up to  
6 five minutes per evacuee.

7 My contention is, and the basis of my testimony  
8 is, that based on discussions which I have had post-  
9 exercise and within the last month of the two, as it turns  
10 out three, people who had input to the evaluation of this  
11 objective -- the third person is Mr. Kowieski, which we  
12 discussed yesterday -- there were approximately 103 people.  
13 The reason I say approximately 103, it was approximately  
14 100 of evacuees processed, simulated evacuees processed,  
15 and three exercise evaluators, Mr. Bernacki, Mr. Slagle  
16 and Mr. Kowieski.

17 Both of the exercise evaluators who were there  
18 for an extended period of time, because as Mr. Kowieski  
19 discussed yesterday he toured various and sundry facilities  
20 so he was at the reception center only for a brief period,  
21 but both of the exercise evaluators who had this objective  
22 as one of their assignments for observation and evaluation

1 rated the performance of the LERO individuals as being  
2 objective met with no recommendations for corrective  
3 action, obviously no deficiencies and not even any recommen-  
4 dations for areas for improvement.

5           However, in their discussion on their forms,  
6 which you should be well aware because you have probably  
7 read them by now, they stated that they, either they in the  
8 monitoring of themselves or they observed monitoring  
9 which took four to five minutes. I discussed with Mr.  
10 Slagle at the time of the exercise -- no, I'm sorry, at the  
11 time of the draft of the exercise when Mr. Kowieski elevated  
12 the -- well, when Mr. Kowieski decided it was going to be  
13 an area for required corrective action, I asked Mr. Slagle:  
14 Hey, was it everybody or was it just you and Ron and Mr.  
15 Kowieski? He said: It was just us.

16           And I said: That's a cheap shot, then.

17           Q       Did you ask Mr. Slagle why it is that he wrote  
18 his critique form in such a way as to imply that it was  
19 clearly more than just the three FEMA evaluators?

20           A       I don't believe -- and from recall now, I don't  
21 believe Mr. Slagle's form is written that way. I believe  
22 you could interpret Mr. Bernacki's form more appropriately

1       that way than Mr. Slagle's -- and this is from recall and  
2       it may be reversed, but I believe that Mr. Bernacki's form  
3       is the one which is more subject to interpretation of larger  
4       numbers. That's why I talked to both of them individually.

5           Q       Did you ask Mr. Bernacki the question that I  
6       just asked?

7           A       Why he wrote his form the way he wrote it? No,  
8       I didn't. I did not.

9                   I asked him: How many people did you observe  
10      being monitored? Everybody.

11                   How many people did they take the four to five  
12      minutes? Just the guys with evaluator arm-bands. Roger,  
13      Lyle and myself.

14                   I don't believe three out of 103 or approximately  
15      103 is frequently. I believe it's occasionally. I happen  
16      to believe that there has to be some allowances for the  
17      perturbation that the FEMA evaluators put into an exercise.

18                   Clearly, we are coming in there to grade these  
19      people, we make them nervous. We have been known to carry  
20      Coleman Mantel lanterns on our person, which are radio-  
21      active. I happen to know the individual who did the train-  
22      ing at this exercise site, because we have been involved

1 with him when he was an employee of Rockland County. He  
2 knew that we often carry Coleman Mantel lanterns as a test.  
3 They were looking to see if we had something, and they took  
4 longer.

5 Q Mr. Keller --

6 A My analysis was based on the average time that  
7 both evaluators who were present at the exercise for an  
8 extended period took. And, in that analysis you end up  
9 with 32,000 for 78 monitors.

10 Q Now, Mr. Keller, in fact, during the exercise  
11 LILCO advised upwards of 100,000 people to go to the  
12 Coliseum, correct?

13 A I've got a problem with that.

14 Q You have a problem with whether or not LILCO  
15 advised upwards of 100,000 people to go to the Coliseum?

16 A I have seen in message logs to expect 100,000.  
17 I have never seen anyplace where it said upwards of  
18 100,000, number one. Number two, according to our exercise  
19 report, the EBS message called for certain zones. Unless  
20 my arithmetic is bad, I went back to the plan which was  
21 current at the time and I added the number of people that  
22 were in the zones that were in the EBS message, and I didn't