



KENNETH P. LAVALLE

1ST DISTRICT

CHAIRMAN

COMMITTEE ON HIGHER EDUCATION

THE SENATE  
STATE OF NEW YORK

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EMERGENCY PLANNING

USNRC

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OFFICE OF SENATE STAFF, MIDDLE COUNTRY ROAD  
DOCKETING & CLERKING, NEW YORK 11720  
BRANCH

November 5, 1987

Lando W. Zech, Jr., Chairman  
Nuclear Regulatory Commission  
Room 1114, Matomic Building  
1717 H Street, N.W.  
Washington, D.C. 20555

Dear Chairman Zech:

It was with great disappointment, but little surprise that I learned of the Nuclear Regulatory Commission's decision to change the rules applicable to safe evacuation in the event of an accident at a nuclear power plant. Once again, the pleas of state and local governments have fallen on deaf ears. The Commission's actions are in keeping with its well established practice of putting the interests of the nuclear power industry above the health and safety of the general public. The message is clear: if you don't like the way the game is played -- change the rules. The integrity of the process is questionable and the legitimate players are at a distinct disadvantage. Rest assured, the perception of the NRC as the guardian of the utilities remains intact.

The Commission's actions represent a blatant abuse of power and a violation of public trust. The art of deception has been raised to new heights in a futile attempt to bring credence to a desperate utility's paper evacuation plan. Responsible public officials will not sit idly by and condone the approval of a totally unworkable plan developed by LILCO. The NRC fails miserably in concluding that an emergency would lead to state and local participation making an ineffective plan effective. The point remains that regardless of who cooperates and implements the proposal, **there can be no safe evacuation plan for the area.**

In your fervor to license the ill-fated Shoreham Nuclear Power Plant, the NRC continues to erode public confidence in the federal government's willingness to abide by the wishes of its citizens.

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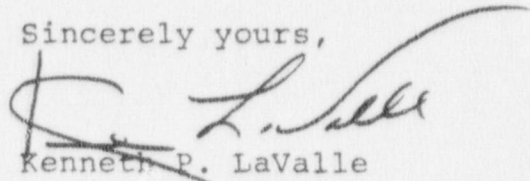
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add: P. Crane, H-1035  
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There are those of us who remain convinced that democracy is rooted in the consent of the governed. In your tunnel vision approach to operate Shoreham, the Commission appears to have lost sight of that principle. I once again urge you to recognize the validity of the state and county's arguments in opposition to the licensing of this facility and I assure you that state and local officials will remain vigilant in our efforts to ensure that neither the federal government nor any of its agencies is allowed to impose its will on a reluctant constituency.

Sincerely yours,



Kenneth P. LaValle