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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD

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Before the Administrative Judges:

Ivan W. Smith, Chairman
Dr. Richard F. Cole
Kenneth A. McCollom

In the Matter of

PUBLIC SERVICE COMPANY
OF NEW HAMPSHIRE, ET AL.

(Seabrook Station, Units 1 and 2)

Docket Nos. 50-443-OL
50-444-OL
(Off-Site EP)

April 10, 1989

TESTIMONY OF GEARY SIKICH ON BEHALF OF
JAMES M. SHANNON, ATTORNEY GENERAL
FOR THE COMMONWEALTH OF MASSACHUSETTS
REGARDING INADEQUACIES IN SPMC PLANNING FOR
AND NHY ORO'S IMPLEMENTATION OF
PARS FOR SCHOOLS

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I. INTRODUCTION

This testimony addresses issues pertaining to the adequacy and effectiveness of SPMC procedures and planning concerning the provision of reasonable assurance that adequate protective measures can and will be taken in a timely fashion for schools and day care centers. Specifically, the testimony addresses issues raised in a Joint Intervenor Contention 45, Basis E, H, I, M, N, and O. The testimony also addresses issues raised in Contention MAG EX 10 in that it discusses deficiencies that were shown to exist in the attempted implementation of SPMC procedures for school and day care children during the FEMA

Graded Exercise. The regulatory requirements that govern the planning and exercise portions of the testimony are found in 10 C.F.R. 50.47 and the corresponding requirements of NUREG 0654, Supp. 1.

The testimony contained herein focuses on deficiencies in the SPMC's procedures for providing information and transport resources to schools and day care centers in a timely manner; demonstrated deficiencies in New Hampshire Yankee ORO's ability to accurately convey information about PARs to schools; and demonstrated deficiencies in New Hampshire Yankee ORO's ability to implement PARs for schools in a way that affords reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency at Seabrook Station.

II. DELAYS IN PROVISION OF INFORMATION AND TRANSPORTATION TO SCHOOLS

Under the SPMC information is to be provided to schools through the medium of school liaisons. One school liaison is provided for each town. Those school liaisons are supposed to provide information to schools and day care centers by calling down the list of schools provided in Appendix M in the SPMC. As was previously noted in the pre-filed testimony concerning the inadequacies of the SPMC as it pertains to special populations, this procedure for transmitting information to schools has inherent delays in it that will preclude the ability to transmit information in a timely fashion.

New Hampshire Yankee ORO's inability to communicate to the schools in a timely fashion was demonstrated during the FEMA Graded Exercise. During the Graded Exercise, the school liaisons were unable to notify and inform the schools and day care centers rapidly enough to keep pace with the changing developments of the simulated emergency. That, in turn, limited NHY ORO's ability to implement timely protective actions for schools and day care centers in the Massachusetts EPZ. For example, despite the fact that the Amesbury School liaison was told to commence his initial round of calls to the schools and day care centers at 11:10 a.m., he still had not completed all the calls to the day care centers in Amesbury by 1:06 p.m. when he was told by the Controller to stop making the calls. At that point in time, he still had 16 day care centers left on his list that had not even received an initial contact call. In the meantime, a site area emergency had been declared at 11:46 a.m. and the schools in Amesbury still had not been informed of that fact. The Amesbury School liaison immediately after having been told by the Controller to stop making the initial round of calls had to start calling the Amesbury schools to notify them of the site area emergency.

Even with the Controller's intervention in the process at 1:06 p.m. which allowed the Amesbury School liaison to assume that day care centers knew of the site area emergency, not all the schools and day care centers in Amesbury were informed of the SAE until 1:26 p.m.. That was only moments before general emergency was declared at 1:30 p.m..

In his next round of calls to inform the schools and day care centers of the general emergency, the Amesbury School liaison only managed to call 4 of the 32 day care centers on his list when he had to go back and re-start his round of calls to inform the schools of the initial PAR for the General Emergency.

In making the first PAR round of calls, the Amesbury liaison had reached only the first 3 of the 32 day care centers by 3:16. At 3:17 he was informed of a new PAR and had to recommence all the series of calls again. While the Controller told the Amesbury Liason that he could assume that all his phone calls had been made, that does not detract from the fact that he only managed to get through only 3 of the 32 day care centers on the list.

That the Amesbury School liaison was calling a control cell rather than actual schools in no way detracts from the significance of the fact that he could not complete his list of calls before a new event overtook him. While he did have to share the control cell line with one other school liaison, in a true emergency he would have to share incoming trunk lines to schools with parents and other persons who would be trying to reach the schools.

In a similar vein, the FEMA Exercise also demonstrated that NHY ORO cannot provide transportation in a timely manner. A general emergency was declared during the exercise at 1:30 p.m. At 3:15 p.m. the decision was made to use NHY ORO contracted buses. However, not until 6:25 p.m. was the last day care center finally serviced by the contracted buses. That means that it took almost 5 hours to finally get transportation to the day care centers.

The fact that FEMA introduced the requirement that NHY ORO use the contracted buses for schools rather than the buses normally engaged by the town, offers no justification for the delay in providing transit to day care centers. Normally the day care centers would not have had their own buses available under any circumstances. The fact is that it took NYH ORO 5 hours after the declaration of the general emergency to provide transit to the day care centers and 4 hours after the announcement of the decision to evacuate Amesbury to provide transportation to those day care centers.

The Exercise also demonstrated that there is no implementable provision under the SPMC for contacting the schools if for some reason a school liaison cannot reach them by telephone. The one school that was supposed to be participating in the FEMA Graded Exercise could not be contacted by the Amesbury School liaison. The Amesbury School liaison did nothing to try to reach the school other than to call back twice and to inform the school coordinator of the fact that he could not reach the school. There is no indication that the school coordinator ever took any action on her own to attempt to contact the school. In the event of a general emergency, it is foreseeable that at least in some circumstances contact with one or more schools by commercial telephone may fail. The FEMA Graded Exercise demonstrated that NHY ORO is not equipped to implement back-up procedures if the primary means of communication does not work.

III. INADEQUACIES IN IMPLEMENTING PARS FOR SCHOOLS

The FEMA Graded Exercise also demonstrated that NHY ORO cannot effectively implement PARS for schools. Despite the fact that the State of New Hampshire had made an initial decision regarding school PARS prior to 12:00 p.m., NHY ORO did not even begin to consider PARS for schools until 1:25 p.m. Such a lapse is not justified by any claim that school children are treated the same as the general population under the SPMC. The reality is that the SPMC purports to make provision for special PARS for schools such as early closure, and NHY ORO through its own act of trying to consider a PAR for schools at 1:25 p.m. acknowledged that special provision should be made for PARS for schools. The problem that exists is that NHY ORO also demonstrated that it was unable to implement PARS for schools in a timely manner.

The initial school PAR for Amesbury that NHY ORO tried to implement called for ORO to supply route guides to the town and make use of the town buses for the purposes of evacuation. Apparently, ORO contemplated holding the children in the schools pending the arrival of the route guides to accompany the town's regular school buses. While the school liaison in Amesbury did advise the schools to hold the students, he never advised the schools to shelter the students pending the arrival of the route guides. With respect to the one school where he did give instruction to get the students back inside the school, he told the school that the students should be taken off buses and back inside the school because the radiation release was going out to sea.

It is also notable that with respect to the school in question, the Horace Mann School, the school liaison was under the impression the students to be evacuated included 102 boarding students. Despite the fact that he thought that the students in question were boarding students, he never gave any instruction to the school about providing for the students to remain at congregate care host centers. In reality, the Horace Mann School has 102 five, six and seven year olds that are divided up into morning and afternoon sessions. The Amesbury Liason wrongly assumed that because Appendix M. mentioned "p.m." the students were boarders.

In the meantime, NHY ORO had issued an EBS message telling parents not to go to schools to pick up their children. However, under the PAR the school liaison was supposed to tell the day care centers that if parents came, to release children to the parents. The EBS message made no distinction between day care centers and schools so that had parents followed the EBS message they would not have gone to the day care centers and provided one of the sources of transportation that NHY ORO apparently contemplated using in its initial PAR.

That same EBS message advised that schools within Amesbury and Salisbury were being evacuated and also provided information that the children were being sheltered and held at school. Had school officials in Amesbury been listening to the Emergency Broadcast System as they had been previously advised by the school liaison, they would have been totally confused.

When NHY ORO finally determined to implement the second PAR of using their own contracted buses, ORO informed the schools that the buses were due to arrive at 3:55 p.m.. In fact, the first buses never arrived until some 40 minutes after that initial projection and the final buses did not arrive until almost 2 1/2 hours after the initial projection. That demonstrates that NHY ORO cannot accurately determine when transportation will arrive for the schools. In a real emergency if buses did not arrive when they were expected, school officials would in all likelihood react by trying to implement their own ad hoc response to the emergency.

The Amesbury School liaison who was designated as the lead school liaison was clearly confused in his responses throughout the Exercise. For example, despite the fact that at 12:00 p.m. he had been informed that Amesbury Country Day did not need transportation, when he made his log entry concerning Amesbury Country Day at 3:47 p.m., he was under the impression that the school was being evacuated with NHY ORO contracted buses.

The Exercise demonstrated that NHY ORO is unable to coordinate the timing and content of its messages to schools and parents and the provision of transportation resources to schools in such a way to effectively implement PARs. Because NHY ORO was unable to effectively implement PARs, it failed to satisfy Exercise Objective #19. That failure precludes a finding of reasonable assurance that adequate measures can and will be taken in the event of a radiological emergency at Seabrook Station.

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) April 10, 1989
)

CERTIFICATE OF SERVICE

I, Alan Fierce, hereby certify that on April 10, 1989, I made service of the within documents:

1. TESTIMONY OF CHARLES D. JONES ON BEHALF OF ATTORNEY GENERAL JAMES M. SHANNON, ATTORNEY GENERAL FOR THE COMMONWEALTH OF MASSACHUSETTS REGARDING JI 27A, 61 AND 62;
2. TESTIMONY OF CAROL SNEIDER ON BEHALF OF JAMES M. SHANNON ATTORNEY GENERAL FOR THE COMMONWEALTH OF MASSACHUSETTS REGARDING JI-56 (MONITORING RATE);
3. TESTIMONY OF DR. HOWARD HARRIS ON BEHALF OF JAMES M. SHANNON, ATTORNEY GENERAL FOR THE COMMONWEALTH OF MASSACHUSETTS CONCERNING JI-13 AND MAG EX-11 (TRAINING);

4. TESTIMONY OF DR. COLIN J. HIGH ON BEHALF OF JAMES M. SHANNON, ATTORNEY GENERAL FOR THE COMMONWEALTH OF MASSACHUSETTS CONCERNING CONTENTION JI-56 (MONITORING RATE);
5. TESTIMONY OF DR. THOMAS J. ADLER ON BEHALF OF JAMES M. SHANNON, ATTORNEY GENERAL FOR THE COMMONWEALTH OF MASSACHUSETTS CONCERNING CONTENTIONS JI-13 (TRAFFIC GUIDE TRAINING);
6. TESTIMONY OF GARY SIKICH AND STAN COHN ON BEHALF OF JAMES M. SHANNON ATTORNEY GENERAL FOR THE COMMONWEALTH OF MASSACHUSETTS REGARDING COMMUNICATION DEFICIENCIES;
7. TESTIMONY OF GEARY W. SIKICH AND JOHN PAOLILLO ON BEHALF OF ATTORNEY GENERAL JAMES M. SHANNON, TOWN OF HAMPTON, NEW ENGLAND COALITION ON NUCLEAR POLLUTION AND SEACOAST ANTI-POLLUTION LEAGE REGARDING TOH/NECNP 1(a) and (b);
8. TESTIMONY OF GEARY W. SIKICH AND SANDRA FOWLER MITCHELL ON BEHALF OF ATTORNEY GENERAL, JAMES M. SHANNON, TOWN OF HAMPTON, NEW ENGLAND COALITION ON NUCLEAR POLLUTION AND SEACOAST ANTI-POLLUTION LEAGUE REGARDING TOH/NECNP EX. 2;
9. TESTIMONY OF GERALD ST. HILAIRE, HOWARD SAXNER AND BARBARA DAVIS ON BEHALF OF ATTORNEY GENERAL JAMES M. SHANNON ATTORNEY GENERAL FOR THE COMMONWEALTH OF MASSACHUSETTS ON THE PROPOSED USE OF EVACUAITON BED BUSES IN THE SPMC;
10. COMMONWEALTH OF MASSACHUSETTS TESTIMONY OF ARTHUR LONEGRAN ON STATEMENTS OBTAINED FROM SISTER PAULA BRADLEY, SISTER DORIS BROUILLETTE AND DR. KENNETH PELLE OF ST. JOSEPH'S HOSPITAL ON THE FEMA GRADED EXERCISE.

11. TESTIMONY OF T. MICHAEL CARTER ON BEHALF OF JAMES M. SHANNON, ATTORNEY GENERAL FOR THE COMMONWEALTH OF MASSACHUSETTS CONCERNING CONTENTIONS JI-13B; JI 27b; JI 36; MAG EX-9;
12. TESTIMONY OF ROBERT L. GOBLE ON BEHALF OF JAMES M. SHANNON, THE ATTORNEY GENERAL FOR THE COMMONWEALTH OF MASSACHUSETTS REGARDING CONTENTIONS MAG EX-11, MAG EX-19, SAPL EX-14, JI-13C, JI-18F, JI-20 and JI-23 (EXECISE PARS, TRAINING FOR PAR DECISION-MAKERS METPAC, PAR DECISION CRITERIA, AND COORDINGATION OF MASS/NH PARS);
13. TESTIMONY OF GEARY SIKICH ON BEHALF OF JAMES M. SHANNON, ATTORNEY GENERAL FOR THE COMMONWEALTH OF MASSACHUSETTS REGARDING INADEQUACIES IN SPMC PLANNING FOR AND NHY ORO's IMPLEMENTATION OF PARS FOR SCHOOLS,
14. TRIAL BRIEF OF JAMES M. SHANNON FOR THE COMMONWEALTH OF MASSACHUSETTS, REGARDING EXERCISE RELATED CONTENTIONS, via Federal Express Mail as indicated by [*] and by First Class Mail on April 11, 1989 to:

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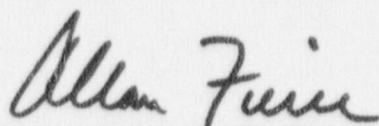
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DATED: April 10, 1989