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To: <rem2@nrc.gov>
Date: 10/17/05 12:34PM
Subject: RE: COMMENTS ON REVIEW OF EMERGENCY PREPAREDNESS REGULATIONS

COMMENTS: RE: PUBLIC MEETING TO DISCUSS EMERGENCY PREPAREDNESS (EP) REGULATIONS AND GUIDANCE FOR COMMERCIAL NUCLEAR POWER PLANTS
10/14/05 -** Susan Shapiro, Esq.* - Rockland F.U.S.E.

I represent Rockland F.U.S.E. (Friends United for Safe Energy) which is a member of the Indian Point Safe Energy Coalition (IPSEC).* I became concerned about Indian Point after 9/11, and have since been to various NRC, FEMA and DHS meetings.* As a member of the reactor community living in the shadow of Indian Point, as a mother, an attorney, a lifelong resident of Rockland County, and a concerned patriotic American I appreciate this opportunity to share my concerns and observations.

The meeting on September 31 - October 1, in the midst of the Katrina disaster was extremely interesting.* It was an important and strong beginning for an open dialogue between NRC, FEMA, DHS and reactor communities.

It is imperative that these meetings continue on a regular basis, because as it was stated over and over each community is unique and distinct.* At the next meeting I would hope that an effort is made to include more stakeholders from the Indian Point community.* It is interesting to note that approximately 10% of the non-NRC participants came down from our region.

The vast majority of our citizens and our public officials have unanimously called for closure of Indian Point and oppose relicensing.**

James Lee Witt's study of the evacuation plan for our region found there to be that public health and safety can not be adequately protected in the event of a radiological event, due to the enormous population density and lack of road infrastructure.

The local and state authorities refused to certify the evacuation plans for the past two years, FEMA under the direction of Michael Brown have arbitrarily and capriciously approved the unworkable evacuation plans without justification.

In order to have a meaningful discussion about evacuation planning the meaning of "REASONABLE ASSURANCE" and "ADEQUATE PROTECTION" must be clearly defined.* I look forward to read Mr. Conklin promised definitions.

EARLY NOTIFICATION:

The reactor communities of Rockland, Westchester, Orange and Putnam county have enormous faith in our local emergency workers despite the fact there is no workable or fixable evacuation plan.

Nearly two hundred of First Responders from our region, who will be relied upon in the event of an incident at Indian Point, have signed petitions stating "The large population, the lack of* infrastructure, and the limited resources of this region make it hard to foresee a successful evacuation without casualties, regardless of the cause of a significant radiological release.** We are concerned that even our best efforts may not be enough to adequately protect

the public health and safety of the citizens of this region.

Therefore it is imperative that reactor communities local authorities receive the earliest notification, because only their actions can actually do anything to attempt protect the public's health and safety.* The local emergency worker are our first line of defense be notified as soon as possible.* It is better to err on the side of caution, then put millions in danger needlessly.

Although the federal agencies also need prompt notification, they are hundreds of miles for the site of radiological incidents are can do little in the short.* Their initial role is monitor* events and bring in outside assistance.

The federal agencies no longer* have the confidence of the local community. This* problem continues to be exacerbated by incidents like Katrina and* the recent three week delay in notification of a radioactive leak from the spent fuel pools at Indian Point.

Under the NRC's own regulations, the so-called "reality clause", the local authorities are completely relied upon by the Federal agencies in the event of an emergency.* The regulation states that in the event of a radiological event the local authorities would in "reality" do their best to evacuate their communities based on a "utility plan", even without a certified evacuation plan.

This clause relies on the fact that in the event no plan certified by the state, the locals or FEMA, then the NRC allows plants to continue operation based on the "utility plan". Since Indian Point is no longer a "utility".* and has not been once since has been operated by Entergy, such reliance on this NRC's

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BATTERY BACKUP POWER AND VOICE ACTIVATED SIRENS

As Tony Sutton, of Westchester Emergency Services clearly stated, "It is a no-brainer to require backup* power to siren systems", immediately, not in two years, but within 90 days.* This is a matter that can be fixed with the expenditure of some of Entergy's closely held profits.*

The recent NRC decision not to require backup power is an arbitrary and frivolous decision, which does nothing to protect the public's health and safety and only protects the industry from spending the funds needs to install a proper siren system, with backup battery power and voice messages.*

Particularly in our region this is imperative, because most of our first responders are volunteers, and although they carry pagers, if the electric systems are down they will not be notified.* Sirens are the single most important method of notifying the public and first responders and an antiquated siren

system no longer is acceptable.** The New York metropolitan community or any community for that matter,* should not** have to depend on antiqued alarms, that more often then not are unreliable.

The NRC's decision to past the buck on requiring backup power voice activated sirens is frivolous and arbitrary, and protects nothing but a small financial investments by the operator. Is the NRC's job to protect the residents health and safety or the industry's profit margin?

We request a full disclosure of the NRC's decision making process in not requiring backup power.

OFFSITE PROTECTIVE MEASURES:

THE EVACUATION TRAVEL TIME ESTIMATE (ETTE) RELIES UPON OUTDATED DATA THAT SIGNIFICANTLY UNDERESTIMATES THE POPULATION IN THE INDIAN POINT EPZ.

Since 1970 the population in the counties surrounding Indian Point have increased by 30%.** The population of the region, including NYC has increase by over half a million people, however there has been little or no improvement or additions of road infrastructure.* (

Part 100, Subpart B, Section 100.21 of the NRC's "Reactor Site Criteria" enacted in 1997. The regulation says nuclear plants "should be located away from very densely populated centers," without specifically defining "very densely" - though population centers are defined elsewhere in the regulation as having more than 25,000 residents.***

There is absolute no logical reasons as to why Reactor Site Criteria is not part of the NRC's consideration for relicensing.* If the population around a plant has so dramatically changed it is against public policy to continue it's operation for an additional 20 years.

In 1979 Robert Ryan of the NRC stated "Indian Point is one of the most inappropriate sites in existence for a nuclear plant.* ...I think that it is insane to have a 3 unit reactor on the Hudson River in Westchester County, 40 miles from Times Square, 20 miles from the Bronx..."

The geography of the region limits possible escape routes.* The New York State Thruway (Route 287) is the only major artery out of the region,* at it's widest a 6 lane road, and then narrows to 4.* That means nearly 20 million people will try to evacuate through the narrow Ramapo Pass, in Rockland County.* Due to the geography of the mountain range this has been the only way from upstate to downstate since the days of the Iroquois.* If residents are directed South they will run directly into New York City and gridlock will close the roads, and no one* will go anywhere.

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THE EVACUATION TRAVEL TIME ESTIMATES FOR THE INDIAN POINT RADIOLOGICAL EMERGENCY PREPAREDNESS PLAN ("REPP") FAILS TO MEET THE REQUIREMENT OF NUREG 0654/FEMA REP 1.

The* traffic study prepared for Entergy* by KLD Associates determined that*

it will take nearly twice as long to evacuate people from the 10 mile region around Indian Point as previously believed.*** It could take up to four hours to mobilize residents and up to 10 hours to evacuate the region in good weather.* Traffic congestion from "shadow evacuations" would increase those times, the report found.

Based on this new study Tony Sutton, Westchester's deputy commissioner of Emergency Services said "In a fast-breaking scenario, it may be more prudent to ask people, to shelter in place...We would tell them to stay inside and minimize their sources of outside air, and we would tell them to take potassium iodide.

"Sheltering in place" is not a substitute for evacuation and* is not practical in many circumstances, and will not adequately protect the public from exposure to radiation.* In fact, FEMA recognizes this concern in their February 21, 2003 report on emergency preparedness at Indian Point.* On page 6 of Attachment B of the report, FEMA states:

NUREG -0654, Appendix 1 issued in 1983 and enhanced in 1996 and 2003 in the NRC Supplement 3 to NUREG-0654.FEMA-REP1 "Criteria for Protective Action Recommendations for Severe Accidents. States that "Since the publication of the original guidance extensive studies* of severe reactor accidents have been performed.* These studies clearly indicate that for all but a very limited set of conditions, prompt evacuation of the area near the plant is much more effective in reducing the risk of early health effects than sheltering the population in the event of severe accidents.* In addition, studies have shown that except for very limited conditions. Evacuation in a plume is still more effective in reducing health risks that prolonged sheltering near the plant.* The NRC and FEMA recommend that the population near the plant should be evacuated."

I request that you to endorse this NRC Supplement 3 to NUREG-0654, as you endorsed the NEI's white paper.

If sheltering in place is the* only option,* then the public will be placed in danger as there can be* no "reasonable assurance" of timely evacuation, which is in direct contradiction with the NRC and FEMA guidelines..

This is no longer an honest emergency evacuation plan.* This is a plan to shelter in place.* Our schools, reception centers, and hospitals are not equipped with food, medicine, water, decontamination equipment, and basic supplies necessary for even short term sheltering.**

In addition parents of young children will not be willing to following guidelines if it means being separated from their children for any period of time.

REQUIREMENTS FOR ADMINISTERING RADIOPROTECTIVE DRUGS TO THE GENERAL PUBLIC

In light of the Congressional mandate requiring distribution of KI to all residents within 20 miles of a nuclear facility by 2003, it is appalling today that distribution has not yet occurred. DHS, the NRC and FEMA are all responsible for making this happen, passing the buck to the states is not acceptable.** The FDA and the American Thyroid Cancer Association both recommend and endorse the distribution and use of KI in the event of radiological event, within the first two hours.* By not making a concerted effort to properly and fully distribute KI to potentially affected residents the NRC is acting with serious negligence.*

It was shameful that at the meeting panel participants from DHS and FEMA questioned the science behind KI, trying* to turn an issue of health and safety into a political issue, which it is not.* The value of KI is well settled science, and should not be thrown into turmoil because of nuclear industry's desire not to have it properly distributed because it will raise public awareness of the dangers of living near a nuclear plant. This is not a political football like "global warming" and "the theory of evolution".* KI is a salt that will protect the youngest and most vulnerable members of our society, our children, from thyroid cancer.

Currently distribution of KI in our area was made available in a highly ineffective manner.

The limited distribution of Potassium Iodine to residents of the region does not give "adequate or reasonable assurance" that the population will be protected.* Upon receiving a pill* each resident must sign that they "have received one (1) 130 milligram tablet of KI for each member of the household.* No other members has received additional doses, nor will seek additional doses of KI at this free distribution.** The instructions* clearly states "DOSAGE: Take for 10 days unless directed otherwise by State or local public health authorities"

This is blatantly inconsistent and clearly does not properly protect the public.* It also creates enormous distrust by the public.** In the event sheltering is required most people do not even have one pill,* let alone 10 which they will need to take in the event of exposure.****

It is imperative that all the residents of the region be give the proper dosage.** These pills cost mere pennies, so skimping on the pills angers the public because they see that saving a few pennies is more important to FEMA, the NRC and Entergy than their lives.* Every resident* must immediately be mailed at least 10 pills per household member, otherwise the public remains clearly unprotected.*

The entire KI issue is an example of the lack of common sense the evacuation plan exhibits in many areas.

The NRC, FEMA and DHS must take proactive action to make sure KI is already in the hands of all residents and schools within 20 miles.*

It is unacceptable that reception centers for elementary school children, such as the South Orangetown School District, located less than 17 miles from Indian Point still do not have* KI for their students and students they will be responsible to shelter in the event of an incident at Indian Point.

Distribution should not be left up to state authorities since the state does not regulate the nuclear facilities.* KI should be* the full and sole responsibility of the NRC to make sure distribution is properly and completely affected.

Suggested methods of distribution* follows:

- 1.**** Attached packet of 20-30 pills per family to the emergency evacuation plan for those within 10 mile radius, with instructions and phone number to

call for advice on use.

2.**** Direct mailing to all residents within 20 miles radius of 20-30 pills, with instructions and phone numbers to call for advice on use.

3 - Distributed by medical clinics and doctors.

4 - Have local fire companies distribute it to all homes.

5 -* All costs of distribution must be borne by the nuclear industry.

NEED TO ADDRESS FAMILY SEPARATION IN ITS ANALYSIS OF EVACUATION TIMES

.One significant* problems is the "latchkey kid" problem.*

In the event of a radiological evacuation school children may be sent home, yet the trains carrying the parents home have been stopped.* In a recent drill which FEMA found to acceptable,* "less than one hour after the children* were simulated to have been returned home, the same zones were advised to evacuate. Many of the children presumably left home alone would not be able to evacuate themselves. This and closely related problems have been termed "the latch key kids" problem. " page 178, Witt Report.

It is incomprehensible how anyone could describe a plan or a drill that leaves children alone to deal with a nuclear emergency as successful, adequate, or reasonable.

NEED TO ADDRESS "SHADOW EVACUATION" AS REQUIRED BY NRC GUIDANCE DOCUMENT "STATE OF THE ART IN EVACUATION TIME ESTIMATES STUDIES FOR NUCLEAR POWER PLANTS." NUREG/CR-4831.

Especially in the wake of Katrina it is unrealistic to believe that** people will not leave the area unless they are instructed to do so.** People know that radiation is air borne and invisible.** Even if they are told a plume is only* blowing in one direction, they will* attempt to leave the region.* They are not going to sit around and wait for the wind to shift in their direction.

Dan Greely, Deputy Director of* Rockland County Emergency Services said "Some people think a terrorism plan isn't going to be different from any other fast-moving scenario... but they are kidding themselves.* People will act differently, Some will definitely panic and there will be people on the road".*

In* fact, nearly every year on the 4th of July at the Rockland Community College fireworks,* police officers,* who are diverting traffic,* are run over and hospitalized by people anxious to get home.* If that happens after a "fun" event,* we can only image the chaos that will ensue during a radiological incident at Indian Point.* Police and emergency workers may be hurt or even killed.

NEED TO MEET THE REQUIREMENTS FOR PROTECTIONS OF FOODSTUFFS AND DRINKING WATER IN THE 50 MILE INGESTION EXPOSURE PATHWAY EPZ.

Most of the reservoirs and water shed that supply New York City water are located within 10 miles from Indian Point in Westchester.* In the event of a radiological release the water for the region would be undrinkable for a very long time.

NEED TO* ADDRESS THE POSSIBILITY OF A RADIOLGICAL RELEASE FROM OUTSIDE THE REACTOR CONTAINMENT BUILDING,* AND THEREFORE FAILS TO ANALYZE THE EMERGENCY SCENARIOS THAT COULD TRIGGER PROTECTIVE ACTION.

In order to the annual mock drill of the evacuation plans to be meaningful it is imperative that the drills test an actual radiological release.* Thus far the drills have been designed in a way that there will never be an off-site radiological release,* and therefore the drill does not actually test the "radiological" evacuation plan.* To date the drill does not drill or test the radiological plan and cannot be relied upon to approve such plans.

As so the force-on-force drills being conducted at Indian Point* are done under a cloak of secrecy.* If the public is to trust that the internal security at Indian Point is adequate, independent observers need to be present.* In order to prepare for these drills we know security guards have been forced to work overtime for months, up to 60 hours a week.

This is not a surprise attack.* This is more like a knock knock joke. "Knock, knock". " Who is it?"* "Terrorists!" "Oh please just wait a second while we get ready".

Security guard whistleblowers at Indian Point have said they cannot properly defend the plant.* Since 9/11 hunters with guns have entered and reentered the property, security guards have lost guns, guards have been found sleeping,* swastikas have been found in secure areas, yet Entergy doesn't have any suspects.* The communities surrounding Indian Point have little confidence in the underpaid, over worked security force inside the plant.

From the Rockland side of the river a terrorist with a hand held rocket launcher would be able to hit the plant.* Our military has bunker buster rockets, and* hand held weapons that can pierce many feet of concrete.* So to think that the reactor domes are invulnerable is short sighted.

In addition over 1800 tons of the spent fuel is densely packed into spent fuel pools which are housed in unprotected and un-reinforced steel warehouse like buildings, in concrete pools of* water.*

In October 2000,* the NRC staff conceded that loss of water from pools containing fuel aged less than 5 years, "would almost certainly result in an exothermic reactions."

Dr. Gordon Thompson stated that "Once a fire has begun, it could be

impossible to extinguish.* Spraying water on the fire would feed an exothermic zirconium steam reaction which would generate flammable hydrogen.* High radiation fields could preclude the approach of firefighters."

There is nothing prevent a smaller plane from flying over Indian Point and dropping a conventional or dirty bomb on a spent fuel pool causing a massive radiological fire.

As stated earlier there is NO* No Fly Zone over Indian Point.* In the area surrounding Indian Point there are many commercial airports and non-commercial airports.* These smaller airports have little or no real security.** At an NRC hearing I attended, I was told that there wasn't a no fly zone for two reasons.* The first being aviation wasn't under their jurisdiction but the FAA and two, a no fly zone* and we we're not going to shut down all the airports.** The* logic of this answer made it clear, that instead of closing our airports,* we have to close Indian Point immediately and place the spent fuel in hardened on-site storage,* because it poses a massive threat to our community.***

At the Town Hall meeting with Mr. Witt, a resident of the area told a frightening story.* He actually saw a small plane hovering over Indian Point and phone the terrorist hotline on his cell phone.* The operator asked him what was Indian Point and where was it.* It took him close to 20 minutes to speak to someone who said they would look into it.* In the meantime the plane continued to hover.* If the plane's intention was to cause damage to Indian Point it would have been too late.

RELIANCE UPON INFORMATION CONTROL AND SECRECY FAILS TO ADEQUATELY INFORM THE PUBLIC IN THE EVENT OF A RADIOLOGICAL EMERGENCY.

The secrecy surrounding information both in the event of radiological incident and the determination of "reasonable assurance" brews distrust of the evacuation plan.

The idea that school children will be evacuated and moved prior to their parents knowing there is a radiological emergency is unrealistic and dangerous.* As soon as* the first child is moved someone will call on their cell phones and everyone will know within minutes, creating massive chaos..** Proper, non-secretive, public communication is necessary for any emergency plan to work.

As you well know drills in emergency situations are invaluable.* However, when I questioned Mr. Picciano, the regional director, about actual drills I was told that they would be too expensive and dangerous.* If this is true, then how FEMA and the NRC certify evacuation plans that are too dangerous to even do a drill.* If the citizens and emergency workers are not be properly trained no Emergency Plan will work.

IN SUMMARY

BACKUP BATTERY POWER VOICE ACTIVATED SIRENS IS A NO BRAINER and must be required by the NRC immediately, not in two years.

KI DISTRIBUTION as mandated by* Congress by 2003 for 20 miles radius has been ignored.* It is gross negligence for this not to happen immediately.**

SHELTERING IN PLACE is not a substitute for evacuation.* If evacuation is required then sheltering in place is not an option.* If evacuation is impossible

due to surrounding population density,* the NRC has the responsibility to stop operation of any such facility.

ENDORSEMENT OF NEI's WHITE PAPER stating required evacuation area 2 mile radius and 5 miles under a plume is clear pandering to the nuclear, industry, as it reduces their financial responsibility and allows continued operation of plants that are surrounded by dense populations, which is direct opposition to adequate protection of public health and safety.

REALITY CHECK

On* 9/11 the World* Trade Center Terrorists flew directly over Indian Point. Diagrams of our nuclear plants have been found in Al Queda caves.

Al Queda informants told authorities that they had planned to attack Indian Point,* but decided not to AT THAT TIME.

Despite this there isn't a no fly zone over Indian Point.

It* is negligent not to protect New York City, the Financial Capitol of our nation which lies less than 30 miles away.

It* is negligent not to protect West Point Military Academy where our future military leaders are being trained.* West Point is less than 5 miles from Indian Point.**

If an* attack on Indian Point is successful not only our region, but the entire nation will be suffer, and probably be* forced in bankruptcy.* Only 8.3 billion dollars for a radiological incident is covered by the Price Anderson Act , and no insurance is available to mitigate damages the life and property.

In* the event of* radiological event at Indian Point trillions of dollars in lost life and property value are at stake.* Property value in Westchester county alone exceeds 2.3 trillion dollars.*

Please remember Indian Point is a private profit making facility, not a utility.*

The energy is replaceable.* The lives of 20 million citizens are not.

FEMA's and NRC's certification of the unworkable and unfixable evacuation plans leads us to believe they are more concerned with protecting Entergy a the private enterprise that owns Indian Point, than protect the public health and safety of over 20 million Americans.

Entergy will argue that it is impossible for such an event to happen.** The builders of the World Trade Center also said it would be impossible for 9/11 to happen, and that their building could withstand a terrorist attack.

James Lee Witt, former director of FEMA, prepared an independent report this year for* Governor Pataki.*** When Mr. Witt first came to our region he had confidence in the evacuation plan he had read on paper.* However, after seeing

the roads, the population, and meeting with First responders, elected officials and the community, he came to the conclusion that the evacuation plans are inadequate to protect the public health and safety. (EXHIBIT "A" Town of Ramapo Town Hall Meeting)

Maybe the plans look good on paper, but the reality of the region proves the plans are unworkable.* Mr. Brown and Mr. Mamish were repeatedly invited to the area by public officials and residents to see the region for themselves.* However neither chose not to come to see for himself.

Whether FEMA and the NRC are deliberately misleading us or have simply lost their way, they have demonstrated that they are no longer working to protect the public.* Their pronouncements about our safety are meaningless.

FEMA, under Michael Brown's command, approved the evacuation plans for Indian Point despite the fact that the local authorities, who have first hand knowledge to the situation,* refused to* off* on the plan.* Instead of protecting the public health and safety FEMA and the NRC continue to allow the people in the New York Metropolitan region and our entire nation remain in grave danger.*

As a matter of Homeland Security Indian Point must be of the highest priority. Indian Point is probably one of the most obvious, attractive and vulnerable terrorist targets in this nation.

It is negligent not to take every precaution to protect the 20 million citizens, 8 % of the US population, living within 50 mile of it, the peak "injury" zone.

Please take a long hard and honest look at the realistic vulnerabilities and consequences of a radiological incident at Indian Point.* The future of our nation depends on your actions.

Thank you for your time.

Sincerely,

Susan Shapiro, Esq.
Rockland FUSE

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Single accidents in the area regularly stop traffic in the entire region for 6 -12 hours.

THE EVACUATION TRAVEL TIME ESTIMATES FOR THE INDIAN POINT RADIOLOGICAL EMERGENCY PREPAREDNESS PLAN (â€œREPPâ€œ) FAILS TO MEET THE REQUIREMENT OF NUREG 0654/FEMA REP 1.

TheÂ traffic study prepared for EntergyÂ by KLD Associates determined thatÂ it will take nearly twice as long to evacuate people from the 10 mile region around Indian Point as previously believed.Â Â Â It could take up to four hours to mobilize residents and up to 10 hours to evacuate the region in good weather.Â Traffic congestion from "shadow evacuations" would increase those times, the report found.

Based on this new study Tony Sutton, Westchester's deputy commissioner of Emergency Services said "In a fast-breaking scenario, it may be more prudent to ask people, to shelter in placeâ€œWe would tell them to stay inside and minimize their sources of outside air, and we would tell them to take potassium iodide.

â€œSheltering in placeâ€œ is not a substitute for evacuation andÂ is not practical in many circumstances, and will not adequately protect the public from exposure to radiation.Â In fact, FEMA recognizes this concern in their February 21, 2003 report on emergency preparedness at Indian Point.Â On page 6 of Attachment B of the report, FEMA states:

NUREG -0654, Appendix 1 issued in 1983 and enhanced in 1996 and 2003 in the NRC Supplement 3 to NUREG-0654.FEMA-REP1 "Criteria for Protective Action Recommendations for Severe Accidents. States that "Since the publication of the original guidance extensive studiesÂ of severe reactor accidents have been performed.Â These studies clearly indicate that for all but a very limited set of conditions, prompt evacuation of the area near the plant is much more effective in reducing the risk of early health effects than sheltering the population in the event of severe accidents.Â In addition, studies have shown that except for very limited conditions. Evacuation in a plume is still more effective in reducing health risks that prolonged sheltering near the plant.Â The NRC and FEMA recommend that the population near the plant should be evacuated.â€œ

I request that you to endorse this NRC Supplement 3 to NUREG-0654, as you endorsed the NEI's white paper.

If sheltering in place is the only option, then the public will be placed in danger as there can be no "reasonable assurance" of timely evacuation, which is in direct contradiction with the NRC and FEMA guidelines..

This is no longer an honest emergency evacuation plan. This is a plan to shelter in place. Our schools, reception centers, and hospitals are not equipped with food, medicine, water, decontamination equipment, and basic supplies necessary for even short term sheltering.

In addition parents of young children will not be willing to following guidelines if it means being separated from their children for any period of time.

REQUIREMENTS FOR ADMINISTERING RADIOPROTECTIVE DRUGS TO THE GENERAL PUBLIC

In light of the Congressional mandate requiring distribution of KI to all residents within 20 miles of a nuclear facility by 2003, it is appalling today that distribution has not yet occurred. DHS, the NRC and FEMA are all responsible for making this happen, passing the buck to the states is not acceptable. The FDA and the American Thyroid Cancer Association both recommend and endorse the distribution and use of KI in the event of radiological event, within the first two hours. By not making a concerted effort to properly and fully distribute KI to potentially affected residents the NRC is acting with serious negligence.

It was shameful that at the meeting panel participants from DHS and FEMA questioned the science behind KI, trying to turn an issue of health and safety into a political issue, which it is not. The value of KI is well settled science, and should not be thrown into turmoil because of nuclear industry's desire not to have it properly distributed because it will raise public awareness of the dangers of living near a nuclear plant. This is not a political football like "global warming" and "the theory of evolution". KI is a salt that will protect the youngest and most vulnerable members of our society, our children, from thyroid cancer.

Currently distribution of KI in our area was made available in a highly ineffective manner.

The limited distribution of Potassium Iodine to residents of the region does not give "adequate or reasonable assurance" that the population will be protected. Upon receiving a pill each resident must sign that they "have received one (1) 130 milligram tablet of KI for each member of the household. No other members has received additional doses, nor will seek additional doses of KI at this free distribution. The instructions clearly states "DOSAGE: Take for 10 days unless directed otherwise by State or local public health authorities".

This is blatantly inconsistent and clearly does not properly protect the public. It also creates enormous distrust by the public. In the event sheltering is required most people do not even have one pill, let alone 10 which they will need to take in the event of exposure.

It is imperative that all the residents of the region be give the proper dosage. These pills cost mere pennies, so skimping on the pills angers the public because they see that saving a few pennies is more important to FEMA, the NRC and Entergy than their lives. Every resident must immediately be mailed at least 10 pills per household member, otherwise the public remains clearly unprotected.

The entire KI issue is an example of the lack of common sense the evacuation plan exhibits in many areas.

The NRC, FEMA and DHS must take proactive action to make sure KI is already in the hands of all residents and schools within 20 miles.

It is unacceptable that reception centers for elementary school children, such as the South Orangetown School District,

located less than 17 miles from Indian Point still do not have a KI for their students and students they will be responsible to shelter in the event of an incident at Indian Point.

Distribution should not be left up to state authorities since the state does not regulate the nuclear facilities. A KI should be the full and sole responsibility of the NRC to make sure distribution is properly and completely affected.

Suggested methods of distribution follow:

1. Attached packet of 20-30 pills per family to the emergency evacuation plan for those within 10 mile radius, with instructions and phone number to call for advice on use.
2. Direct mailing to all residents within 20 miles radius of 20-30 pills, with instructions and phone numbers to call for advice on use.
- 3 - Distributed by medical clinics and doctors.
- 4 - Have local fire companies distribute it to all homes.
- 5 - All costs of distribution must be borne by the nuclear industry.

NEED TO ADDRESS FAMILY SEPARATION IN ITS ANALYSIS OF EVACUATION TIMES

One significant problem is the "latchkey kid" problem.

In the event of a radiological evacuation school children may be sent home, yet the trains carrying the parents home have been stopped. In a recent drill which FEMA found to acceptable, "less than one hour after the children were simulated to have been returned home, the same zones were advised to evacuate. Many of the children presumably left home alone would not be able to evacuate themselves. This and closely related problems have been termed "the latch key kids" problem. " page 178, Witt Report.

It is incomprehensible how anyone could describe a plan or a drill that leaves children alone to deal with a nuclear emergency as successful, adequate, or reasonable.

NEED TO ADDRESS "SHADOW EVACUATION" AS REQUIRED BY NRC GUIDANCE DOCUMENT "STATE OF THE ART IN EVACUATION TIME ESTIMATES STUDIES FOR NUCLEAR POWER PLANTS." NUREG/CR-4831.

Especially in the wake of Katrina it is unrealistic to believe that people will not leave the area unless they are instructed to do so. People know that radiation is air borne and invisible. Even if they are told a plume is only blowing in one direction, they will attempt to leave the region. They are not going to sit around and wait for the wind to shift in their direction.

Dan Greely, Deputy Director of Rockland County Emergency Services said "Some people think a terrorism plan isn't

going to be different from any other fast-moving scenario" but they are kidding themselves. People will act differently, Some will definitely panic and there will be people on the road".

In fact, nearly every year on the 4th of July at the Rockland Community College fireworks, police officers, who are diverting traffic, are run over and hospitalized by people anxious to get home. If that happens after a "fun" event, we can only image the chaos that will ensue during a radiological incident at Indian Point. Police and emergency workers may be hurt or even killed.

NEED TO MEET THE REQUIREMENTS FOR PROTECTIONS OF FOODSTUFFS AND DRINKING WATER IN THE 50 MILE INGESTION EXPOSURE PATHWAY EPZ.

Most of the reservoirs and water shed that supply New York City water are located within 10 miles from Indian Point in Westchester. In the event of a radiological release the water for the region would be undrinkable for a very long time.

NEED TO ADDRESS THE POSSIBILITY OF A RADIOLGICAL RELEASE FROM OUTSIDE THE REACTOR CONTAINMENT BUILDING, AND THEREFORE FAILS TO ANALYZE THE EMERGENCY SCENARIOS THAT COULD TRIGGER PROTECTIVE ACTION.

In order to the annual mock drill of the evacuation plans to be meaningful it is imperative that the drills test an actual radiological release. Thus far the drills have been designed in a way that there will never be an off-site radiological release, and therefore the drill does not actually test the "radiological" evacuation plan. To date the drill does not drill or test the radiological plan and cannot be relied upon to approve such plans.

As so the force-on-force drills being conducted at Indian Point are done under a cloak of secrecy. If the public is to trust that the internal security at Indian Point is adequate, independent observers need to be present. In order to prepare for these drills we know security guards have been forced to work overtime for months, up to 60 hours a week.

This is not a surprise attack. This is more like a knock knock joke.
"Knock, knock". "Who is it?" "Terrorists!" "Oh please just wait a second while we get ready".

Security guard whistleblowers at Indian Point have said they cannot properly defend the plant. Since 9/11 hunters with guns have entered and reentered the property, security guards have lost guns, guards have been found sleeping, swastikas have been found in secure areas, yet Entergy doesn't have any suspects. The communities surrounding Indian Point have little confidence in the underpaid, over worked security force inside the plant.

From the Rockland side of the river a terrorist with a hand held rocket launcher would be able to hit the plant. Our military has bunker buster rockets, and hand held weapons that can pierce many feet of concrete. So to think that the reactor domes are invulnerable is short sighted.

In addition over 1800 tons of the spent fuel is densely packed into spent fuel pools which are housed in unprotected and un-reinforced steel warehouse like buildings, in concrete pools of water.

In October 2000, the NRC staff conceded that loss of water from pools containing fuel aged less than 5 years, "would almost certainly result in an exothermic reactions."

Dr. Gordon Thompson stated that "Once a fire has begun, it could be impossible to extinguish." Spraying water on the fire would feed an exothermic zirconium steam reaction which would generate flammable hydrogen. High radiation fields could preclude the approach of firefighters.

There is nothing prevent a smaller plane from flying over Indian Point and dropping a conventional or dirty bomb on a spent fuel pool causing a massive radiological fire.

As stated earlier there is NO No Fly Zone over Indian Point. In the area surrounding Indian Point there are many commercial airports and non-commercial airports. These smaller airports have little or no real security. At an NRC hearing I attended, I was told that there wasn't a no fly zone for two reasons. The first being aviation wasn't under their jurisdiction but the FAA and two, a no fly zone and we we're not going to shut down all the airports. The logic of this answer made it clear, that instead of closing our airports, we have to close Indian Point immediately and place the spent fuel in hardened on-site storage, because it poses a massive threat to our community.

At the Town Hall meeting with Mr. Witt, a resident of the area told a frightening story. He actually saw a small plane hovering over Indian Point and phone the terrorist hotline on his cell phone. The operator asked him what was Indian Point and where was it. It took him close to 20 minutes to speak to someone who said they would look into it. In the meantime the plane continued to hover. If the plane's intention was to cause damage to Indian Point it would have been too late.

RELIANCE UPON INFORMATION CONTROL AND SECRECY FAILS TO ADEQUATELY INFORM THE PUBLIC IN THE EVENT OF A RADIOLOGICAL EMERGENCY.

The secrecy surrounding information both in the event of radiological incident and the determination of "reasonable assurance" brews distrust of the evacuation plan.

The idea that school children will be evacuated and moved prior to their parents knowing there is a radiological emergency is unrealistic and dangerous. As soon as the first child is moved someone will call on their cell phones and everyone will know within minutes, creating massive chaos. Proper, non-secretive, public communication is necessary for any emergency plan to work.

As you well know drills in emergency situations are invaluable. However, when I questioned Mr. Picciano, the regional director, about actual drills I was told that they would be too expensive and dangerous. If this is true, then how FEMA and the NRC certify evacuation plans that are too dangerous to even do a drill. If the citizens and emergency workers are not be properly trained no Emergency Plan will work.

IN SUMMARY

BACKUP BATTERY POWER VOICE ACTIVATED SIRENS IS A NO BRAINER and must be required by the NRC immediately, not in two years.

KI DISTRIBUTION as mandated by Congress by 2003 for 20 miles radius has been ignored. It is gross negligence for this not to happen immediately.

SHELTERING IN PLACE is not a substitute for evacuation. If evacuation is required then sheltering in place is not an option. If evacuation is impossible due to surrounding population density, the NRC has the responsibility to stop operation of any such facility.

ENDORSEMENT OF NEI's WHITE PAPER stating required evacuation area 2mile radius and 5 miles under a plume

is clear pandering to the nuclear, industry, as it reduces their financial responsibility and allows continued operation of plants that are surrounded by dense populations, which is direct opposition to adequate protection of public health and safety.

REALITY CHECK

On 9/11 the World Trade Center Terrorists flew directly over Indian Point. Diagrams of our nuclear plants have been found in Al Queda caves.

Al Queda informants told authorities that they had planned to attack Indian Point, but decided not to AT THAT TIME.

Despite this there isn't a no fly zone over Indian Point.

It is negligent not to protect New York City, the Financial Capitol of our nation which lies less than 30 miles away.

It is negligent not to protect West Point Military Academy where our future military leaders are being trained. West Point is less than 5 miles from Indian Point.

If an attack on Indian Point is successful not only our region, but the entire nation will be suffer, and probably be forced in bankruptcy. Only 8.3 billion dollars for a radiological incident is covered by the Price Anderson Act, and no insurance is available to mitigate damages the life and property.

In the event of a radiological event at Indian Point trillions of dollars in lost life and property value are at stake. Property value in Westchester county alone exceeds 2.3 trillion dollars.

Please remember Indian Point is a private profit making facility, not a utility.

The energy is replaceable. The lives of 20 million citizens are not.

FEMA's and NRC's certification of the unworkable and unfixable evacuation plans leads us to believe they are more concerned with protecting Entergy a the private enterprise that owns Indian Point, than protect the public health and safety of over 20 million Americans.

Entergy will argue that it is impossible for such an event to happen. The builders of the World Trade Center also said it would be impossible for 9/11 to happen, and that their building could withstand a terrorist attack.

James Lee Witt, former director of FEMA, prepared an independent report this year for Governor Pataki. When Mr. Witt first came to our region he had confidence in the evacuation plan he had read on paper. However, after seeing the roads, the population, and meeting with First responders, elected officials and the community, he came to the conclusion that the evacuation plans are inadequate to protect the public health and safety. (EXHIBIT "A" Town of Ramapo Town Hall Meeting)

Maybe the plans look good on paper, but the reality of the region proves the plans are unworkable. Mr. Brown and Mr. Mamish were repeatedly invited to the area by public officials and residents to see the region for themselves. However neither chose not to come to see for himself.

Whether FEMA and the NRC are deliberately misleading us or have simply lost their way, they have demonstrated that they are no longer working to protect the public.Â Their pronouncements about our safety are meaningless.

FEMA, under Michael Brown's command, approved the evacuation plans for Indian Point despite the fact that the local authorities, who have first hand knowledge to the situation,Â refused toÂ offÂ on the plan.Â Instead of protecting the public health and safety FEMA and the NRC continue to allow the people in the New York Metropolitan region and our entire nation remain in grave danger.Â

As a matter of Homeland Security Indian Point must be of the highest priority. Indian Point is probably one of the most obvious, attractive and vulnerable terrorist targets in this nation.

It is negligent not to take every precaution to protect the 20 million citizens, 8 % of the US population, living within 50 mile of it, the peak "injury" zone.

Please take a long hard and honest look at the realistic vulnerabilities and consequences of a radiological incident at Indian Point.Â The future of our nation depends on your actions.

Thank you for your time.

Sincerely,

Susan Shapiro, Esq.
Rockland FUSE