

STATEMENT OF SUFFOLK COUNTY EXECUTIVE

PETER F. COHALAN

TO THE NUCLEAR REGULATORY COMMISSION, SHOREHAM PROCEEDING

April 13, 1982

I WISH TO TAKE THIS OPPORTUNITY TO EMPHASIZE TO THE NRC'S DECISIONMAKERS SEVERAL MATTERS OF GREAT CONCERN TO THE ELECTED LEADERS AND RESIDENTS OF SUFFOLK COUNTY. THE COUNTY IS PARTICIPATING IN THIS PROCEEDING IN ORDER TO PROTECT THE HEALTH AND WELFARE OF THE PERSONS WHO LIVE, WORK, AND VISIT SUFFOLK COUNTY. WE ARE UNITED AS A COMMUNITY TO MAKE CERTAIN THAT THE SHOREHAM PLANT IS LICENSED TO OPERATE ONLY IF IT IS SAFE. WE ARE A TENACIOUS, SKEPTICAL COMMUNITY WHICH HAS LEARNED THE LESSONS OF THREE MILE ISLAND AND INTENDS TO TAKE EVERY REASONABLE STEP TO ASSURE THAT A NUCLEAR ACCIDENT DOES NOT HAPPEN HERE.

SUFFOLK COUNTY'S CONCERNS TRANSLATE INTO THREE OVERRIDING REQUESTS TO THE NRC. FIRST, THERE IS GOOD REASON TO QUESTION THE QUALITY OF THE SHOREHAM PLANT. THE PATTERN OF BREAKDOWNS IN QUALITY ASSURANCE AND CONTROL REQUIRES A FRESH AND INDEPENDENT LOOK AT THE QUALITY OF THE PLANT. ACCORDINGLY, IF LILCO DOES NOT PROMPTLY AGREE TO A COMPLETE DESIGN REVIEW AND PHYSICAL INSPECTION OF THE PLANT, THE NRC SHOULD ORDER SUCH A REVIEW AND INSPECTION.

SECOND, WE ASK THAT THE NRC BE ALERT TO THE DIFFICULTIES OF ESTABLISHING RADIOLOGICAL EMERGENCY PREPAREDNESS IN SUFFOLK COUNTY. THE UNIQUE CONFIGURATIONS OF LONG ISLAND'S TOPOGRAPHY AND DEMOGRAPHY MANDATE BOTH SUFFOLK COUNTY'S LEADERS AND THE NRC TO PROCEED CAUTIOUSLY AND WITHOUT RUSHING TO ANY

CONCLUSIONS ON EMERGENCY PLANNING AND PREPAREDNESS. THE COUNTY HAS EMBARKED ON A PLANNING EFFORT WITH CONSULTANTS OF NATIONAL REPUTATION. I HAVE CHOSEN TO BE PERSONALLY INVOLVED IN THE EMERGENCY PLANNING PROCESS, AND HAVE DESIGNATED MY DEPUTY COUNTY EXECUTIVE AS CHAIRMAN OF THE STEERING COMMITTEE TO OVERSEE DEVELOPMENT OF THE COUNTY'S EMERGENCY PLAN. I AM COMMITTED TO PERMITTING THE SHOREHAM PLANT TO OPERATE ONLY IF THE SAFETY OF THE RESIDENTS OF SUFFOLK COUNTY -- INCLUDING THOSE IN THE REMOTE EAST END -- WILL NOT BE COMPROMISED IF AN ACCIDENT WERE TO HAPPEN HERE.

THIRD, WE ASK THAT ON EACH OF THE SERIOUS CONTENTIONS IN THIS PROCEEDING, THE NRC LOOK ONLY TO THE EVIDENCE OF RECORD IN JUDGING WHETHER TO LICENSE THE SHOREHAM PLANT. THIS PROCEEDING IS NO PLACE FOR ATTENTION TO COLLATERAL QUESTIONS OF UTILITY COSTS, ADMINISTRATIVE CONVENIENCE, OR ANY OTHER MATTER THAT DOES ^{NOT} TOUCH SQUARELY THE HEALTH AND SAFETY OF SUFFOLK COUNTY'S POPULATION.

FINALLY, I REMAIN CONCERNED WITH THE LICENSING BOARD'S ADHERENCE TO A HEARING SCHEDULE THAT SEEMS KEYED TO AN ARBITRARY DEADLINE, RATHER THAN EXCLUSIVELY TO THE DICTATES OF DUE PROCESS. SUFFOLK COUNTY EXPECTS THE BOARD TO GUARANTEE THE COUNTY'S RIGHT TO A FAIR PROCEEDING -- PROCEDURALLY AND SUBSTANTIVELY -- JUST AS THE COUNTY EXPECTS TO LIVE UP TO ITS OWN DUTY TO PARTICIPATE FORTHRIGHTLY IN ACCORDANCE WITH THE BOARD'S ORDERS.

WE ARE PARTICIPATING IN THIS PROCEEDING TO MAKE CERTAIN THAT CHANCE ALONE DOES NOT DECIDE THE SAFETY OF SUFFOLK COUNTY'S RESIDENTS. WE ASK THAT THE BOARD BE RIGOROUS IN ITS ANALYSIS

AND FAIR IN ITS JUDGMENT. WE ARE SKEPTICAL BECAUSE OF WHAT WE HAVE SEEN AND HEARD ABOUT OTHER NRC PROCEEDINGS -- WHERE INTERVENORS HAVE BEEN ALLEGEDLY DENIED THEIR FAIR DAY IN COURT -- AND WE ARE DETERMINED TO MAKE SURE THAT DUE PROCESS IS NOT LOST HERE.

Introduced by Presiding Officer Richards, Legislation Prospect

SENSE OF THE LEGISLATURE RESOLUTION
SUPPORTING THE COUNTY EXECUTIVE'S
REQUEST THAT LILCO SUPPORT AN
INDEPENDENT FULL PHYSICAL INSPECTION
AND DESIGN REVIEW OF THE SHOREHAM
NUCLEAR FACILITY

WHEREAS, the County Executive has requested that LILCO agree to an independent design review and complete physical inspection of the Shoreham Nuclear Facility; and

WHEREAS, the safety, health and well-being of the residents of Suffolk County are of the utmost concern; and

WHEREAS, LILCO, as a member of the Suffolk County community at large, has a responsibility to its fellow citizens and neighbors to verify the safety of the Shoreham Nuclear facility before operation commences; and

WHEREAS, such doubts as to the safety of Shoreham are widespread among Suffolk County residents; and

WHEREAS, such concerns and doubts can be addressed and set aside through an independent design review and complete physical inspection of all the safety aspects of the Shoreham Nuclear Facility; and

WHEREAS, to do so is beyond question in the best interest of Suffolk County taxpayers and LILCO ratepayers; now, therefore, be it

RESOLVED, that the County Legislature fully supports County Executive Cohalan's request for such an action by LILCO; and be it further

RESOLVED, that this resolution be immediately forwarded to the Chairman of the Board and the President of LILCO for their action; and be it further

RESOLVED, that the County Executive continue his efforts with LILCO to achieve a full physical inspection and design review of Shoreham conducted by independent experts.

Gregory J. Blum
Gregory Blum, District 1

John E. J. Foley
John Foley, District 3

Ferdinand Giese
Ferdinand Giese, District 5

William C. Richards
William Richards, District 7

Joseph Rizzo
Joseph Rizzo, District 9

Ira Hamilton
Ira Hamilton, District 11

Patrick Halpin
Patrick Halpin, District 13

Wayne Prospect
Wayne Prospect, District 15

Jane Devine
Jane Devine, District 17

John Rosso
John Rosso, District 2

Rose Caracappa
Rose Caracappa, District 4

Donald Allgrove
Donald Allgrove, District 6

John Wehrenberg
John Wehrenberg, District 8

Philip Nolan
Philip Nolan, District 10

Anthony Noto
Anthony Noto, District 12

Louis Howard
Louis Howard, District 14

Robert LaBua
Robert LaBua, District 16

Robert Mrazek
Robert Mrazek, District 18

LS

RESOLUTION NO. -1982, AUTHORIZING THE COUNTY
EXECUTIVE TO ENTER INTO AN AGREEMENT(S) FOR A
PHYSICAL INSPECTION OF THE SHOREHAM NUCLEAR POWER
PLANT

PW
PS
LH 5th

WHEREAS, in Res. No. 598-1981, the Suffolk County Legislature requested Lilco to hire an independent engineering firm in order to conduct a complete physical inspection of all of the critical safety systems of the Shoreham Nuclear Power Plant, and

WHEREAS, Lilco has to date refused to undertake such a physical inspection, and

WHEREAS, various investigative reports have brought into question the structural integrity of the Shoreham Nuclear facility, and

WHEREAS, the county's consultants have identified dozens of violations of NRC Quality Assurance-Quality Control criteria over the last several years, demonstrating that there has been a systematic breakdown of Quality Assurance-Quality Control procedures of Lilco's Shoreham Nuclear Power Plant, and

WHEREAS, a complete physical inspection of all of the critical safety systems of the Shoreham Nuclear Power Plant is essential in order to protect the health and safety of the 1.3 million residents of Suffolk County, and

WHEREAS, it will be necessary to appropriate \$3 million dollars in order to begin a complete physical inspection of all critical safety systems of the Shoreham Nuclear Power Plant, therefore, be it

RESOLVED, that the County Executive is authorized to enter into all necessary contracts and take such other actions as maybe necessary in order to achieve a complete physical inspection of the Shoreham Nuclear Power Plant, and be it further

RESOLVED, that Minor, Hubbard & Bridenbaugh, Technical Associates (MHB) is hereby designated as lead contractor and consultant and is hereby authorized to write bid specifications, evaluate bid proposals and select the engineering firms necessary to inspect all of the critical safety systems of Lilco's Shoreham Nuclear Power Plant, and will prepare a report detailing the findings and conclusions thereof, and be it further

RESOLVED, that the County Executive is also authorized to pursue all necessary legal actions to recover from Lilco all expenses incurred to Suffolk County by this resolution.

DATED:

APPROVED BY :

County Executive of Suffolk County

Intro. Reso. No.
Introduced by the Presiding Officer at the request of the
County Executive.

RESOLUTION NO. -1982, TRANSFERRING FUNDS FOR
THE PRELIMINARY WORK ASSOCIATED WITH A FULL PHYSICAL
INSPECTION AND DESIGN REVIEW OF THE SHOREHAM NUCLEAR
POWER PLANT.

WHEREAS, the County Legislature adopted Resolution I-1319,
authorizing the County Executive to enter into an agreement
for a physical inspection of the Shoreham Nuclear Power Plant;
and

WHEREAS, the County Executive intends to approve said
resolution; and

WHEREAS, the County Executive has called upon LILCO to under-
take and fund a full physical inspection and design review of the
Shoreham Nuclear Power Plant; and

WHEREAS, Resolution No. 1319 calls for the firm of Minor,
Hubbard and Bridenbaugh, Technical Associates (MHB) to write
bid specifications, evaluate bid proposals and select the
engineering firms necessary to undertake a complete physical
inspection and design review of the Shoreham Nuclear facility;
and

WHEREAS, absent of LILCO funding and cooperation, the County
must begin to prepare to undertake a full physical inspection
and design review; now, therefore, be it

RESOLVED, that the Suffolk County Comptroller and Suffolk
County Treasurer be and they hereby are authorized to transfer
funds as follows:

<u>From</u>	<u>To</u>	<u>Amount</u>
County Clerk	Department of Law	\$100,000
Motor Vehicle	Contract Services	
01-1411-110	01-1420-456	

DATED:

APPROVED BY:

County Executive of Suffolk County