

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

JUN -1 1983

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )

CONSOLIDATED EDISON COMPANY OF NEW YORK )  
(Indian Point Unit 2) )

Docket Nos. 50-247 SP  
50-286 SP

POWER AUTHORITY OF THE STATE OF NEW YORK )  
(Indian Point Unit 3 )

May 28, 1982

UCS/NYPIRG REQUESTS FOR ADMISSIONS

Pursuant to 10 CFR §2.742, UCS/NYPIRG files the following requests for admissions to be answered as indicated by Consolidated Edison Company of New York, the Power Authority of the State of New York, and/or the Nuclear Regulatory Commission staff. The responses shall be in writing and under oath, and in any case where an admission is denied the respondent shall provide a complete explanation for the denial.

UCS/NYPIRG requests (as indicated) Consolidated Edison Company of New York, the Power Authority of New York, and/or the Nuclear Regulatory Commission staff to admit to the truth of each of the following statements:

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1. The only radiological emergency involving a commercial nuclear power reactor in U.S. history in which any protective response recommendation, advisory, or order was given to the general public was the accident at Three Mile Island Unit 2 from March 28, 1979 to April 9, 1979.
2. The population within 15 miles of the Three Mile Island Unit 2 reactor did not follow the protective response recommendations made by the Governor of Pennsylvania during the TMI-2 accident in that despite the fact that only pregnant women and pre-school age children within 5 miles of the plant were advised to evacuate, and persons within 10 miles of the plant were advised to shelter, the following actually occurred:
  - A. Instead of the evacuation being limited to the 2,500 pregnant women and pre-school age children within 5 miles of the TMI-2 reactor, 144,000 of the 370,000 persons living within 15 miles of the TMI-2 reactor evacuated.
  - B. Approximately 14% of the evacuees (about 20,000) evacuated before any protective response recommendation was issued.
  - C. Despite the fact that the evacuation advisory was in effect for 10 days, the median evacuation period was 5 days.

- D. Persons beyond 5 miles but within 10 miles evacuated rather than sheltering as recommended by the Governor.
- E. Persons beyond 10 miles evacuated (32% of the population between 10 and 15 miles) despite receiving no recommendation to do so.
- 3. Meteorology of the site and the Indian Point region was not considered in the establishment of the areal extent of the Plume Exposure Pathway Emergency Planning Zone for Indian Point.
- 4. There is a finite possibility (i.e., a possibility greater than zero) that a release of radioactivity from Indian Point Units 2 or 3, in combination with weather conditions at the time of the release, will cause radiation doses to the general public in excess of the EPA Protective Action Guide levels beyond the Plume Exposure Pathway Emergency Planning Zone for Indian Point.
- 5. Any exposure to ionizing radiation carries with it an increased risk of cancer.
- 6. There is no level of radiation exposure below which there is no increased risk of cancer.
- 7. There exist circumstances in which it will not be possible to recognize that a core melt accident sequence has been entered until fuel melting actually starts to occur.

8. A whole-body exposure of 50 Rems corresponds to the radiation dose at which early radiation illnesses begin to be observed in the general population.
9. A whole-body exposure of 200 Rems corresponds to the radiation dose at which early fatalities begin to be observed in the general population.
10. Other than the radiological emergency plans for Rockland, Westchester, Putnam, and Orange counties, no other county radiological emergency plans have been devised for responding to accidents at the Indian Point Nuclear Power Station.
11. The Plume Exposure Pathway Emergency Planning Zone for the Indian Point Nuclear Power Station does not cover the full areal extent of the areas which could be impacted in the event of a worst-case accident at Indian Point Units 2 and 3 (i.e., a core melt accident with containment failure); specifically, the Plume EPZ does not cover the full areal extent of areas in which residents could be exposed to radiation causing early fatalities, early injuries, fatal and non-fatal cancers, thyroid nodules, and genetic effects.
12. There is a finite possibility (i.e., a possibility greater than zero) that an accident will occur at Indian Point Unit 2 or Unit 3 which will result in

a release of a magnitude equal to that described in WASH-1400 for a PWR1 release category.

13. There is a finite possibility (i.e., a possibility greater than zero) that an accident will occur at Indian Point Unit 2 or Unit 3 which will result in a release of a magnitude equal to that described in WASH-1400 for a PWR2 release category.
14. There is a finite possibility (i.e., a possibility greater than zero) that an accident will occur at Indian Point Unit 2 or Unit 3 which will result in a release of a magnitude equal to that described in WASH-1400 for a PWR3 release category.
15. There is a finite possibility (i.e., a possibility greater than zero) that an accident will occur at Indian Point Unit 2 or Unit 3 which will result in a release of a magnitude equal to that described in WASH-1400 for a PWR4 release category.
16. There is a finite possibility (i.e., a possibility greater than zero) that an accident will occur at Indian Point Unit 2 or Unit 3 which will result in a release of a magnitude equal to that described in WASH-1400 for a PWR5 release category.
17. There is a finite possibility (i.e., a possibility greater than zero) that an accident will occur at Indian Point Unit 2 or Unit 3 which will result in a release of a magnitude equal to that described in WASH-1400 for a PWR6 release category.

18. There is a finite possibility (i.e., a possibility greater than zero) that an accident will occur at Indian Point Unit 2 or Unit 3 which will result in a release of a magnitude equal to that described in WASH-1400 for a PWR7 release category.
19. The population and population density surrounding the Indian Point site is greater at 10, 30, and 50 miles than at any other nuclear power plant site in the U.S.
20. There is a finite possibility (i.e., a possibility greater than zero) that an accident will occur at Indian Point Unit 3 or Unit 3 which will result in a release of radioactivity to the environment that in combination with prevailing weather at the time of and subsequent to the release will result in radiation doses to the general public outside the Plume Exposure Pathway Emergency Planning Zone which are sufficiently high so as to require the implementation of some form of protective response from the general public.
21. There are no studies, surveys, or any type of evaluation for the Indian Point Plume Exposure Pathway Emergency Planning Zone which is directed at determining or predicting the degree of conformance of the general public to protective action recommendations, advisories, or orders for the Indian Point Plume Exposure Pathway Emergency Planning Zone.



22. Consolidated Edison Company of New York does not rely in any way upon the evacuation time estimates prepared by CONSAD Research Corporation.
23. The Power Authority of the State of New York does not rely in any way upon the evacuation time estimates prepared by CONSAD Research Corporation.
24. The Nuclear Regulatory Commission staff does not rely in any way upon the evacuation time estimates prepared by CONSAD Research Corporation.
25. Given the wide variability in estimated free flow rate (the number of vehicles passing one point via one lane during one hour at a given speed), which vary by as much as 50%, there is no basis for making optimistic assumptions about this parameter in calculating evacuation time estimates.
26. In performing a review of the Pilgrim II Plume Exposure Pathway Emergency Planning Zone in preparation to calculate evacuation time estimates using the CLEAR code, contractors for the NRC found several intersections located outside the Plume Exposure Pathway Emergency Planning Zone which could "significantly effect the evacuation process" (PNL-SA-9557, May 8, 1981).
27. Based on the statement in 26 above, there is no basis for assuming that there do not exist similar intersections for the Indian Point Plume Exposure Pathway Emergency Planning Zone without performing such an analysis for Indian Point.

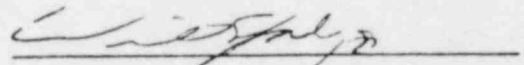
28. Given the reliance of NUREG-0396 on the probability results presented in WASH-1400, the results presented in Figure I-11 of NUREG-0396 cannot be considered to be conservative since due to uncertainties in the WASH-1400 probability estimates the conditional probabilities of various doses at a given distance may be too low as presented in Figure I-11.
29. New York City could not be evacuated in less than one week.
30. The Plume Exposure Pathway Emergency Planning Zone for Indian Point cannot be evacuated in less than four hours under favorable conditions.
31. Sheltering is useful in limiting inhalation dose for only about 2 hours.
32. There are no sheltering attenuation factors which are accepted by the NRC staff for use in calculating the degree of protection afforded by various types of structures, including wood frame and brick houses (with or without basements).
33. The use of Emergency Action Level Criteria by Consolidated Edison Company of New York and/or the Power Authority of the State of New York cannot guarantee that an accident sequence involving core melt and containment failure will be recognized in sufficient time to permit notification and evacuation by the residents of the Plume Exposure Pathway Emergency Planning Zone before plume arrival.



34. Meeting all of NRC's emergency planning requirements does not guarantee that there will be no deaths due to a radiological emergency at Indian Point Unit 2 or Unit 3.
35. There are no written agreements between individual bus drivers or groups of bus drivers which indicate that the bus drivers upon which the County Radiological Emergency Response Plans for Rockland, Westchester, Orange, and Putnam depend will be available to drive buses into and out of the Indian Point Plume Exposure Pathway Emergency Planning Zone in the event of a radiological emergency at Indian Point Unit 2 or Unit 3.

DATED: May 28, 1982

RESPECTFULLY SUBMITTED,

  
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Harmon & Weiss  
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Suite 506  
Washington, D.C. 20006

Counsel for UCS

MATRIX FOR RESPONSES TO REQUESTS FOR ADMISSIONS

A--Nuclear Regulatory Commission staff

B--Power Authority of the State of New York

C--Consolidated Edison Company of New York

1--A,B,C	16--A,B,C	31--A,B,C
2--A,B,C	17--A,B,C	32--A
3--A,B,C	18--A,B,C	33--A,B,C
4--A,B,C	19--A,B,C	34--A
5--A,B,C	20--A,B,C	35--B,C
6--A,B,C	21--A,B,C	
7--A,B,C	22--C	
8--A,B,C	23--B	
9--A,B,C	24--A	
10--B,C	25--A	
11--A,B,C	26--A	
12--A,B,C	27--A	
13--A,B,C	28--A	
14--A,B,C	29--A,B,C	
15--A,B,C	30--A,B,C	

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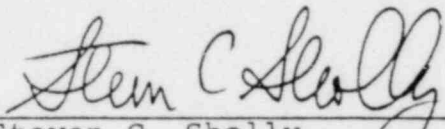
POWER AUTHORITY OF THE STATE OF NEW YORK )  
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CERTIFICATE OF SERVICE

I hereby certify that the persons on the official service  
for this proceeding were served this date by placement  
of the following document in the U.S. mail, postage prepaid,  
first class: "UCS/NYPIRG REQUESTS FOR ADMISSIONS".

  
Steven C. Sholly  
Technical Research Assistant  
Union of Concerned Scientists  
1346 Connecticut Avenue  
Dupont Circle Building  
Suite 1101  
Washington, D.C. 20036

DATED: 28 May 1982