

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD  
Before Administrative Judges:  
Louis J. Carter, Chairman  
Frederick J. Shon  
Dr. Oscar H. Paris

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In the Matter of	)	Docket Nos.
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. (Indian Point, Unit No. 2)	)	50-247 SP 50-286 SP
POWER AUTHORITY OF THE STATE OF NEW YORK (Indian Point, Unit No. 3)	)	May 28, 1982

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METROPOLITAN TRANSPORTATION  
AUTHORITY'S RESPONSES TO WESPAC'S  
FIRST SET OF INTERROGATORIES

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## PRELIMINARY STATEMENT

The Metropolitan Transportation Authority ("MTA") submits these responses to WESPAC's first set of Interrogatories dated May 3, 1982. The following is a general statement about the extent of MTA's participation in the development of the Indian Point Radiological Emergency Plan.

### MTA's participation in the development of the Indian Point Radiological Emergency Plan

The role of MTA and Conrail Metropolitan Region ("Conrail") in emergency evacuation planning for Indian Point has been limited to the preparation of a single discrete element of the Emergency Radiological Response Plan as described below.

In July 1980, representatives from the Power Authority of the State of New York ("PASNY"), Consolidated Edison ("Con Ed") and Parsons Brinckerhoff Quade and Douglas, Inc. ("Parsons Brinckerhoff"), consultants for the forementioned, requested MTA to develop an area evacuation plan to be implemented should conditions at the Indian Point Nuclear Power Plants warrant. Since Conrail operates all of the commuter railroad facilities in Westchester and Putnam Counties under a service contract with MTA, MTA referred the request to Conrail. Thus it is Conrail, not the MTA itself, which has participated in emergency evacuation planning for that area. For this reason, information

used to answer these interrogatories was obtained primarily from Conrail and Conrail's files. To the best of our knowledge (except as described in our answers here), MTA has had no participation on its own behalf in this emergency planning and has no documents in its own files related to these Interrogatories.

Several meetings were conducted in 1980 involving Parsons Brinckerhoff and Conrail Operations Improvement personnel during which all data relevant to the formulation of an evacuation plan were exchanged. As part of that information exchange, Parsons Brinckerhoff presented certain criteria and assumptions on the basis of which Conrail was to develop the program. These included 1) Ridership - the numbers and originating stations of Hudson line transportation dependent persons who would be expected to use railroad service for evacuation (estimated to be 2,360 persons); and 2) Evacuation Distance - that distance from the evacuation site beyond which the railroad would transport the evacuees.

Using the information supplied by Parsons Brinckerhoff, and accepting its assumptions and criteria for the purpose of this project, Conrail developed a plan for guiding rail operations during an evacuation of the populace from the Indian Point environs. This plan, entitled "Indian Point Emergency Evacuation Operating Plans Coordinated Emergency Operations Program, Appendix III-D" ("CEOP"), was not intended to be a comprehensive evacuation plan

but, rather, was limited to the following three components: 1) development of shuttle railroad equipment movements between Beacon and Tarrytown, New York; 2) description of scheduled equipment availability at different locations during four separate periods of the day; and 3) development of lines of notification of critical personnel and departments. The plan was forwarded to Parsons Brinckerhoff on June 16, 1981 for inclusion in the Indian Point Radiological Emergency Plan, although it was not fully included in the final and official version of that plan.

Since submission of the Conrail CEOP to Parsons Brinckerhoff, neither Conrail nor MTA had any further involvement with Indian Point evacuation planning until early 1982 when Conrail was asked to participate in the March 3, 1982 evacuation drill, which it did to the extent of monitoring the drill and following the Conrail personnel notification steps outlined in the CEOP.

## RESPONSES TO INTERROGATORIES

### 1. Interrogatory:<sup>1</sup>

List any transportation facilities (including railroads, automobile roads, highways, bridges, tunnels, or other parts of a road network) under the jurisdiction of the MTA that are wholly or partly within Westchester or Putnam County. Where facilities are run by other agencies (such as Conrail) but are related to the MTA, include them.

#### Response:

Harlem, Hudson and New Haven Railroad lines.

The Harlem and Hudson lines are operated by Conrail under a service contract with MTA.

The New Haven line is operated under a service contract with MTA and the Connecticut Department of Transportation.

### 2. Interrogatory:

Indicate which, if any, of the items listed in (1) are within the currently-defined Emergency Planning Zone for Indian Point.

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<sup>1</sup>The numbers appearing here correspond exactly to those used by WESPAC in its Request as it was served on MTA.

Response:

Hudson Line.

3. Interrogatory:

Indicate which, if any, of the items listed in (1) are involved in any of the evacuation routes for the Indian Point Radiological Emergency Plan.

Response:

Hudson Line.

4. Interrogatory:

Supply copies of any reports, telephone calls, memoranda, or other communication between the Metropolitan Transportation Authority and PASNY, Con Edison, the Four-County Nuclear Safety Committee, or the two consultants (Parsons, Brinckerhoff, Quade, & Douglas and EDS Nuclear) relative to the use of MTA facilities in the off site emergency plan. Such reports should include at minimum the following:

- (i) any information requested as to road capacity, traffic control personnel, and other transportation network data, whether or not the MTA was able to supply it, and the MTA's response.
- (iii) The requirements for MTA personnel to participate in emergency response.

- (iv) Training of MTA personnel as to their roles in emergency response to an Indian Point accident.

Response:

This interrogatory is in reality a request for production of documents. However, while reserving any claims of privilege or other objections to such production request, we are sending WESPAC a packet entitled "File: E-3A, Indian Point Evacuation," which contains copies of all of the documents requested which have been found in the files of MTA and Conrail. A list of the documents contained in that packet is attached to this Response as Appendix A.

6. Interrogatory:

Please list all closings or delays in the MTA facilities listed in (2) or (3) due to construction, breakdowns, labor actions, operator error, or adverse weather for the past five years. Include the cause, effect, and duration of the disruption of service. Indicate what steps were taken to compensate. If the records are available, list all such closings since 1962, the year Indian Point Unit 1 began operation.

Response:

MTA objects to this interrogatory on the grounds that it is overbroad and lacks specificity. Use of the words "all," "cause," "effect," and "compensate" are ambiguous and un-



answerable in their present form and use. Requesting information going back in time five years and twenty years is clearly beyond the scope of material relevant to this proceeding as it concerns current evacuation plans. Further, this interrogatory is unduly burdensome and to even attempt to answer it would involve the MTA in great expense and the diversion of an indeterminate number of man-hours. However, without waiving any of its objections, MTA will provide WESPAC with an example of the Conrail Daily Operation report for the Harlem, Hudson and New Haven lines, and an example of the monthly performance summary which summarizes the daily reports on a monthly basis. The Daily Report is kept for one year in Conrail's files. The monthly performance summaries from June 1978 - April 1982 are in MTA's files. Arrangements can be made to view these by contacting Renee Schwartz at (212) 867-5500.

Additionally, MTA refers WESPAC to its answers to interrogatories numbers 4 and 8 herein, which address the question of performance in the event of an Indian Point evacuation.

8. Interrogatory:


Is the Metropolitan Transportation Authority confident that the transportation facilities it is involved with would perform satisfactorily in the event of an accident at Indian Point? If not, what improvement would the MTA like to see?

Response:

MTA objects to this interrogatory on the grounds that it is overbroad and lacks specificity. Use of the words "confident," "transportation facilities" and "satisfactorily" are ambiguous and unanswerable in their present form and use. Further, the involvement of MTA and Conrail in planning for evacuation of the Indian Point area has been quite limited, as described above in the Preliminary Statement. The CEOP was prepared using the assumptions of ridership numbers, pick-up location and desired destination distance which were furnished by Parsons Brinckerhoff. The final plan was limited to a routing, scheduling and notification plan based on these assumptions and on the assumption that the normal Hudson line schedule, capacity and equipment availability would be essentially the same as they were when the plan was prepared. To the extent that these assumptions are still valid, we believe the Hudson line has the capacity to carry out its part of the evacuation program as outlined in the CEOP. We have not had sufficient involvement with the development of the assumptions provided to us or with other aspects of the development of the emergency evacuation plans to express an opinion regarding the overall performance of all MTA and

Conrail transportation facilities in the event of an accident at Indian Point, or to express any opinion as to changes we would like to see.

Respectfully submitted,

  
Renee Schwartz  
Paul Chessin,  
Laurens R. Schwartz  
Margaret Oppel  
Attorneys for MTA

Botein, Hays, Sklar & Herzberg  
200 Park Avenue  
New York, New York 10166


Dated: May 28, 1982

VERIFICATION

STATE OF NEW YORK     )  
                              :  
COUNTY OF NEW YORK    )

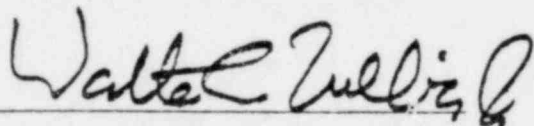
G. R. BUTT, being duly sworn, deposes and says:

That he is the Regional Superintendent - Operations Improvement for Consolidated Rail Corporation ("Conrail"), which operates the commuter rail service of Westchester and Putnam Counties under service contracts with the Metropolitan Transportation Authority and the Connecticut Department of Transportation; that he is authorized to make this verification on behalf of Conrail corporation; and that he has reviewed the foregoing answers to interrogatories and that to the extent they relate to Conrail, has found them to be true and correct to the best of his knowledge, information and belief.



\_\_\_\_\_  
G. R. BUTT

Sworn to before me this  
28th day of May 1982.



\_\_\_\_\_  
Notary Public

WALTER E. ZULLIG, JR.  
Notary Public, State of New York  
No. 60-9820426  
Qualified in Westchester County  
Commission Expires March 30, 1984

VERIFICATION

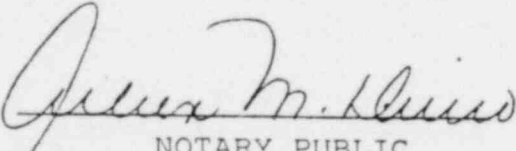
STATE OF NEW YORK     )  
                              :     SS.:  
COUNTY OF NEW YORK    )

Walter E. Zullig, Jr., being duly sworn, deposes and says:

That he is counsel to Metro-North Commuter Rail Division, Metropolitan Transportation Authority; that he is authorized to make this verification on behalf of said Authority; and that he has reviewed the foregoing answers to interrogatories and that to the extent they relate to MTA, has found them to be true and correct to the best of his knowledge, information and belief.

  
WALTER E. ZULLIG, JR.

Sworn to before me this  
28th day of May 1982

  
NOTARY PUBLIC

ARLEEN M. DIURO  
Notary Public, State of New York  
No. 31-4657422  
Qualified in New York County  
Commission Expires March 30, 1983

## Appendix A

### Contents of "File: E-3A, Indian Point Evacuation."

1. Letter from John C. Brons (Resident Manager, Indian Point 3 PASNY, to Joseph F. Spreng (General Manager, Conrail) dated 4/1/82.
2. Indian Point Emergency Evacuation Operating Plans Coordinated Emergency Operating Program Appendix III-D, dated January 1981.
3. List of members of Radiological Emergency Preparedness Group, dated 2, 10/82.
4. Memo from G.R. Butt (Regional Superintendent - Operations Improvement, Conrail) to Joseph F. Spreng, dated 3/1/82.
5. Letter from G.R. Butt to Michael S. Della Rocca (Parsons Brinckerhoff), dated 6/25/81.
6. Memo from Peter E. Stangl (President, Metro North Commuter Rail Division, MTA) to Joseph F. Spreng, dated 6/24/81.
7. Letter of Transmittal from Michael Della Rocca to Thomas Propersi (Conrail), dated 6/15/81.
8. Letter from Michael Della Rocca to G.R. Butt, dated 3/13/81.
9. Letter of Transmittal from Parsons Brinckerhoff to Alan Nelson (PASNY).
10. Letter from G.R. Butt to Michael Della Rocca, dated 6/16/81.
11. Letter from Joseph F. Spreng to Peter E. Stangl, dated 6/16/81.
12. Letter from Joseph F. Spreng to John C. Brons, dated 6/11/81.
13. Letter from John C. Brons to Joseph F. Spreng, dated 6/4/81.
14. Letter from G.R. Butt to Michael Della Rocca dated 3/10/81.
15. Memo from G.R. Butt to J.S. Lotz (Conrail) dated 1/27/81.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:  
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Frederick J. Shon  
Dr. Oscar H. Paris

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In the Matter of	:	Docket Nos.
	:	
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. (Indian Point, Unit No. 2)	:	50-247 SP
POWER AUTHORITY OF THE STATE OF NEW YORK (Indian Point, Unit No. 3)	:	50-286 SP
	:	May 29, 1982

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CERTIFICATE OF SERVICE

I hereby certify that copies of MTA'S RESPONSES TO WESPAC'S first set of INTERROGATORIES in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, this 29th day of May, 1982.

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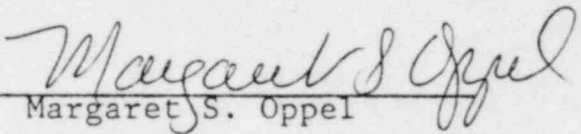
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