

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD JUN 16 AM 11:20

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 )

June 14, 1982

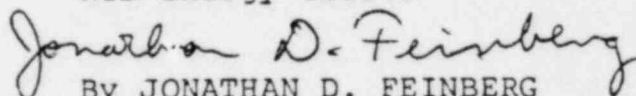
STATE OF NEW YORK'S  
ANSWERS AND OBJECTIONS  
TO INTERROGATORIES AND  
DOCUMENT REQUESTS PROPOUNDED  
BY WBCA

Approximately two weeks after May 3, the final date for interrogatories on questions 3 and 4, West Branch Conservation Association (WBCA) mailed interrogatories directed to the State of New York. The State of New York hereby responds with its answers to the interrogatories and document requests propounded by WBCA even though the interrogatories were filed late and it is not a party to this proceeding since it is participating as an interested state pursuant to 10 CFR § 2.715(c). The State is not a party and therefore is not bound to answer these discovery requests 10 CFR § 2.7406, 2.741. However the State recognizes that it should, as part of the exercise of its emergency planning function participate in this proceeding and cooperate with reasonable inquiries related to emergency planning. The State therefore responds below to WBCA's interrogatories and document requests. These answers were delayed by preparation of the State's testimony in this proceeding and other commitments. By

responding, the state does not relinquish any protection against discovery it has as an "interested state" in this or other contexts, such as access to state facilities during emergency exercises. All answers were prepared by Donald Davidoff and an affirmation to that affect is attached.

Respectfully submitted,

STANLEY KLIMBERG  
General Counsel  
NYS Energy Office

A handwritten signature in cursive script, reading "Jonathan D. Feinberg".

By JONATHAN D. FEINBERG  
Staff Counsel  
NYS Department of Public Service

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NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

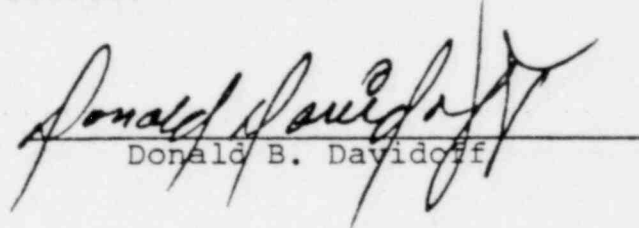
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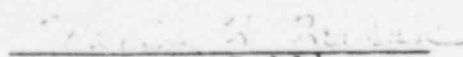
Docket Nos. 50-247-SP  
50-286-SP

AFFIDAVIT OF  
CORRECTNESS OF INTERROGATORIES

I, Donald B. Davidoff, Director of the New York State Radiological Emergency Preparedness Group, being duly sworn, hereby swear and affirm that the attached additional answers to the Interrogatories filed upon the State of New York by the West Branch Conservation Association are true and correct to the best of my knowledge and belief.

  
Donald B. Davidoff

Sworn to before me this  
14th Day of June 1982

  
Notary Public

MARION Z. ZRELAK  
Notary Public, State of New York  
Qualified in Albany County  
Commission Expires March 30, 1983

WBCA-3.9-2 - If it is the State's responsibility to up-date the Radiological Emergency Response Plans please provide the Parsons Brinckerhoff draft document entitled "Guidelines for Updating the Evacuation Portions of the.." RERP for Indian Point dated April, 1982.

We are specifically concerned about the planned improvements for summer 1983 for route 9W from the southern Haverstraw town line northward through Rockland County. What measures have been designed to reroute the evacuation of those ERPAs which presently depend on using that section of Route 9W?

The Parsons, Brinckerhoff draft document was mailed by a transmittal letter dated June 4, 1982.

It is our understanding that the planned improvements for Route 9W are to be constructed with traffic maintained.

The alternate route, if needed, would lead westward into Routes 210 and 202 affording access to the Palisades State Parkway.

WBCA-4.4-12 - If a hospital has been advised to shelter its patients rather than move them, and a radioactive plume has passed over it, who will take over the clean-up, the monitoring and the responsibility of aiding the occupants of a State hospital?

All hospitals in New York State, including those operated by the State of New York itself, must have a Disaster Plan. The Plan is to cover all situations where the hospital might be required to evacuate its patients, to limit the number of patients it cares for, to grossly exceed the normal number of patients it cares for, and similar situations. These facilities have full responsibility for the care of patients under their jurisdiction. It is expected, however, that certain outside assistance may be required by a hospital, whether State-operated or otherwise, in the event of the passage of a radioactive plume over the facility, at a time when patients are being sheltered.

Each hospital in New York State which operates radiological equipment or conducts a nuclear medicine program, must have a radiological safety officer and must have separate procedures for dealing with issues relating to radiation. The expertise that exists within a hospital will vary greatly depending upon the magnitude of their participation in programs with radiological implications. Therefore, the amount of assistance needed in the clean-up and monitoring after the passage of a radioactive plume will depend in large measure upon the in-house capability of each facility. Each county has been in contact with hospitals and other health facilities within the emergency planning zone to discuss this precise kind of information. A certain amount of assistance can be made available by a county, and the State of New York can also provide back-up capability under certain circumstances. There is no one appropriate answer for all facilities.

WBCA-4.4-13 - The removal of the sick and incapacitated in State hospitals by other than State personnel requires letters of agreement. Are there any such for Rockland Psychiatric Hospital or Helen Hayes Rehabilitation Hospital?

We are not aware of a requirement for letters of agreement before other than State personnel can be called in to assist in the evacuation of sick or otherwise incapacitated patients in facilities operated by the State. We have no knowledge as to whether there are such letters of agreement in place for Rockland Psychiatric Hospital and Helen Hayes Rehabilitation Hospital, but regardless of the existence of such agreements, and as pointed out in response to Question 4.4-12 above, each hospital is required to have appropriate means for handling any disaster that might involve its patients.

WBCA-4.4-14 - Critics of the RERP have stated that the RERP for a General Emergency as described in Appendix of NUREG-0654, has written into it a necessity to make triage type decisions as to who receives consideration for safety and in what order. Please comment on the ability of the Plan to assure the safety of all citizens of Rockland County with equal opportunities for their safety and protection.

It would be impossible and unrealistic for any emergency plan to provide for an absolute guarantee of the safety of all citizens under all circumstances. An emergency, whether radiological or otherwise, necessarily carries with it the need for unusual action to be taken. Obviously, if a General Emergency, as an accident classification under the Federal Plan, occurs it follows that extraordinary steps may have to be taken. One realistic activity would be to develop a triage system, whereby those most in need of assistance would be attended to, while others with less serious injury or illness would be deferred for action until a more appropriate time.

It is our opinion that neither the Radiological Emergency Preparedness Plan, nor any other plan, for any emergency, can assure the safety of all citizens of Rockland County with equal opportunity for their safety and protection.



WBCA-4.4-15 - Considering the breakdowns in communications and the lack of suitable equipment in Rockland County as described in FEMA's evaluation draft of the March 3 drill, when do you expect remedies to those defects? Who will pay for them? How will the people unable to move themselves be assured their safety can be served in Rockland County?

The communications breakdowns and lack of equipment have indeed been identified. The communications aspect has already been substantially improved by the installation of more appropriate equipment at the expense of the licensees. The lack of other equipment is being solved by the release of funds by the State from the monies collected from the licensees. The release of those funds should occur by August 1, 1982. With funds becoming available, it will be relatively easy for Rockland County to acquire the missing equipment. In addition, the State of New York has purchased 1,000 pocket dosimeters to be used by emergency workers in the field. An appropriate allocation of those dosimeters will be made available to Rockland emergency workers immediately upon receipt of the equipment from the vendor. We anticipate approximately a 45 day delivery time.

Those people unable to care for themselves will be attended to by a combination of public and private resources. As in the case of any other emergency, neither Rockland County, nor the State of New York can act as guarantor of the safety of each and every person. However, those people with special problems have already been urged to identify themselves to the county, so that appropriate arrangements can be made. Those arrangements will necessarily include the assistance and participation of relatives and friends. It is not possible for government to carry the entire burden of caring for such people.



WBCA-4.4-16 - In what time frame might the citizens of Rockland County expect to have in place the type of evacuation plan as envisaged in NUREG-0654 and 50CFR?

It is our position that the type of evacuation plan called for by the Federal regulations is substantially in place at this time for Rockland County and the other counties in the Indian Point emergency planning zone. We recognize that there are necessary revisions that must be made to the entire Plan, and not just to the evacuation portion of the Plan. Revisions are a necessary and continuing part of the emergency planning process. Working with the county, we believe that significant improvements over the present planning basis can and will be achieved.

WBCA-4.4-15 (originally 4.4-1 of April 29, to date unanswered)

Please supply the total number of cards returned from Rockland County from the brochure.

This interrogatory is more properly addressed to the County of Rockland.

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CERTIFICATE OF SERVICE

I hereby certify that I mailed the STATE OF NEW YORK'S ANSWERS  
AND OBJECTIONS TO INTERROGATORIES AND DOCUMENT REQUESTS  
PROPOUNDED BY WBCA on June 14, 1982 by first class mail.

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