

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD
Before Administrative Judges
Louis J. Carter, Chair
Frederick J. Shon
Dr. Oscar H. Paris

-----X
In the Matter of: : Docket Nos.

CONSOLIDATED EDISON COMPANY OF NEW YORK : 50-247 SP
Inc. (Indian Point, Unit No. 2), : 50-286 SP
:
POWER AUTHORITY OF THE STATE OF NEW YORK : July 23, 1982
(Indian Point, Unit No. 3) :
-----X

Testimony Submitted on Behalf of
"New York City Council" Intervenors

By

NEW YORK CITY COUNCIL MEMBER

MIRIAM FRIEDLANDER

This Document Has Been Filed By:

NATIONAL EMERGENCY CIVIL LIBERTIES COMMITTEE
175 Fifth Avenue Suite 712
New York, New York 10010
(212) 673-2040
CRAIG KAPLAN,
SPECIAL COUNSEL



THE COUNCIL
OF
THE CITY OF NEW YORK

STATEMENT

MIRIAM FRIEDLANDER
COUNCIL MEMBER, 2ND DISTRICT, MANHATTAN
CITY HALL
NEW YORK, N. Y. 10007
566-1324

BY NEW YORK CITY COUNCIL
MEMBER MIRIAM FRIEDLANDER
(2ND DISTRICT, MANHATTAN)

JULY 23, 1982

CHAIRWOMAN, SUB-COMMITTEE
ON THE STATUS OF WOMEN
MEMBER, COMMITTEES ON:
GENERAL WELFARE
CIVIL SERVICE & LABOR
HOUSING & BUILDINGS
GOVERNMENTAL OPERATIONS

After almost a year of testimony by experts in the scientific, technical, health and environmental fields, on April 17, 1980 the New York City Council unanimously passed my Resolution 743-A which states that (1) Indian Point Plants 2 and 3 must be brought up to the required safety standards of the Nuclear Regulatory Commission by Con Edison (and PASNY); and (2) failure to comply with safety requirements should result in a phasing out of the plants.

In 1981, I requested and received follow-up hearings in the Council based upon this Resolution in order to investigate new dangers at the Indian Point nuclear plants. I also sponsored additional legislation in the Council, Resolution 1341, calling upon the NRC to suspend operations at Indian Point pending completion of Atomic Safety and Licensing Board hearings and final decisions of the Commission regarding future operation of the plants.

In 1982, the ASLB granted the petition on behalf of 23 Council Members, including myself, who sought to intervene in these NRC hearings under "interested state" status. I appreciate the opportunity to submit this statement to the Board today expressing some of the factors taken into consideration by the New York City Council in adopting Res. 743-A and in its subsequent actions related to Indian Point. These factors include:

1. Safety Problems Posed by the Presence of the Indian Point Nuclear Plants within the greater New York Area

Almost 20 million people live within 60 miles of the plants which are located 30 miles north of Manhattan - 10% of the entire U.S. population. The location of the plants was selected when there were few, if any, regulations governing the acceptability of sites or designs for nuclear facilities. Recent testimony before the Council showed that a plant license would no longer be granted for construction in so densely populated an area and that the initial NRC site evaluation criteria have long since been discarded. It has also been pointed out that the aging nuclear facility at Indian Point is located near the Ramapo fault where even the most minor of shocks could cause a serious accident.

2. New Dangers

Since initial examination of the well documented design and safety problems of the Indian Point plants by the Council in 1979 - 1980, a number of new dangers have become evident as an ongoing source of potential accidents. For example:

- a. Water leaks from fan cooler system which cause flooding of containment building and immersing of bottom of reactor vessel;
- b. Inoperability of automatic start feature of containment spray system;

- c. Radiation exposure of workers;
- d. Corrosion of steam generator tubes and resulting leaks as well as turbine blade and disc cracks;
- e. Leaks of radioactive materials in waste water and air emissions pose a constant and inestimable threat to health and the watershed/food supply for New York City.

3. Mismanagement of Facility

Following the Three Mile Island accident, the NRC ordered a series of safety measures to be undertaken by Con Ed/PASNY at Indian Point. Con Ed/PASNY have not complied with such regulations and constantly request time extensions. Expert testimony before the Council shook our confidence in Con Ed's/PASNY's ability to adequately monitor safety matters. The accidents at Indian Point reveal, with special reference to Con Ed's performance, not only negligence and improper supervision, but also a failure to immediately and accurately inform the government leaders in Westchester and in New York City of dangers created by such Con Ed mismanagement.

4. Availability of other Energy Sources

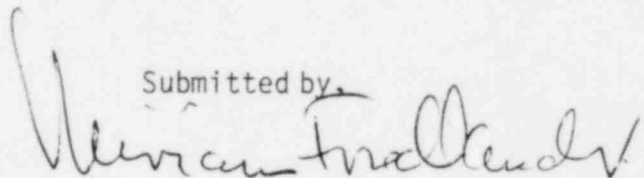
Even the original rationale that the Indian Point Nuclear Plants are necessary because of insufficient sources of other energy and the high cost of substitutes is no longer valid. Hydroelectric power is more available, properly scrubbed coal is more economical, and co-generation is underused. The rapid succession of accidents and failures are making nuclear plants the most expensive method of producing energy.

5. No Adequate Evacuation Plan in case of a Nuclear Accident

Recent hearings in the Council's Committee on Environmental Protection on evacuation plans in the event of a nuclear attack or accident have underscored the fact that there simply is no workable and feasible plan for evacuating New York City. The effect of a nuclear accident at Indian Point would be catastrophic for our City and its people.

At Indian Point we appear to have time bombs with the potential for vast destruction ticking away in the midst of a metropolitan area with twenty million people. We are now faced with unforetold dangers and new combinations of circumstances born of inadequate safety measures, a lack of responsible plant oversight and an aging nuclear facility. For the health and peace of mind of our communities, the Indian Point nuclear plants should be closed down once and for all.

Submitted by



Council Member
Miriam Friedlander