

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 :  
(Indian Point, Unit No. 3) : July 23, 1982  
-----x

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

By

JOHN E. SELEY

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

# Curriculum Vitae

John E. Seley

## Present Position

Associate Professor, Department of Urban Studies, Queens  
College/CUNY, Flushing, New York 11367

## Present Mailing Address

124 East 84th. Street - Apt. 4C  
New York, New York 10028

Telephone: (212) 861-6744  
(212) 520-7510

## Date of Birth

March 19, 1948

## Education

B.A., University of Pennsylvania, Philadelphia, Pennsylvania,  
1965-1969 (Political Science and English Literature)

M.C.P., University of Pennsylvania, Philadelphia, Pennsylvania,  
1970-1972

Ph. D., University of Pennsylvania, Philadelphia, Pennsylvania,  
May, 1973 (City and Regional Planning)

## Previous Experience

Visiting Associate Professor, Graduate School of Geography,  
Clark University, Worcester, Massachusetts, 1977-1979

Adjunct Associate Professor, Department of Urban and Regional Planning,  
Hunter College/CUNY, New York, New York, Fall, 1977 (course  
on "Public Policy" for District Council 37, AFSCME)

Assistant Professor, Division of Urban Planning, Columbia University,  
New York, New York, 1976-1977

Visiting Assistant Professor, Department of City and Regional  
Planning, Cornell University, Ithaca, New York, 1976

Visiting Professor, Pratt Institute School of Architecture and  
Planning, New York, New York, 1975-1976

Visiting Fellow, School of Architecture and Urban Planning,  
Princeton University, Princeton, New Jersey, 1975-1976

Previous Experience, continued

Assistant Professor of Planning and Public Affairs, School of  
Public Affairs, University of Minnesota, 1973-1975

Director, Graduate Program in Planning, University of  
Minnesota, 1973-1975

Research Associate, Project on Locational Conflict, Regional  
Science Department, The Wharton School of Finance  
and Commerce, University of Pennsylvania, Philadelphia,  
Pennsylvania, 1970-1973

Refereed Publications

Participation in Urban Renewal: The Germantown Case. Research  
on Conflict in Locational Decisions, Discussion Paper  
II. Philadelphia, Pennsylvania: Regional Science  
Department, The Wharton School, University of Pennsylvania,  
September, 1970, 37pp.

Spatial Bias: The Kink in Nashville's I-40. Research on Conflict  
in Locational Decisions, Discussion Paper III. Philadelphia,  
Pennsylvania: Regional Science Department, The Wharton  
School, University of Pennsylvania, September, 1970, 19pp.

Development of a Sophisticated Opposition: The Lower Manhattan  
Expressway Issue. Research on Conflict in Locational  
Decisions, Discussion Paper VII. Philadelphia, Pennsylvania:  
Regional Science Department, The Wharton School,  
University of Pennsylvania, September, 1970, 36pp.

"Participation." Research on Conflict in Locational Decisions,  
Discussion Paper X. Philadelphia, Pennsylvania:  
Regional Science Department, The Wharton School,  
University of Pennsylvania, April, 1971, 26pp.

Citizen Participation in Planning: The Crosstown as a Case  
Study and Some Recommendations. Research on Conflict  
in Locational Decisions, Discussion Paper XII. Philadelphia,  
Pennsylvania: Regional Science Department, The Wharton  
School, University of Pennsylvania, May, 1971, 22pp.  
(with T. A. Reiner and R. A. Sugarman).

"A Decision Model for Locating Controversial Facilities,"  
Journal of the American Institute of Planners, 37, 6  
(November, 1971): 397-402 (with A. Mumphrey and J.  
Wolpert).

Refereed Publications, continued

Metropolitan Neighborhoods: Participation and Conflict Over Change. Commission on College Geography, Research Paper No. 16. Washington, D.C.: Association of American Geographers, 1972, 51pp. (with A. Mumphrey and J. Wolpert).

"Community Discretion Over Neighborhood Change," in Geographical Perspectives and Urban Problems. Edited by F. Horton. Washington, D.C.: National Academy of Sciences, 1973, pp. 41-54 (with J. Wolpert and A. Mumphrey) (Proceedings of a Symposium held September 20-21, 1971).

"Simulation Approaches to Locational Decisions," Economic Geography, 49, 1 (January, 1973): 21-36 (with A. Mumphrey).

"A Strategy of Ambiguity in Locational Decisions," in Locational Approaches to Power and Conflict. Edited by K.R. Cox, D. Reynolds, and S. Rokkan. New York: John Wiley & Sons, 1974, 275-300 (with J. Wolpert).

"Towards a Paradigm of Community Based Planning," in Community Participation and the City. Edited by D. Ley. University of British Columbia Geographical Series No. 19, Vancouver, Canada: Tantalus Research Limited, 1974, 109-126.

"A Comparison of Technical and Ethnographic Approaches in The Evaluation and Planning of Fire Services: Tinkering with Success," Economic Geography, 55, 1 (January, 1979): 36-51.

"Community Response to the Deinstitutionalized Population," Journal of the National Association of Private Psychiatric Hospitals, 11, Fall, 1980: 31-35 (with J. Wolpert).

[Guest Editor] New Directions in Public Services, Economic Geography, 57, 1 (January, 1981): 93pp.

"Introduction: New Directions in Public Services," Economic Geography, 57, 1 (January, 1981): 1-9.

"Targeting Economic Development: An Examination of the Needs of Small Businesses," Economic Geography, 57, 1 (January, 1981): 34-51.

# Refereed Publications, continued

"Potential Impacts of a High-Level Radioactive Waste Repository: Identification and Measurement," prepared for ISEC Panel, Committee on Radioactive Waste Management, National Academy of Sciences/ National Research Council, Washington, D.C., February, 1981, 30pp. (chapter in forthcoming NAS monograph).

"The Process of Siting a High-Level Radioactive Waste Repository: Controversy and Participation," prepared for ISEC Panel, Committee on Radioactive Waste Management, National Academy of Sciences/ National Research Council, Washington, D.C., June, 1981, 40 pp. (chapter in forthcoming NAS monograph).

"Equity and Location," in Equity Issues in Radioactive Waste Management. Edited by R. Kasperson and R. Kates. Cambridge, Mass.: Oelgeschlager, Gunn & Hain (in press) (with J. Wolpert).

"Negotiating Urban Risk," in Geography and the Urban Environment, Volume 5. Edited by D. Herbert and R. Johnston. New York: John Wiley & Sons (in press) (with J. Wolpert).

"Planning for Electricity Needs: Reconsidering the Insurance Model," Energy Economics, Policy and Management, 1, January, 1982 (accepted for publication) (with D. Shakow).

## Papers and Addresses

"Notes on the Professional Planner's Role in Community Conflict," presented at Annual Meeting, Association of American Geographers, Boston, Mass., April, 1971.

"Alternative Strategies for Community Participation in Neighborhood Change," presented at Middle Atlantic Meeting, Association of American Geographers, Columbia University, New York, October, 1971 (with J. Wolpert).

"Peddlers, Pushers, and Pimps: The Professional Advocate in Community Planning," delivered at Department of Geography, University of Minnesota, Minneapolis, Minnesota, November, 1973.

Papers and Addresses, continued

"Considerations in the Spatial Context of Location: The Impact of Public Facilities on Neighborhood," Lecture Series delivered at Pratt Institute, Department of City and Regional Planning, New York, March-April, 1976.

"Function and Acceptance: The Fire Company in its Community Setting," presented at Annual Meeting, Association of American Geographers, New York, April, 1976.

"Providing Services in Low-Income Neighborhoods: The Known and Unknown Dimensions," paper delivered at Department of Urban Studies, Temple University, Philadelphia, Pennsylvania, February, 1977.

"Arson for Fun, Sex, and Profit, or What Your Mother Never Told You About Playing with Matches," Academic Lecture Series, Clark University, Worcester, Mass., February, 1978.

Professional Associations

Association of American Geographers

American Planning Association (formerly American Institute of Planners)

Society for Risk Analysis



## Honors and Offices

Panel Member, National Academy of Sciences/National Research Council Panel on Integration of Socio-Economic Criteria into the Site Selection Process for a High-Level Radioactive Waste Repository, 1980-

Trustee and Director, Queens Overall Economic Development Corporation, 1980-

Member of Industry Committee, Queens Overall Economic Development Corporation, 1980-

Member of Business-Industry Committee, Queens Chamber of Commerce, 1980-

Member of Selection Committee for All-America Cities Award Program, National Municipal League, 1979

Reviewer, Geographic Perspectives, 1979

Member, Standing Committee on Citizen Participation, Transportation Research Board, Commission on Sociotechnical Systems, National Academy of Sciences/National Research Council, 1974-1976

Minnesota State Planning Education Committee, Minnesota Chapter, American Institute of Planners, 1973-1974

## Professional and Civic Experience

### 1. Activities

Principal Investigator, Business Expansion Options for Jamaica, Queens, sponsored by Brooklyn Union Gas and Queens Borough President's Office of Economic Development, 1981

Principal Investigator, West Maspeth Survey and Study, sponsored by New York City Public Development Corporation, 1980

Principal Investigator, Programs and Plans for Businesses in an Industrial Area, sponsored by Chemical Bank, Citibank, Consolidated Edison, Manufacturers Hanover Trust, New York Telephone, 1980

Professional and Civic Experience, continued

## 1. Activities, continued

Principal Investigator, The Long Island City Survey,  
sponsored by Citibank, Chemical Bank, New York Telephone,  
1979

Advisor, City Planning Commission, Queens Division, 1981  
(on development of South Jamaica)

Consultant, Community Development Strategies Evaluation,  
HUD-University of Pennsylvania, 1980

Consultant, City Program, League of Women Voters of New  
York City, 1980 (on economic development)

Advisor to Commissioner, New York City Fire Department,  
on Auxiliary Fire Corps, 1976-1977

Consultant on Measurement of Social Impact of Large-Scale  
Investments, the Equitable Life Assurance Society,  
Office of Corporate Responsibility, 1976

Minnesota League of Women Voters, Consultant for Conference  
on Citizen Participation in Planning, 1973-1974

Consultant to Citizens Advisory Committee on Citizen  
Participation of Environmental Quality Council, State  
of Minnesota, 1973-1974

Consultant to Minnesota Citizens Advisory Committee on  
Citizen Participation in Highway Planning, 1973-1974

Fireman, Auxiliary Fire Corps, New York City Fire  
Department, 1975-1977

Lieutenant, Auxiliary Fire Corps, New York City Fire  
Department, 1977-



Professional and Civic Experience, continued

2. Reports and Papers

"Citizen Participation: From Lower-Class Struggle to Middle-Class Game," presented to Symposium on Organizing a Community for Effective Action, Minneapolis Public Schools, 1973

"Reforming the Highway Decision Making Process: Some New Suggestions from Some Old Concepts," presented to Minnesota Highway Department and Minnesota Citizens Advisory Committee on Citizen Participation in Highway Planning, 1974

"The Need to End Ideology in Citizen Action," presented to Conference on Environmental Legislation, Federal Executive Board of the Twin Cities and Citizens Advisory Committee for the Environmental Quality Council, 1974

"Economic Development in Long Island City," presented to Queens Chamber of Commerce, New York, April, 1980

"Economic Development for Queens," presented to Queens Overall Economic Development Corporation, New York, May, 1980

The Long Island City Survey: A Pilot Survey of Businesses in an Industrial Area. New York: Queens Chamber of Commerce, January, 1980

The Long Island City Survey, Phase 2. New York: Queens Chamber of Commerce, August, 1980

The West Maspeth Survey. New York: New York City Public Development Corporation, April, 1981

"Economic Development for Maspeth: Problems and Options," presented to Maspeth Businessmen's Association and Community Planning Board Number 5, New York, July, 1980

Courses Taught

Introduction to Urban Planning  
Social Theory/Social Planning  
Public Services  
Confrontation, Participation, and Government Decision Making  
Community Fieldwork

Courses Taught, continued

Research Methods in Urban Planning  
Social Geography  
Skills for Community Board Members  
Community Economic Development

References

names supplied upon request

My name is John E. Seley. I am a professor in the Department of Urban Studies at Queens College of the City University of New York. I am also an Auxiliary Lieutenant in the New York City Fire Department.

I would like to address my testimony to two issues in regard to the possible evacuation of New York City in the event of a release of radioactive gas at Indian Point. The first is the dimensions and status of problems related to dependent or other populations requiring public care. The other is the potential response of the fire department to an evacuation.

New York City has long been known for its generosity toward those in need. This has included immigrants of many kinds, those of varying social and economic status, and those simply unable to fend for themselves. The dependent population which would pose specific problems in the event of an evacuation includes those with mental or physical impairments, those in long-term institutional care, and those who are simply wandering the streets or subways. The numbers and needs of such people are large, and suggests an impossible task for any short-term evacuation effort.

It is estimated that there are 36,000 homeless in New York City, while the average number of residents per day in adult shelters is currently about 2,474. Despite court orders and the best efforts of the city, the remaining approximately 33,500 are still without proper housing. Who will take in these people if they must leave New York City's streets?

There are 150,496 developmentally disabled persons in New York City. This includes those who are autistic, have cerebral palsy, are epileptic, are mentally retarded, or are neurologically impaired. Of these, 57,189 are severely disabled, requiring constant attention. This group of 57,000 plus includes 4,003 under the age of five and 6,291 over sixty-five years of age. What community is prepared to house, clothe, and feed these people?

The elderly pose a particularly severe problem. There are estimated to be about 87,000 persons over the age of sixty in New York City who suffer from severe physical disability, requiring aid for even the shortest distances. In addition to the 6,200 or so over the age of sixty-five with severe mental disability, there are another 40,104 who are in nursing homes or group quarters. Compounding the problem of these approximately 115,000 persons (allowing for some double-counting) is the fact that the elderly are known to be reluctant to move from their homes even under severe threat of disruption. Finally, of the 835,000 or so who are not among the severely disabled or institutionalized, many of those over sixty-five years of age can be expected to be somewhat frail or partially infirm.

At the other end of the age spectrum are 20,137 children in active foster care in city institutions, and another 3,213 in temporary foster care. The handicapped population in our public schools numbered (in 1981) 57,591. How will all these children be moved and cared for?

Our hospital population is approximately 45,000 and poses a particular burden. Those in pre- or post-surgical care, those in long-term care, and those in psychiatric wards will all require extraordinary

John E. Seley/3.

attention in preparing for a move, during the move, and once they arrive. On any given day, we can expect another 5,000 in outpatient or emergency care. Where will we find capable movers; vehicles for moving patients; and hospital beds or facilities to take them to?

Our average daily inmate population in city prisons is about 9,100. In the first ten months of 1981, 9,621 inmates entered a methadone detoxification program. What will we do with these people? Will they be left behind? If we move them, where will their methadone come from, and where will we house them? Who will guard the prisoners?

The task of identifying, transporting, maintaining care, and simply keeping track of approximately 375,000 homeless, disabled, handicapped, children in foster care, infirm elderly, hospitalized, and those in prison, is enormous. More problematic will be the issue of acceptance. Will communities to which this group is taken -- since they cannot take themselves -- be able and willing to accept them? My studies during the past fourteen years indicate that communities will not accept many members of the so-called deviant population sub-group. This is not because such communities are not, in general, altruistic or capable, but because they are uninformed, afraid, or simply self-protective. In numerous surveys, for example, the ignorance and fear of the public toward the mentally handicapped or retarded has been documented. Battles against group homes have occurred throughout the nation with frequent violence by otherwise "upstanding" persons. Even under threat of eminent domain, communities resort to burning potential

John E. Seley/4.

homes or physically threatening owners not to sell. If communities will reject ten mentally retarded persons living in their own home with structured supervision, programs, and jobs, what will these communities do if confronted with several thousand who will have to live in their homes? For any evacuation plan to work, the cooperation and assistance of local populations as "hosts" will be necessary, especially for the dependent population.

It will be enough of a shock to most communities around New York City to try to deal with its normal population of persons from diverse ethnic, racial, and income groups; our dependent population can only be expected to suffer physical and mental rejection at a time when many of them will require extraordinary attention to adjust to the relocation experience. As a city planner, it has always struck me as unfortunate that our communities are not more open to accepting those perceived as different from themselves; but the record of exclusion in housing, jobs, and schools speaks for itself.

I might add that other disaster experience is not comparable. The Mississigua evacuation, for example, is in no way indicative for New York's problems. Aside from the obvious differences in scope and magnitude of the populations at risk, the experience of housing and moving people could in no way be construed as similar. At Mississigua, for example, less than 10,000 of the 240,000 evacuees required overnight accommodations. All others managed to find their own housing with friends, relatives, or in hotels.

What of professional service providers dealing with a city which is fleeing? Studies indicate that firefighters, police, hospital employees, doctors, teachers, and others can be expected to experience role conflicts when confronted with the choice between helping their own families escape, for example, and doing their jobs "as normal." Many can be expected to volunteer for work which is not in their standard purview -- doctors helping to unsnarl traffic, for example. Still others will over-react, becoming inefficient and irrational.

I would like to make three brief points about the anticipated response of the fire department and of fire-fighting capacity, in particular. First, it is unreasonable to expect firefighters to perform their jobs with anything approaching normal behavior. Some of those on duty at the time of an evacuation order can be expected to leave immediately for homes and families, despite direct orders to the contrary; others will perform in an overconscientious manner, becoming ineffective. Still others will perform helping duties unrelated to firefighting. Finally, those at home, many of whom do not live in the five boroughs, cannot be expected to leave families to return to work, even if they could get through a traffic exodus which would likely all lanes of the highways. This will mean that those remaining on the job will experience nearly impossible working conditions, if not immediately, then after the then-current tour of duty. Fatigue and lack of relief will seriously undermine firefighting efficiency and effectiveness, endangering the lives of remaining population and firefighters.



John E. Seley/6.

Second, it is unreasonable to expect that those civilians who receive instructions from fire department personnel will respond in an obedient manner. Under non-crisis situations, people's attitudes toward firefighters are determined more by the climate of the moment than by instructions from firefighters or those in authority. Police are often called to fire scenes to control crowds which are simply eager to see what is going on, but reluctant to heed firefighters' pleas to stay back. Relatives and friends will run back into burning buildings to attempt to save potential victims, and often end up as victims themselves. During the 1977 blackout, looting and the setting of fires erupted spontaneously and simultaneously in many parts of the City. Responding fire companies were instructed not to enter blocks by themselves; and police escorts were required in many instances. Firefighters were stoned attempting to extinguish fires. Where was obedience to authority under these conditions of relatively innocuous crisis?

Third, and perhaps most important, how will the fire dispatching system work? In Fiscal Year 1982, the fire department in New York City responded to 123,000 fires. The system of voluntary compliance in existence relies on civilian reporting by phone or street box. Time is of the essence, since the flash point for fires (the time it takes for an average fire to reach a level where all else in the room will ignite through spontaneous combustion) is ninety seconds. In a city being evacuated, can we expect people to stop to report fires; or even to have people around who might report them? Can we expect dispatchers

John E. Seley/7.

to remain on their jobs, keeping the central dispatch system in order? Can fire trucks get through heavy evacuation traffic?

The fire department does not have plans for operating during an evacuation of major parts of the city. Firefighters and fire officers receive no training in evacuation procedures or in treatment of radioactive-related illness. Even if such training existed, it is very likely that the combination of firefighters leaving for or staying home, public disobedience, and collapse of the fire reporting system would result in chaos and an overwhelming amount of fire damage.