



NEW YORK PUBLIC INTEREST RESEARCH GROUP, INC.

9 Murray St. • New York, N.Y. 10007
(212) 349-6460

Offices in: Albany, Binghamton, Buffalo, Fredonia, Long Island, New Paltz, New York City, Niagara Falls, Syracuse, Utica

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Commissioners:

Nunzio J. Palladino, Chairman
John F. Ahearne
Victor Gilinsky
James K. Asselstine
Thomas Roberts

U.S. Nuclear Regulatory Commission
1717 H Street, N.W.
Washington, D.C. 20555

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Gentlemen:

I hope that you will have a moment between now and June 9th to consider NYPIRG's views about the current state of emergency preparedness at Indian Point in light of (1) the newly submitted New York State "Interim Plan for Implementing Compensating Measures for Rockland County," (2) the Westchester bus company and bus driver situation, (3) other deficiencies in planning and preparedness not identified as "significant" by FEMA which in our view represent serious obstacles to assuring preparedness, and (4) "other factors."

I will try to be brief because I realize that you already have a great deal of material before you and very little time remaining in which to read more.

I. New York State's "Interim Plan"

- A. It represents a new set of planning concepts quite different in many key respects from either the plan prepared by the Licensees for Rockland or the "Draft Plan" under development by the County. It thus requires extensive review and evaluation by FEMA simply as a plan. We have already identified numerous conceptual problems and inaccuracies in the plan--more than we can list here.
- B. It has neither been implemented nor will it be implementable in the near future. It is simply another plan, which will require FEMA review, major correction, implementation, verification, and some time down the road, exercising.

** Large numbers of newly designated individuals and agencies will have to receive specialized training.

** Equipment identified in the plan will have to be procured and distributed.

** Accuracy will have to be checked re: designated evacuation and bus routes; listed schools and institutions; identified reception,

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congregate care, and decontamination center locations; availability of emergency vehicles (buses, ambulances, etc.) (Already, local residents of Rockland have discovered inaccuracies.)

- ** New brochures, conforming to this new plan, will have to be written and distributed. The old brochures, distributed in February 1982, do not conform and thus constitute mis-information.
- ** Posters and signs for roads, parks, and other public places are not up; phone books do not have the required emergency information.
- ** Large numbers of emergency personnel, listed simply by number of people from various organizations, including the utilities, will have to be assigned and identified by name, address, and phone number.

- C. There has been no exercise of any element of the interim-compensating State Plan for Rockland. The proposed Command and Control structure is so complex and multi-layered, with so many alternative chains of command and control, as to constitute a major flaw in itself. Indeed, this complex structure proposed by the State may be virtually untestable.

A pre-scheduled drill of a Command and Control system that relies on local officials whose routine jobs and expertise conform with their emergency roles under the plan is one thing; a pre-scheduled exercise of a Command and Control system that depends on personnel not normally assigned similar functions in the County is quite another matter. Furthermore, since the entire compensating Command and Control system depends on the momentary availability of a long list of possible alternates for each major responsibility, only a surprise drill could test its feasibility and workability. The proposed State compensating plan is nothing short of a blue-print for confusion and chaos of Command and Control.

Finally, the plan relies largely on personnel who have key responsibilities in State institutions in Rockland County, and who--though they are not free, as State employees, to refuse the roles assigned to them by the State--cannot and should not be required to abandon their usual posts. As administrators and safety personnel of large institutions, they would be required, during an emergency, to tend to their own patient populations--their absence would jeopardize the safety of their primary charges. Borrowing from Peter to pay Paul in this situation is grossly irresponsible.

- D. The use of the National Guard has already been determined to be unrealistic based on their own time-of-arrival estimates (of 4 or more hours).
- E. The use of utility employees from outside the County to perform emergency roles requiring specialized training and a familiarity with the County is unacceptable from every standpoint. The public would have no more confidence in utility personnel driving local buses and ambulances, manning traffic control points, and staffing reception or other emergency centers than would the utilities have confidence in turning the operation of their reactors over to Rockland firefighters, bus and ambulance drivers, policemen and social workers.

Furthermore, NYPIRG cannot accept the precedent of letting our electric utility companies take over any aspect of our local governmental function. This is, after all, a Democracy in which we elect those officials to whom we chose to entrust our safety!

- F. The proposed school dismissal procedures are gravely inadequate and will not be accepted by parents. The State has ignored the public outcry about the "early dismissal" concept and has proposed emergency measures for school children which could leave them in great danger.

A nuclear emergency is not the same as a snow-day dismissal or sending a child home with a toothache. Children should not be sent home on foot or dropped off at unattended road intersections; they must be taken directly to a waiting adult. Parents must be provided the opportunity to designate a surrogate adult (name, address, and phone) who is able and willing to accept the responsibility of sheltering or evacuating the child in a nuclear emergency. The teenage baby sitter or grandmotherly neighbor who can care for a child sent home with a sore throat, during a snow storm, or after school may not have a car or be an appropriate person to handle an evacuation. And the one non-working mother on the block may not be able to cope with the dozen or more children for whom she is listed on the school's emergency cards. A nuclear emergency is different, and we are tired of being told otherwise!

- G. The State's compensating plan--even if it were not gravely flawed as a plan--does not constitute preparedness unless and until it has been implemented and fully exercised. We are back in December, when FEMA informed you that they could not assess preparedness until after an exercise. FEMA's conclusion of April 15, that preparedness is currently inadequate to assure the protection of the public in the event of an accident still stands. The situation in Rockland County has not been altered by the State's unrealistic compensatory plan.

The bottom line is that were an accident to occur tomorrow, there is no implemented plan and no preparedness in Rockland County.

I would remind the Commission that its emergency planning rule does not contemplate ad hoc measures for the 10-mile EPZ.

II. The Westchester Bus Company/Bus Drivers Situation

- A. We do not know whether written agreements have been signed with bus companies or bus driver unions. They were not as of May 26th.
- B. The much-touted "training" sessions for bus drivers have been nothing of the kind. They have, rather, been "introductory orientation" sessions conducted by the utilities and designed to elicit lists of volunteer drivers who will later receive their training.

Independent observers of the orientation sessions report that the information provided to the drivers deals primarily with background and other sources of radiation, including routine emissions from nuclear plants--with booklets and films provided by the nuclear industry. Reassurance is the name of the game.

The drivers are given no information about possible levels of radiation during accident conditions. Instead, they are told that they will not be asked to drive except in very slow-moving accident situations in which there will be many hours lead-time and no exposure.

The drivers are not being informed about what is in the plans: provisions to decontaminate exposed emergency workers and the public (and buses and other vehicles); recommendations that women of childbearing years and individuals under 45 years of age should not be used, if possible; and that under certain scenarios emergency workers may have to be permitted to receive radiation doses surpassing PAGs.

NYPIRG believes that volunteers elicited through these less-than-forthright orientation sessions cannot be counted on unless, perhaps, it can be guaranteed that they will be insulated from any additional information prior to the moment they may be called on to drive.

Finally, the drivers have not yet been trained; nor have their assignments been rehearsed. Thus, preparedness for an accident still does not exist.

III. Other Deficiencies

A careful reading of FEMA's Post-Exercise Assessment, the Argonne verification report (not done for Rockland, of course), and submissions to the Commission from ASLB parties must convince the Commission that many, many elements necessary for adequate preparedness are not yet in place (just watch for the words like "should," "must," "will be," etc.)

An accident any time in the near future (at least prior to the end of 1983) will still require ad hoc measures utilizing untrained personnel lacking necessary equipment. Furthermore, the public is neither educated nor adequately informed in either Westchester or Rockland--which contain 90% of the EPZ population.

IV. "Other Factors"

NYPIRG insists that there are no "other factors" relevant to the Commission's June 9th decision beyond the fact that you cannot assure that the public can and will be protected in the event of an accident at Indian Point. Only the number of words on paper has changed since April 15th or May 5th. The only issue before the Commission, then, is whether its emergency planning regulation is going to be upheld and enforced. And if it is not at Indian Point--the nation's most densely populated plant site--noncompliance elsewhere will become the order of the day and public trust in the Commission will reach an all-time low.

Respectfully,

Joan Holt
Joan Holt
Director, Indian Point Project
NYPIRG