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WEST BRANCH CONSERVATION ASSOCIATION

443 BUENA VISTA ROAD
NEW CITY N Y 10956

June 6, 1983 11:14

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

Docket No. 50-247-SP
50-286-SP

Dear Commissioner

We lost one of our County Legislators last week and yesterday the County Attorney passed away. It is very possible that Mr. Herbert Reisman has not had time to review the "Governor's Plan" which is the compensating plan dated May 27, 1983 put forth by the New York State Disaster Preparedness Commission. Therefore, I am submitting some of a critique several of us have put together.

At the time we cross examined Mr. Donald Davidoff, in charge of New York State Radiological preparedness under the Commission with such responsibilities, he was evasive and we found he had many holes in his testimony. Especially as regards quantification. No one has ever been able to say how many buses would be needed to fulfill the Rockland plan sent us by the utilities, nor the number of volunteers who would be needed in a best or worst case.

Mr. Davidoff did not know what type of plan the Helen Hayes* hospital had to move its wheelchair and bedridden patients, it is a rehabilitation hospital for New York State. Nor could he explain what measures would be taken for the 1200 patients in the Letchworth Developmental Center (mentally retarded).

We had interviews with the people in charge there and Mr. Norman Szymanski stated there could be no sheltering in the basements due to their condition. However, he refused to testify at the ASLB hearings without a subpoena because he is a State employee. The same goes for Dr. John Lindsay, the head of Helen Hayes hospital.

We decided not to press these two fine gentlemen who are doing such good work. We are sorry now that we did not albeit we so stated before the court. We don't enjoy forcing our good citizens. Had we then realized how important their testimony might be we should have made other efforts to get it. There is no plan for fast removal of their patients. We urge you to find out just what is the plan by speaking to them, not to the proponents of this new plan.

*TR 11344:15-11345:16, 11415:17-11416:6

Mr. Szymanski's plan necessitates moving his^{1,200} patients a great distance and it would be most difficult.

If you read the mission statements in the new State plan you will note that those listed under Section II rely heavily on the Division of State Police, subsections A, B, C, D, E, G, H, J and M. Surely some explanation of how the officers would be transported, how many helicopters are available, how many they seat, etc. should be in somebody's work papers. If not, then we need to know how it can be assumed that there are methods of getting enough State police to help. There are not many stationed in Rockland County and Mr. Phil Schmer stated he would expect help from them also, so that if two counties were involved there could be an even larger requirement for personnel from the State Police including Orange.

Similarly we note the Office of Mental Health, subsections of II, G, H, K and N we question. During both the 1982 and 1983 drills Rockland Psychiatric Hospital, under the direction of Chief Grant, of the Security Department, was supposed to exercise the decontamination of people and buses. West Branch had observers at both drills and the effort was not even minimal. This year the pool wasn't even set up. We wonder how many personnel they could muster. The State RERG should be asked to spell out their conclusions that personnel can be mustered.

We left with you a chart from the telephone book showing the map and the exchanges by zone designation which can give you an idea where some of the personnel whose phone numbers are listed may have to travel from. Other first three digit numbers do not appear on the chart so must be further away.

We wont reiterate our arguments against the choice of sheltering. Our providers state that people will "self evacuate."*

We find the brochure page 20 odious. Since it is an annual booklet we know the claim to have saved 20 million barrels of oil is twice the figure it should be, with #3 unit down 14 months. As well as the claim of 20 years of service. #3 went on line in 1976, #2 in 1973, #1 fitfully before them and down for years. We don't like the propaganda.+

Section III, H. 6 does not provide for any traffic control on route 9W north of route 210. It would be very important to provide road blocks on 9W at each feeder road to prevent people from going northward toward the plants. Has the State added up the number of traffic control points where at least one officer is needed? Will he have on him a radio that he can use to communicate to the substation should he need assistance?

* TR 11355::16-11359:1. + TR 11332:20-11335:24

Regrettably this letter continues -

Pages III-22 and 23 show an incorrect 1980 population, short by 17%. Too bad we have to be ever vigilant but it is not our fault if the State persists in quoting through this substitute plan the Parsons, Brinkerhoff errors. The State is aware that the population in Rockland County as per the 1980 census is 109,000 in the EPZ, not 92,993. We cannot understand why it persists in using the lower, 1970 figure. 17% is not an inconsequential amount. Rockland County's draft plan uses the figure of 108,000 in the EPZ.

Of the four counties surrounding Indian Point Rockland has two special geographical problems unique to it. Its EPZ is 2/5ths its total population and about half its geographic area. Westchester's EPZ has but 1/7 of its total population and far more resources outside the EPZ from which to draw. More publicly owned buses, more personnel not involved in transporting their families and therefore more possible outside-the-EPZ assistance. Additionally, Rockland is, in effect, an island with the Hudson River to the east and mountains surrounding it on all other compass points, resulting in a far more difficult road network for evacuation purposes.

The dependence on the use of helicopters is generally safe but there are times of the year when the weather grounds them. It seems too risky to depend for monitoring teams on their helicopter travel from Brookhaven, as per page I-4.

Page II-1, section II,A. "Initially an executive of Helen Hayes Hospital will assume this responsibility..." Our EOC has not been visited by such person and it should be established that such an important function is preempted, if it will be, by a person familiar with the operation of the Rockland County EOC.

Attached newspaper clipping answers the quantification problem typically. Plan asks for four telephone operators from Rockland Psychiatric and they advise they don't even have four, let alone are able to lend four.

The TR references inserted in this letter refer to the ASLB hearing transcripts.

Other conflicts can be found by comparing the transcript of the Citizens Advisory Committee meeting of May 16 which Mr. Reisman submitted to you on May 26.

Sincerely,

xc: H. Reisman, E. Thorsen

Z. S. Fleisher
Secretary

INDIAN POINT

□ Continued from A1

facilities cited an apparent Catch-22.

"We're right in the middle," said Norman Szymanski, associate director at Letchworth. "Who's going to be here in the way of staff to care for these people?"

Letchworth has enough vehicles on hand to transport approximately half of its 1,600 severely disabled patients, he said. An evacuation would be extremely difficult, Szymanski added, since one-fifth of the total are bedridden or restricted to wheelchairs. His facility will cooperate with Rockland as it develops new plans, he said, but it is obligated to participate in the interim state plan, as well as protect its staff and patients.

Terrie Goldstein, public relations director at Rockland Psychiatric Center, knew little about Cuomo's plan. "They're still working on it in Albany. This hasn't been presented to us. . . It's just a plan, not a formal document."

Under the plan, four of the center's telephone operators would be dispatched to Pomona. Yet Ms. Goldstein said, "I am not sure that this is feasible. We do not have four telephone operators on (any) one shift."

And Val Brown, community liaison administrator at Helen Hayes, said, "You guys get (information) up there faster than we get it down here." She said all she knew for certain was that the hospital's chief executive officer, Dr. Robert Lindsay, would fill in for the chairman of the state Disaster Preparedness Commission until he arrived from Albany. Under Cuomo's plan, Dr. Lindsay would "assign missions and tasks, direct courses of action which control the operation whatever the emergency, inform the public, and provide resource continuity for the response effort within Rockland County."

PSC rings one up for phone service

NEW YORK (AP) — Except for some areas of Nassau, Suffolk, Westchester and Rockland counties, New York Telephone Co. service in the downstate area so far this year has been generally satisfactory, the Public Service Commission says.

Commission chairman Paul L. Gioia said Monday that 22 of the 44 central offices in Nassau County averaged more than 6.2 trouble reports per 100 telephones and called this "an unsatisfactory level." He added that only five troubles per 100 telephones were reported there in the first quarter of 1982.

As for Suffolk County, Gioia said 10 of the 38 central offices had unsatisfactory levels of trouble, compared with three in the first quarter of last year.

In Westchester and Rockland counties, the chairman said, 13 central offices out of 56 showed unsatisfactory levels of trouble reports in one or more months during 1983's first quarter. He added:

"Staff reviews indicated that laxity in central office maintenance routines had contributed to the unsatisfactory level of trouble reports."

P. A-9 JOURNAL NEWS - MAY 24, 1983

Secretary Chubb

11344

1 Q. I want to discuss the subject. Do you
2 feel that we are, in Rockland, or even in
3 Westchester, in substantial compliance with each
4 of the planning standards with respect to those
5 that apply to the disabled?

6 A. (Witness Davidoff) Yes.

7 Q. Have you read the testimony of, is it
8 Mr. Kaminsky?

9 A. (Witness Davidoff) I am not familiar
10 with -- I know who he is by organizational role in
11 the county. I am not familiar with his testimony.

12 Q. Have you spoken to Mrs. Northrop in
13 Rockland County, social services?

14 A. (Witness Davidoff) No.

15 Q. Have you spoken to Helen Hayes
16 Hospital, in Rockland County?

17 A. (Witness Davidoff) Yes.

18 Q. What is their plan for moving the
19 disabled?

20 A. (Witness Davidoff) I am advised by the
21 chief administrator of Helen Hayes Hospital, Dr.
22 Lindsay, that his staff has been fully trained in
23 relation to this plan, that he has adequate means
24 at his disposal to move patients when and if that
25 becomes necessary, and that if he needs additional

1 resources he will contact his direct liaison
2 person who is located under our state compensating
3 measures at the Rockland County emergency center.

4 Q. Has he any letters of agreement with
5 any busses?

6 A. (Witness Davidoff) I have no knowledge
7 of that.

8 Q. Is that the plan for Helen Hayes
9 Hospital that you just described?

10 A. (Witness Davidoff) I paraphrased it
11 very briefly, but yes.

12 Q. How could they move 200 wheel chair
13 patients, when we do not have that many wheel
14 chair busses? Have you made any check of that?

15 A. (Witness Davidoff) No. I believe Dr.
16 Lindsay.

17 Q. So do I. .

18 Page 13, please. Your next to last
19 sentence says, "After thorough review the
20 transportation --

21 A. (Witness Davidoff) Page 13?

22 Q. I am sorry. Page 9. I did say page 13,
23 didn't I?

24 A. (Witness Davidoff) Yes. I have located
25 the sentence.

1 Q. They are not looking for radiological
2 plans ---

3 A. (Witness Davidoff) They are not at my
4 request.

5 Q. There are documents between you and
6 they?

7 A. (Witness Davidoff) Yes.

8 Q. You don't know what the status of
9 their survey and their endeavor is at this point?

10 MR. CZAJA: It misstates the witness'
11 testimony. He just testified as to what his
12 understanding of their efforts were. I object.

13 MR. KAPLAN: I don't believe that's
14 the case. Then if it is, the witness will say the
15 same thing.

16 JUDGE GLEASON: Was is the case?

17 THE WITNESS: (Witness Davidoff) What
18 I intended to say that every hospital, nursing
19 home and health-related facility within the 10
20 mile Emergency Planning Zone had been contacted
21 sometime between March of 1982 and March of 1983,
22 alerting them to their existing responsibilities
23 and calling those responsibilities to their
24 attention and asking for a response from the
25 facilities.

1 Q. Do you know what responses have come
2 in?

3 A. (Witness Davidoff) No.

4 Q. Therefore, obviously you don't know
5 whether the responses are adequate?

6 A. (Witness Davidoff) That's correct.

7 Q. Let me ask you a question about a
8 different subject. You are familiar with the term
9 ingestion pathway, I assume?

10 A. (Witness Davidoff) Yes.

11 Q. That's the 50 mile zone?

12 A. (Witness Davidoff) Generally speaking,
13 50 miles.

14 Q. New York City is within that 50 mile
15 zone, can we agree to it?

16 A. (Witness Davidoff) I think at least
17 parts of it are.

18 Q. Almost all.

19 Mr. Czech, do you know who Leonard
20 Solan is?

21 A. (Witness Czech) Yes.

22 Q. Dr. Davidoff, I assume you know him?

23 A. (Witness Davidoff) Yes.

24 Q. I guess you are both doctors?

25 A. (Witness Davidoff) Just two misters.

1 County, and I want to know if he has read their
2 testimony.

3 He said only one. And therefore I
4 want to ask if he would accept that the other
5 three also do not agree with his statement.

6 JUDGE GLEASON: Well, I don't know
7 how he can accept that without reading their
8 testimony.

9 MS. FLEISHER: Well, before the
10 Public Service Commission we have a zinger that
11 gets around those problems.

12 JUDGE GLEASON: Well, we don't have
13 very many zingers here.

14 Q. Would you turn to page 14?

15 A. (Witness Davidoff) That's where I am.

16 Q. Oh, I am sorry. Page 16?

17 A. (Witness Davidoff) Yes.

18 Q. The very last line on 16, which then
19 dose on to 17, says, "The State of New York has
20 not made a specific study of the sheltering
21 capacity of the EPZ."

22 Who would you expect to make such a
23 study in order to determine whether or not
24 sheltering would be adequate for the public in the
25 EPZ?

1 A. (Witness Davidoff) I wouldn't expect
2 anyone to wake a survey, as such.

3 Q. Isn't this a terribly important thing,
4 whether or not to shelter?

5 A. (Witness Davidoff) The kind of building
6 is a factor in sheltering decisions, yes.

7 Q. Why, then, would you assume that
8 there are enough dwellings, without making a study
9 of it?

10 A. (Witness Davidoff) I'd like to defer
11 further questions about sheltering to Mr. Czech.
12 Is that all right with you?

13 Q. Sure

14 A. (Witness Czech) I think the key to
15 this question is what are we talking about in
16 terms of shelters. I gather from your question
17 that you are talking about a hardened facility
18 similar to the Civil Defense type of shelters that
19 would provide protection --

20 Q. I am sorry, sir, no. In parlance,
21 generally, I believe in this room, when we have
22 been talking about it, the sheltering has meant
23 going into the basement of a private home or into
24 the center hall of an institution, or crowding
25 away from the windows.

1 A. (Witness Czech) It still sounds like a
2 civil defense shelter.

3 The type of shelter we are talking
4 about will protect the people from the elements,
5 but also will minimize the air exchange. It's true
6 that if you go into the basement, if you have one,
7 or into the central part, that whatever radiation
8 would be external to the house, that it would
9 provide additional protection.

10 But the main part in the radiological
11 emergency of this type is to minimize the air
12 exchange. The people in the EPZ have a dwelling to
13 live in, and typically in the northeast, because
14 of the climate, we do have homes that are air
15 tight, so there is some protection just because
16 it's too expensive to heat unless you have an air
17 tight residence or dwelling.

18 Q. There are two exhibits, one I would
19 ask if you are familiar with because it comes from
20 a ASHRA book, and that is a pretty standard thing,
21 where they state a change of air in the home takes
22 place one and a half changes every hour or more.
23 Are you taking that into consideration in your
24 answer about the air tightness of the house?

25 MR. FEINBERG: Your Honor, I believe

1 the witness should be shown the book.

2 MS. FLEISHER: I will ask another
3 question.

4 Q. Do you know the ASHRA standard which
5 describe how often an air change takes place in a
6 typical frame house?

7 A. No. I am not familiar with that. I am
8 familiar with a couple of discussions with the
9 environmental protection industry about shelters,
10 and that is one that talks about air exchanges and
11 types of considerations one would have to consider
12 whether shelters or evacuation might be the
13 protective action of choice.

14 Q. Sir, you were the one who said
15 something about the air change or tightness of the
16 house. Right?

17 A. (Witness Czech) Correct.

18 Q. I would expect, then, that you know
19 what type of air change to expect when you
20 recommend shelter.

21 And also may I ask you do you know
22 what type of house is generally the type that
23 exist in Rockland County and Westchester?

24 A. (Witness Czech) I don't have specific
25 information as to the types, just in general for
1 the northeast and the EPZ documents.

1 Q. Will you turn to -- do you have a
2 booklet with you?

3 A. (Witness Davidoff) Pardon?

4 Q. Do you have a booklet with you?

5 A. (Witness Davidoff) I think we do not.

6 Q. Right now I am talking about the
7 later one, which has now been called UCS. It would
8 be ^QSWBCA number 1, and there is another one this
9 is a UCS NYPIRG number. It was evidently
10 introduced sometime.

11 A. (Witness Davidoff) Excuse me. The
12 one that was handed to us is numbered 4.

13 Q. Yes. But it has been introduced into
14 the record as UCS NYPIRG 14. Well, that's my
15 number on mine.

16 A. (Witness Davidoff) All right.

17 Q. I don't think it's that important. I
18 am asking you to turn to page 20?

19 A. (Witness Davidoff) Yes.

20 Q. Has Indian Point number 3 been shut
21 for almost a year now?

22 A. (Witness Davidoff) I don't know.

23 Q. When it says in the second paragraph,
24 "By using nuclear energy," and so forth. in
25 considering that one of the two plants is down,

1 you said you don't know, I have to get around that
2 somehow. Will you take it, subject to check, that
3 Indian Point has not been on line, and therefore --
4 number 3, and that number 2, indeed, has been on
5 line some parts of 1982 and 1983?

6 JUDGE PARIS: Ms. Fleisher, we are
7 lost. What page are you on?

8 MS. FLEISHER: 20.

9 JUDGE GLEASON: Thank you, Ms.
10 Fleisher.

11 Q. Mr. Davidoff, will you take it
12 subject to check that Indian Point is closed now?

13 A. (Witness Davidoff) I will check. It's
14 none of my business.

15 Q. Isn't it your business to be accurate
16 in the literature that is put out?

17 A. (Witness Davidoff) Yes.

18 Q. All right.

19 Isn't it your business to know,
20 therefore, that if half the amount of oil you
21 proposed to save is not being saved, that you
22 should so state?

23 A. (Witness Davidoff) Absolutely.

24 Q. Well, it says in this booklet, and I
25 am asking you to address it, the 20 million

1 barrels of oil being saved each year.

2 Now, I want to ask you, if one out of
3 two of these fairly equally sized stations is not
4 operating, are you saving 20 million barrels?

5 A.(Witness Davidoff) It could very well
6 be. I know that the public information staff who
7 was part of our group checked this entire document,
8 advised me that the document is accurate. If not,
9 we would not have signed off on it.

10 Q. Are you stating, then, that 20
11 million barrels is an accurate number?

12 A. To the best of our knowledge, it is.

13 Q. Now I ask you another question, then.
14 Will you answer why this information is in this
15 booklet at all?

16 A.(Witness Davidoff) It is optional, in
17 my judgment. We did not object to its inclusion.

18 Q. Does it help people to evacuate from
19 their homes?

20 A.(Witness Davidoff) No.

21 Q. Would one hope to make a booklet as
22 short and concise as possible, and concentrate
23 only on helping people?

24 MR. FEINBERG: Objection. The booklet
25 is designed to do more than help people evacuate.

1 Q. Emergency Planning and You.

2 JUDGE GLEASON: Let the witness
3 respond.

4 A. (Witness Davidoff) Conciseness, in
5 and of itself, is not necessarily a virtue.

6 Q. Thank you. It is right now, though,
7 in our answers.

8 On the back of it it says Four County
9 Nuclear Safety Committee. May I ask you why it
10 doesn't say Three County Nuclear Safety Committee?

11 A. (Witness Davidoff) To the best of my
12 knowledge, the safety committee, which was a loose
13 confederation of the four counties, still exists.

14 Q. Haven't you read some of the
15 resolutions that have been entered into this case
16 as evidence by Mr. Thorsen from the Rockland
17 County Legislature, particularly, I believe, it's
18 number 320, May 15, but I may not be correct, in
19 which it states that Rockland County is not a part,
20 shall not be a part, of that?

21 A. (Witness Davidoff) I did not know that.

22 Q. How many of these booklets have been
23 printed?

24 A. (Witness Davidoff) I do not know.

25 Q. Have they been distributed all