

WESTCHESTER COUNTY
PROPOSED FINDINGS OF FACT AND CONCLUSIONS



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
James P. Gleason, Chairman
Dr. Oscar H. Paris
Frederick J. Shon

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In the Matter of

CONSOLIDATED EDISON COMPANY
OF NEW YORK

(Indian Point, Unit No. 2)

POWER AUTHORITY OF THE STATE
OF NEW YORK

(Indian Point, Unit No. 3)

Docket Nos. 50-247-SP
50-286-SP
(ASLBP 81-466-03 SP)

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NATURE OF PROCEEDINGS

By petition dated September 17, 1979, the Union of Concerned Scientists (UCS) requested, among other things, that this Commission suspend operations at Indian Point Units 2 and 3. In a decision dated February 11, 1980, the Director of the Office of Nuclear Reactor Regulation (NRR) issued a decision pursuant to 10 C.F.R. 2.206 which denied that part of the petition requesting the suspension of operations at Indian Point Units 2 and 3 but required the licensees to implement certain interim measures with regard to those units.

On May 30, 1980, the commission issued an order establishing a four-pronged approach for resolution of the issues raised by the UCS petition, and the decision of the NRR denying that petition. The order announced the Commission's intention to hold a discretionary adjudication for the resolution of safety issues concerning the units; initiated an informal proceeding to define the questions to be answered in that adjudication; announced the Commission's plan to address the generic question of the operation of nuclear reactors in areas of high population density through a generic proceeding to be decided at a future date; directed the Commission's General Counsel and Director, Office of Policy Evaluation, to establish a task force to deal with the question of the status of the

reactors during the pendency of the planned adjudication; and, in September, 1981, appointed a Licensing Board to take testimony on the issues raised. The hearing before the Licensing Board was commenced in June, 1982. During the course of the hearings testimony was received in writing and orally from the Indian Point Licensees, the State of New York, public officials and private individuals and organizations regarding the status of emergency planning and preparedness at Indian Point.

JURISDICTION AND PARTIES

This proceeding was initiated pursuant to the Commission's Orders dated May 30, 1980; January 8, 1981; and September 18, 1981. A notice of hearing was published in the Federal Register on October 7, 1981 (46 Federal Reg 49,688). The hearing was a discretionary adjudication for the resolution of safety issues concerning the Indian Point plants.

PETITIONS TO INTERVENE AND
IDENTIFICATION OF PARTIES

The parties and participants to the Indian Point units
2 and 3 special investigative proceeding are:

Consolidated Edison Company of New York

Power Authority of the State of New York

NRC Staff

Honorable Richard L. Brodsky*

Friends of the Earth*

Greater New York Council on Energy*

New York City Audubon Society*

Parents Concerned About Indian Point*

Rockland Citizens for Safe Energy*

Union of Concerned Scientists and New York Public
Interest Research Group*

West Branch Conservation Association*

Westchester Peoples Action Coalition*

Attorney General of the State of New York*

New York State Energy Office*

County of Westchester*

Metropolitan Transportation Authority*

Council of the City of New York*

Port Authority of New York and New Jersey*

County of Rockland

New York State Assembly and Its Special Committee on
Nuclear Power Safety

Village of Buchanan*

* - These parties filed petitions to intervene.

STATEMENT OF COMMISSION QUESTIONS 3 and 4

Westchester County, as an interested State in the instant proceeding, has been asked to respond to Commission Questions 3 and 4 which read as follows:

Commission Question 3

What is the current status and degree of conformance with NRC/FEMA guidelines of state and local emergency planning within a 10-mile radius of the site and, of the extent that it is relevant to risks posed by the two plants, beyond a 10-mile radius? In this context, an effort should be made to establish what the minimum hours warning for an effective evacuation of a 10-mile quadrant at Indian Point would be. The FEMA position should be taken as a rebuttable presumption for this estimate.

Commission Question 4

What improvements in the level of emergency planning can be expected in the near future, and on what time schedule, and are there other specific off-site emergency procedures that are feasible and should be taken to protect the public?

LIST OF WITNESSES

Altschuler, Richard

Ancona, Helga

Anderson, Samuel W.

Awalt, Charles

Baff, Shareane

Bergman, Betsy

Beyea, John

Bohlander, Frank C.

Bower, Richard

Bowles, Raymond

Brons, Jack

Brooker, Stanley G.

Brown, Monya Berg

Burger, Gladys

Burnham, Helen

Capon, Jane

Carney, Gregory A.

Castorina, Joseph

Churchill, David

Co, Linda

Cohen, Lester A.

Cohen, Oscar
Collins, William
Conklin, Clelan
Conklin, Lucien H.
Connelly, Ed
Cormican, Alma
Corwin, Seth
Courtney, Jane
Craig, Agata
Curran, Anita
Czech, Lawrence
Davidoff, Donald
DelBello, Alfred D.
Della Rocca, Michael
Del Pilar, Luis
DeWard, Sylvia G.
Doughty, Lynn
Dynes, Dr. Russell
Ellefson, Earle
Elliot, Nancy
Erikson, Kai T.
Everhart, A. Glen
Flicker, Bernard
Ford, Karen

Freedman, Joel
Galdore, Jannelice
Gdanski, Sam Z.
Gersony, Toby
Gochman, Barbara
Gohring, Mary Lou
Goldfarb, Ronald A.
Gromack, Alex
Guido, Daniel P.
Gunn, Shirley
Gurin, David
Gutman, Daniel
Hare, Reverend Robert W.
Hastings, Donald
Helbraun, Phyllis
Holland, Michael
Holzer, Marc
Husar, Ihor W.
Indusi, Joan
Iurato, John
Jackson, Charles W.
Jessup, Lois
Johnson, Albert A.
Johnson, Reverend Frederick F.

Jurkowski, Raymond S.
Kahn, Eleanor
Kaminsky, Michael
Keller, Joseph H.
Kesselman, Judy
King, Joan Harding
Kinoy, Susan K.
Kowieski, Roger
Kralik, James F.
Lavelle, Myles
Lecker, Dr. Sidney
LeMoullec, Robert
Liebler, George
Lifton, Dr. Robert Jay
Littlejohn, Inspector Robert
Lomonaco, Linda
Marasco, Anthony R.
McCarthy, Robert
McGuire, Donald
McGuire, James F.
McIntire, Philip H.
Melbin, Murray
Monti, Willian I.
Morris, Robert L.

Murphy, Agnes
Murphy, James
Narod-Shiek, Fern
Northrup, Ruth
O'Brien, Maureen
O'Lear, George
O'Rourke, Andrew P.
Palenik, Brian
Petterson, Jack
Podwal, Bruce
Puglisi, Linda
Quinn, Dennis
Reisman, Herbert
Richter, Pat
Rodan, John
Rosenblatt, Peggy
Rowley, Clifford
Rowley, Nancy
Rubeo, Vincent J.
Saunders, Kathe
Scalpi, Michael
Scharf, Leonard
Schmer, Philip
Schwartz, Sheldon A.

Scurti, Stephen
Sears, John R.
Seasonwein, Roger
Sekelsky, Elizabeth
Seley, Dr. John E
Shultz, Richard
Siegal, David
Simon, Susan
Smith, Donald D.
Solnit, Albert J.
Solon, Dr. Leonard
Spiegel, Leonard
Spohn, Robert R.
Tompkins, Marie
Urbanik, Thomas II
Ward, Benjamin
Waterfall, Beth
Wayne, Reverend David B.
Wein Ruth
Wishnie, Richard
Ziegler, Sally

COMMISSION QUESTION 3

What is the current status and degree of conformance with NRC/FEMA guidelines of state and local emergency planning within a 10-mile radius of the site and, of the extent that it is relevant to risks posed by the two plants, beyond a 10-mile radius? In this context, an effort should be made to establish what the minimum number of hours warning for an effective evacuation of the 10-mile quadrant at Indian Point would be. The FEMA position should be taken as a rebuttable presumption for this estimate.

Westchester County's position is that because the Indian Point plants are operating, it has an obligation to its residents to do the utmost to protect their health and safety.

Off-site emergency planning for Indian Point has made enormous progress toward full conformance with the NRC/FEMA guidelines. In FEMA's April 14, 1983 findings only one deficiency was identified in Westchester County. The deficiency cited was that there were no formal commitments for buses and drivers in Westchester County to participate in the emergency evacuation process.

In the three-months since the FEMA findings, the new O'Rourke administration has helped to galvanize efforts to bring off-site emergency planning for Indian Point into full conformance with NRC/FEMA guidelines. Those efforts - especially the County Executive's breakthrough in bringing the bus companies, unions and licensees together to address transportation matters - were instrumental in resolving the significant deficiencies cited by FEMA. (See, Proposed Findings of Fact, paragraphs 2-4, 6, Infra).

The evacuation travel time estimates provided by FEMA and Parsons, Brinkerhoff, Quade and Douglas constitute the best evidence of warning time now available. Westchester County expects that the TSPG transportation study now underway will provide future guidance upon which the County can depend for purposes of emergency planning. (See, Proposed Findings of Fact, paragraph 11, Infra).

COMMISSION QUESTION 4

What improvements in the level of emergency planning can be expected in the near future, and on what time schedule, and are there other specific off-site emergency procedures that are feasible and should be taken to protect the public?

Future improvements in the level of emergency planning scheduled by Westchester County include:

1. The County Executive's County/Municipal task force on Indian Point, comprised of the ten municipalities within ten miles of Indian Point was formed in late May, 1983 and meets regularly to determine the needs and remedies for problems at the Indian Point plant.
2. The subcommittee on police matters has met and is currently in the process of establishing a comprehensive list of all police requirements. Paramount to this effort is a planned County-wide police communications system. The County has requested partial funding from the state and the two licensees so that the communications system can be implemented.
3. A task force subcommittee on schools will be created in the near future to correct the problems associated with busing school children either out of the EPZ or from their homes. Pursuant to the New York State Education Department "Early Release" Program, Westchester County recently adopted a plan change that will permit school children to be sent home in the early stages of an emergency.

4. The school subcommittee of the County Executive's task force on Indian Point will be asking the State Education Department to conduct a full-scale inquiry into our schools' ability to carry out the "Early Release" Plan in the fall of 1983, including a test of every school in the EPZ in this respect. In the next two months, Westchester County will be contacting every school to ask for a copy of the school's emergency information card for students.

5. A revised emergency planning brochure has been completed and has been distributed to residents and businesses within the ten-mile EPZ.

6. Emergency planning informational inserts will be distributed in Westchester County telephone books beginning in the fall of 1983.

7. Emergency response training is an on-going activity in Westchester County.

8. Installation of two-way radios in all Westchester County buses is planned for December 1983.

9. New York State is continuing to distribute dosimeters to the County.

10. Funds have been appropriated for the hiring of a full-time radiological emergency planning coordinator and a full time radiological emergency planning instructor in Westchester County. Those positions will be filled by September, 1983.

11. TSPG is performing a complete transportation study which will consist of actual driving of buses on all bus evacuation routes, time-study exercises, route corrections and alternatives to street bus pick-up points, and which is scheduled to be completed by February, 1984.

12. Letters of intent from bus companies will be replaced by long-term binding contracts.

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PROPOSED FINDINGS OF FACT

CONTENTION 3.1

Emergency planning for Indian Point Units 2 and 3 is inadequate in that the present plans do not meet any of the sixteen mandatory standards of 10 C.F.R. §50.47(b), nor do they meet the standards of Appendix E to 10 C.F.R. part 50.

1. Westchester County was not required to address most of the emergency planning activities on site. Licensees have extended invitations to County Officials to tour the plant (Curran, Tr. 5083-84), established an emergency operations facility near the plant (Curran, Tr. 5051-54) and have provided the County Emergency Operation Center with a computer terminal for access to plant data (Curran, Tr. 5085-86).

2. Increased efforts have been made over the last few months to meet the NRC/FEMA guidelines. The off site state and local emergency planning at Indian Point has made such progress towards full conformance with the NRC/FEMA guidelines that only two deficiencies were identified at the time of FEMA's April 14, 1983 report. The deficiencies cited in that report were (1) that there were no formal commitments from bus drivers in Westchester County to participate in the emergency evacuation process and (2) that Rockland County apparently did not intend to complete an evacuation plan in the foreseeable future and that the State had not developed specific plans to step in for Rockland. (FEMA Testimony Post Exercise Assessment at ix-xii).

3. Since the identification of these deficiencies, Westchester County Executive Andrew O'Rourke ("O'Rourke") has personally supervised and participated in a concerted effort to overcome these inadequacies. (O'Rourke, Pre-filed Testimony, at p. 5)

4. Lack of commitments for bus transportation was the only significant deficiency sighted by FEMA in Westchester County. To resolve that deficiency O'Rourke has made efforts to obtain commitments for buses and drivers. To that end he has arranged numerous meetings with utilities, bus company officials, bus union leaders, county officials and state officials which have resulted in several significant breakthroughs including: signed letters of intent to help insure the availability of buses in the event they are needed for evacuation and training programs to insure the availability of trained bus drivers.¹ (Commission Order, June 10, 1983 at 11).

¹ A commitment has been received from unions representing the majority of union bus drivers to fully support a two-hour orientation course on radiological emergency response procedures for all bus drivers in Westchester County; (2) the unions have agreed to include maintenance workers with Class 2 driver's licenses in the course, a move that brings the pool from which to draw potential volunteers to more than fifteen hundred bus drivers; (3) bus drivers and mechanics have completed an orientation course on radiation, including an examination of the bus drivers role in a radiological emergency and the use of protective measures in radiological emergencies; (4) Westchester County has secured "letters of intent for interim contracts" from three major bus companies in the area between Consolidated Edison and the New York State Power Authority to provide up to one thousand buses for an evacuation - twice the number expected to be needed in a "worst case" accident.

5. Rockland County's failure to complete an evacuation plan is largely outside of the jurisdiction of Westchester County to resolve. We draw your attention to the fact, however, that the State of New York has submitted a revised emergency response plan that explicitly provides for a State take over of the emergency functions for Rockland County in the event that Rockland County is unable or unwilling to provide for itself.² (Commission Order June 10, 1983, at pp. 9-11).

6. Westchester County has made efforts to obtain equipment and training that might be necessary in the event of a radiological emergency. The County has secured a commitment from New York State to provide bus companies with training, 1,000 dosimeters and 1,000 bottles of potassium iodide tablets for the use of emergency workers in Westchester County.³ (Tr. 11,435-36).

7. Evacuation is only one component of an overall radiological emergency plan. Most of Westchester County's emergency plan is devoted to organization, mobilization, and identification of key personnel and resources. (New York State Exhibit 3) FEMA did not cite any significant deficiencies in

² The Lieutenant Governor of the State of New York has been appointed to oversee this procedure and insure adequately trained personnel.

³ The County has also secured a commitment from New York State to provide 1,000 copies of the bus evacuation route directions for drivers and 96 bus route evacuation maps for bus managerial and supervisory personnel. In addition the County will be providing the bus companies with 1,000 TLDS (film badges).

Westchester in these areas. Indeed, FEMA found that Westchester County officials performed very well in alerting and mobilization emergency operations management, public alert and notification, media relations in the joint media center, rumor control, accident assessment, health, medical and exposure control, and recovery and re-entry. (FEMA Supplemental Testimony, Post-Exercise Assessment, April 14, 1983, at pp. 25-33). FEMA lauded County Executive O'Rourke for his excellent management of the EOC and praised his staff and commissioners for their performance. In several instances, O'Rourke demonstrated independent leadership in anticipatory management of decisions involving the evacuation of parks, EBS messages, declaration of the emergency, public evacuation and theft control. (Id., at 26).

8. Moreover, improvements have been made in the current evacuation plan and a transportation study is currently being conducted which will result in further improvements. A consulting group, the Transportation Safety Planning Group ("TSPG") has been hired to help identify and correct deficiencies in the public transportation segment of the emergency response plan.⁴ (Id., at 30).

⁴ TSPG is working on a review of the transportation segment of the emergency plan. Their study consists of the actual driving of buses on all bus evacuation routes, time study exercises and route directions. Progress reports from TSPG will be made at several intervals during their study.

9. Training is an ongoing process and, to date, police have been trained and bus driver training has been accelerated. The County has continued and will continue to work on further improvements on evacuation plans for the safety of the plant, and the residents of Westchester County. (O'Rourke, Pre-Filed Testimony at pp. 3 and 5; Commission Order, June 10, 1983 at p. 11).

CONTENTION 3.2

Emergency planning for Indian Point Units 2 and 3 is inadequate in that the plans make erroneous assumptions about the response of the public and of utility employees during radiological emergencies.

10. Based on past experience in emergency situations where Westchester County employees, emergency workers and volunteers have been asked to respond and have proven dependable, we believe that they will continue to respond in the event of a radiological emergency. Westchester County's Director of Emergency Planning, Anthony Marasco, testified that, in his opinion, based on his experience, he believes that his staff and emergency personnel will appear and perform their assigned tasks in the event of a radiological emergency. (Marasco, Tr. 5493).

CONTENTION 3.3

The present estimates of evacuation times, based on NUREG-0654 and studies by CONSAD Research Corporation and by Parsons, Brinkerhoff, Quade & Douglas, Inc. are unreliable. They are based on unproven assumptions, utilized unverified methodologies and do not reflect the actual emergency plans.

11. Westchester County has not done its own analysis or calculation of time estimate for evacuation. However, most experts agree that the Parsons, Brinkerhoff methodology is, in fact, sound. (Urbanik Testimony, Tr. 1863; New York State Pre-Filed Testimony at p. 9). The TSPG transportation study currently underway will address many of these issues and resolve any problems that might exist.

CONTENTION 3.4

The administrative control of notification procedures at Indian Point Units 2 and 3 is so deficient that the Licensees cannot be depended on to notify the proper authorities of an emergency promptly and accurately enough to assure effective response.

12. Requirements for notification of the authorities have been made in the NRC regulations. (10 C.F.R. Part 50, Appendix E). In addition, the licensees have entered into a special agreement with Westchester County to provide notification beyond the NRC's requirements. As a result, Westchester County receives telephone notice and written confirmation of any non-routine occurrences at all three units. To date, the licensees have honored this agreement. (Sears Testimony, Tr. 12, 376).

CONTENTION 3.6

The emergency plans and proposed protective actions do not adequately take into account meteorological conditions for Indian Point Units 1 and 2.

13. The meteorological area around Indian Point is relatively stable and is not given to extreme or unpredictable weather conditions. In addition, Westchester County has an outstanding public works department which is prepared for and experienced in handling snowstorms or other extreme weather conditions. (Bohlander, Tr. 5743, 5747, and 5764).

14. Westchester County's emergency plans contain procedures for dealing with adverse weather conditions. (New York State Exhibit 3). In addition, the licensees have provided the County with a computer which allows the County direct access to meteorological data which will insure a prompt and effective response. (Curran, Tr 5085-86).

15. Lastly, Dr. Anita Curran, Commissioner of the Westchester County Department of Health, recognizes and endorses sheltering as an alternative to evacuation in the event of a radiological emergency. (Curran, Tr 5157-58).

CONTENTION 3.7

The problems of evacuating children from threatened areas have not been adequately addressed in the present emergency plans.

16. State law requires that all schools must have generic early dismissal plans. Schools also have lists of adult

custodians for children whose parents may not be home. The Westchester County Executive has developed a plan which has come to be known as the "O'Rourke Plan" and which has resolved the most controversial aspect of emergency planning for school children. The O'Rourke plan provides for the dismissal of school children during the alert stage, or the beginning stages of any potentially serious accident at Indian Point. County Executive O'Rourke testified that the early dismissal concept, endorsed by the Putnam-Northern Westchester Chief School Officers Association, lessens the psychological stress problems relating to the separation of parents and children in the event of an emergency and also mitigates anticipated traffic flow problems that could be created by parents going to the schools to pick-up their children. (O'Rourke, Pre-Filed Testimony at p. 2).

17. Tone alert radios have been distributed to schools in the Westchester County portion of the EPZ, and worked well during the March, 1983 exercise drill. (FEMA, Supplemental Testimony, April 14, 1983, Post Exercise Assessment at p. 27).

CONTENTION 3.9

The road system in the vicinity of the Indian Point plant is inadequate for timely evacuation.

18. Westchester County relies on the opinion of experts from the State and FEMA who have concluded that the road

system in Westchester County is adequate for evacuation purposes. (New York State Pre-Filed Testimony at p. 14; FEMA Pre-Filed Testimony at p. 39).

19. The County roads are used daily for transporting large percentages of the population traveling during rush hour, holidays, etc. and have proven adequate. We have no evidence to indicate that the roads would prove to be inadequate if, in the event of an evacuation, a large percentage of the population traveled the roads. (See, generally, Jurkowski, Tr. 5313-5316).

20. The transportation study that is currently being conducted will suggest optimum uses of the existing road system. Evacuation will be ordered by ERPA rather than by the entire EPZ. (Husar, Tr. 1539). There is no way to determine the actual number of people who would evacuate. Many residents in the ten-mile EPZ may shelter.

CONTENTION 3.10

The emergency plan fails to conform to NUREG-0654 in that, contrary to Evaluation Criterion II.J.10.d., proper means for protecting persons whose mobility may be impaired have not been developed. Specifically, adequate provisions have not been made for groups named in the bases submitted by the following contentions; WESPAC 6; Parents I, basis (22) and II, basis (7); UCS/NYPIRG I (B) (2), basis (6) and I (A), basis (7).

21. Westchester County Executive O'Rourke is committed to meeting the needs of the deaf, blind, handicapped, "mobility impaired" and other residents of Westchester County not only in

the context of radiological emergency planning but in other areas as well. (O'Rourke Cross-Examination, Tr. 11,602-03). This ongoing concern has resulted in improvements throughout the County and efforts that will benefit all Westchester County residents.

22. The O'Rourke administration took an active role in designing a revised emergency planning brochure that provides return address postcards and toll free information telephone numbers. The post cards serve as a means of self identification and the toll-free numbers are an important information source. (FEMA Supplemental Testimony, Petrone Letter at p. 2).

23. The resources and resourcefulness of "mobility impaired" individuals has also been considered. It is recognized that these people have learned to cope with their handicaps and that they have organizations, family and friends to rely upon on a daily basis as well as in emergency situations. (New York State Supplemental Pre-Filed Testimony at p. 13).

24. Lastly, it is noted that special facilities for people with limited or zero mobility could either self-evacuate or shelter. As an example, prisons in Westchester County have already opted for sheltering in the event of an emergency at Indian Point. (New York State Exhibit 3, Westchester County Plan, Volume I at pp: 8-17).

CONTENTION 4.1

The plume exposure pathway EPZ should be expanded from its present 10-mile radius in order to meet local emergency needs and capabilities as they are affected by such conditions as demography, topography, land characteristics, access routes and jurisdictional boundaries.

25. Westchester County participated in designing the present EPZ. (Parsons, Brinkerhoff, Quade and Douglas, Pre-Filed Testimony at p. 15). The map of this ten-mile area has been submitted and become part of the record as Con Edison Exhibit 8.

26. The regulations allow for only minimal expansion to provide for such local conditions as demography, topography, land characteristics, access routes, and jurisdictional boundaries. (Commission Order, July 27, 1982 at p. 15). These peculiarities were taken into account when the ten-mile EPZ was designed and the irregular shape confirms that factors other than the ten-mile radius were taken into consideration. (Con Edison Exhibit 8). There is no evidence of any local conditions necessitating expansion of the plume exposure pathway EPZ at this time.

CONTENTION 4.2

The following specific, feasible off-site procedures should be taken to protect the public;

CONTENTION 4.2(a)

Potassium iodide should be provided in an appropriate form for all residents in the EPZ.

27. The distribution of potassium iodide tablets is governed by New York State regulations. (New York State Exhibit 6, p. III-55). The County is bound by the State's determination that potassium iodide may be distributed only to emergency workers and certain non-evacuating segments of the population on the direct order of the County or State Health Commissioner. (Id.)

CONTENTION 4.2(b)

Adequate sheltering capabilities should be provided for all residents in the EPZ.

28. Westchester County relies on the expert opinions of the State and FEMA that such capabilities exist. (FEMA Pre-Filed Testimony at p. 38; New York State Pre-Filed Testimony at pp. 16 and 17). The County favors greater emphasis on sheltering including studying this alternative and educating the residents of Westchester County regarding the sheltering option. Almost every home could serve as an adequate sheltering facility if people remained indoors and closed windows and doors cutting off all external ventilation. (Curran, Tr. 5157-58; New York State Pre-Filed Testimony at p. 16).

CONTENTION 4.2(c)

License conditions should prohibit power operation of units 2 and 3 when the roadway network becomes degraded because of adverse weather conditions.

29. Total shut-down of units 2 and 3 in the event of adverse weather conditions could pose great danger and have significant adverse effects on Westchester County. The County gets its power from Indian Point and is concerned about the effect on electric grid reliability if the plants were constantly shut down in storms. (NRC Staff Pre-Filed Testimony on Questions 3 and 4 at p. 5).

30. Extremely adverse weather which would make roads impassable is rare in this meteorological area. In the event of such conditions, however, sheltering would be the alternative. (Curran, Tr. 5157-58; New York State Exhibit 3, Westchester County Plan §III H; Keller, Tr. 15,119).

CONTENTION 4.2(d)

The roadway network should be upgraded to permit successful evacuation of all residents in the EPZ before the plume arrival time.

31. Westchester County relies on the judgment of the State and FEMA regarding the adequacy of the road network. The TSPG transportation study referred to, supra, and which is currently being conducted will examine issues related to the roadways in Westchester County. It is also noted that evacuation would be conducted by ERPA rather than by evacuation of the entire EPZ. (See, paragraphs 18-20, supra).

CONTENTION 4.7

The emergency plan should be upgraded to provide more adequate methods for alerting and informing persons who are deaf, blind, too young to understand the instructions, or who do not speak English.

32. The emergency plan currently in effect has considered the aforementioned situations and therefore provided return address postcards for self-identification, tone alerts for schools and special facilities and instructions for parents. Toll-free information numbers have been established, the emergency broadcast systems can be utilized and special housing facilities are available.

33. There is no evidence to indicate that there are significant numbers of unsupported non-English speaking persons in Westchester County. (UCS Exhibit 16). Nonetheless, efforts are underway to identify any such people and meet their needs through civic and religious leaders. (NRC Staff testimony on Questions 3 and 4 at p. 58).

CONCLUSIONS AND RECOMMENDATIONS

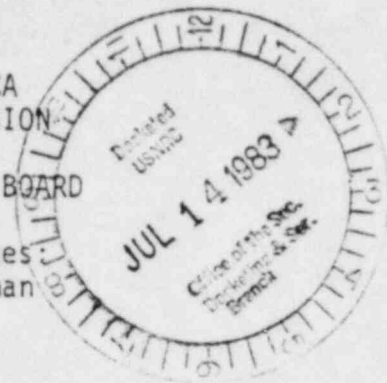
Westchester County Executive O'Rourke's primary concern is for the safety and well-being of the residents of Westchester County. This includes not only the safety of the Indian Point Plants themselves, but a well thought out and thoroughly workable emergency response plan as well.

The benefits our County derives from Indian Point are recognized by the O'Rourke administration. Therefore it is the conclusion and recommendation of Westchester County that, as long as the Indian Point Units 2 and 3 are operating in a safe and efficient manner, they should remain operational.

Lastly, Westchester County strongly recommends that the Federal Government, explore the possibility of creating a military unit within the current emergency military group called the Readiness Command, the Defense Nuclear Agency, the United States Army or some other unit of the federal military to be trained under a federal plan to respond to a nuclear power plant emergency anywhere in the United States but particularly at Indian Point. We propose that these specific federal troops, be trained, equipped and ready to help this County or any other area that has a nuclear emergency.

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ATOMIC SAFETY AND LICENSING BOARD

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CONSOLIDATED EDISON COMPANY OF NEW YORK,
INC. (Indian Point, Unit No. 2)

POWER AUTHORITY OF THE STATE OF NEW YORK
(Indian Point, Unit No. 3)

Docket Nos.

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July 11, 1983

CERTIFICATE OF SERVICE

I hereby certify that copies of WESTCHESTER COUNTY'S PROPOSED FINDINGS AND CONCLUSIONS in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, this 11th day of July, 1983.

Docketing and Service Branch
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Ellyn R. Weiss, Esq.
William S. Jordan, III, Esq.
Harmon & Weiss
1725 I Street, N.W., Suite 506
Washington, D.C. 20006

James P. Gleason, Esq. Chairman
Administrative Judge
Atomic Safety & Licensing Board
513 Gilmore Drive
Silver Spring, Md. 20901

Joan Holt, Project Director
Indian Point Project
New York Public Interest Research Group
9 Murray Street
New York, N.Y. 10007

Brent L. Brandenburg, Esq.
Assistant General Counsel
Consolidated Edison Co. of New York, Inc.
4 Irving Place
New York, N.Y. 10003

Charles H. Pratt, Esq.
Stephen L. Baum, Esq.
Power Authority of the State of New York
10 Columbus Circle
New York, N.Y. 10019

Jonathon D. Feinberg
N.Y.S. Public Service Commission
3 Empire State Plaza
Albany, N.Y. 12223

Charles J. Maikish, Esq.
Litigation Division
The Port Authority of New York & New Jersey
One World Trade Center
New York, N.Y. 10008

Dr. Oscar H. Paris
Administrative Judge
Atomic Safety and Licensing
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Janice Moore, Esq.
Counsel for NRC Staff
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Mr. Frederick J. Shon
Administrative Judge
Atomic Safety and Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Paul L. Colorulli, Esq.
Joseph J. Levis, Jr., Esq.
Pamela S. Horowitz
Charles Morgan, Jr., Esq.
Morgan Associates, Chartered
1899 L Street, N.W.
Washington, D.C. 20036

Jeffrey M. Blum, Esq.
New York University Law
School
423 Vanderbilt Hall
40 Washington Square South
New York, N.Y. 10012

Charles J. Maikish, Esq.
Litigation Division
The Port Authority of
New York and New Jersey
One World Trade Center
New York, N.Y. 10048

Marc L. Parris, Esq.
Eric Thorsen, Esq.
County Attorney
County of Rockland
11 New Hemstead Road
New City, N.Y. 10956

Ezra I. Bialik, Esq.
Steve Leipsig, Esq.
Environmental Protection Bureau
New York State Attorney
General's Office
Two World Trade Center
New York, N.Y. 10047

Joan Miles
Indian Point Coordinator
New York City Audubon Society
71 West 23rd Street, Suite 1828
New York, N.Y. 10010

Andrew P. O'Rourke
Westchester County Executive
148 Martine Avenue
White Plains, N.Y. 10601

Greater New York Council on
Energy
c/o Dean R. Corren,
Director
New York University
26 Stuyvesant Street
New York, N.Y. 10003

David M. Pikus, Esq.
Richard F. Czaja, Esq.
Shea and Gould
330 Madison Ave.
New York, N.Y. 10017

Craig Kaplan, Esq.
National Emergency Civil Liberties
Committee
175 Fifth Ave., Suite 712
New York, N.Y. 10010

Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Andrew S. Roffe, Esq.
New York State Assembly
Albany, N.Y. 12248

Renee Schwartz, Esq.
Paul Chessin, Esq.
Laurens R. Schwartz, Esq.
Margaret Oppel, Esq.
Botein, Hays, Sklar & Herzberg
200 Park Ave.
New York, N.Y. 10166

Phyllis Rodriguez, Spokesperson
Parents Concerned About Indian Point
PO Box 125
Croton-on-Hudson, N.Y. 10520

Hon. Ruth Messinger
Member of the Council of the City
of New York
Dist. No. 4
City Hall
New York, N.Y. 10007

Zipporah S. Fleisher
West Branch Conservation Assoc.
443 Buena Vista Rd.
New City, N.Y. 10956

Judith Kessler, Coord.
Rockland Citizens for Safe Energy
300 New Hempstead Rd.
New City, N.Y. 10956

Mr. Donald Davidoff, Dir.
Radiological Emergency Preparedness Group
Empire State Plaza
Tower Bldg., Rm 1750
Albany, N.Y. 12237

Amanda Potterfield, Esq.
New York Public Interest Research Group, Inc.
9 Murray St., 3rd flr.
New York, N.Y. 10007

Steven C. Sholly
Union of Concerned Scientists
1346 Connecticut Ave., N.W., Suite 1101
Washington, D.C. 20036

Atomic Safety & Licensing Appeal Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Hon. Richard L. Brodsky
NYS Assembly
Legislative Office Building, Rm 429
Albany, N.Y. 12248

Charles A. Scheiner, Co-Chairperson
Westchester People's Action Coalition, Inc.
PO Box 488
White Plains, N.Y. 10602

Alan Latman, Esq.
44 Sunset Dr.
Croton-on-Hudson, N.Y. 10520

Stanley B. Klimberg
General Counsel
New York State Energy Office
2 Rockefeller State Plaza
Albany, N.Y. 12223

Richard M. Hartzman, Esq.
Lorna Salzman
Friends of the Earth, Inc.
208 W. 13th St.
New York, N.Y. 10011

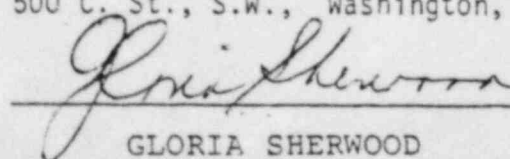
Mayor F. Webster Pierce
Village of Buchanan
236 Tate Ave.
Buchanan, N.Y. 10511

David R. Lewis, Esq.
Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Stewart M. Glass, Regional Counsel
Federal Emergency Management Agency
26 Federal Plaza, Rm. 1349
New York, N.Y. 10278

Melvin Goldberg, Staff Attorney
New York Public Interest Research Group
9 Murray St.
New York, N.Y. 10007

Spence W. Perry
Office of General Counsel
Federal Emergency Management Agency
500 C. St., S.W., Washington, D.C. 20472


GLORIA SHERWOOD