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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

'83 OCT -3 P4:17

Before the Atomic Safety and Licensing Board

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)

LONG ISLAND LIGHTING COMPANY)

(Shoreham Nuclear Power Station,)
Unit 1))

Docket No. 50-322-OL-3
(Emergency Planning)

SUFFOLK COUNTY RESPONSE TO
LILCO'S REQUESTS FOR ADMISSIONS

Pursuant to 10 CFR §2.742, Suffolk County hereby responds to LILCO's Requests for Admission dated August 25, 1983 and served on Suffolk County on September 19, 1983:

Request No. 1. That the list of witnesses provided on July 22, 1983 in answer to LILCO's informal discovery requests 1 and 2 of July 13, 1983 remains the complete list of persons whom Suffolk County intends to call as witnesses on emergency planning issues.

Response.

Suffolk County objects to this request as being improper and beyond the permissible scope of such requests as set forth in 10 CFR §2.742, in that it does not seek "the admission of the genuineness and authenticity of any relevant documents described in or attached to the request, or for the admission

of the truth of any specified relevant matter of fact." Without waiving this objection, Suffolk County refers LILCO to its August 31, 1983 response to LILCC's Interrogatory 31 of August 8, 1983, and the letter dated September 14, 1983 from Karla J. Letsche to Donald P. Irwin. The County will inform LILCO of any additional changes in its list of anticipated witnesses as required by 10 CFR §2.740(e)(1).

Request No. 2. That the studies and other documents provided by Suffolk County in their responses through August 22 to LILCO informal discovery requests dated June 29, July 6, July 13, July 21 and July 25, 1983 constitute the complete list of studies and other documents which will be relied on by Suffolk County in its pre-filed direct testimony on emergency planning in this proceeding or exhibits thereto, in cross-examination thereon, or in rebuttal testimony (if any) or exhibits thereto.

Response.

Suffolk County objects to this request as being improper and beyond the permissible scope of such requests as set forth in 10 CFR §2.742, in that it does not seek "the admission of the genuineness and authenticity of any relevant document described in or attached to the request, or for the admission of the truth of any specified relevant matter of fact." Without waiving its objection, the County states that the documents identified and/or provided by the County in response to LILCO's discovery requests comprise those documents, other than those covered by the attorney work product doctrine, that at the time

the responses were prepared, the County was able to state its intention to rely upon in testimony. At this time, the County is not able to identify any additional non-privileged documents upon which its witnesses will rely in testimony, nor is the County able or obligated to predict the materials upon which it may rely for cross-examination or rebuttal testimony. See also Response to Request 6.

Request No. 3. That the consulting firm of PRC Voorhees prepared for the Suffolk County RERP Steering Committee a document entitled "Suffolk County Radiological Emergency Response Plan," Working Draft Report, dated November 1982.

Response.

Admitted.

Request No. 4. That PRC Voorhees prepared for the Suffolk County RERP Steering Committee a document entitled "Preliminary Evacuation Time Estimates for the Shoreham EPZ," dated November 1982.

Response.

Admitted.

Request No. 5. That Suffolk County does not intend to present as witnesses any persons who prepared either or both of the documents listed in Requests for Admission 3 and 4 above, in the presentation of its case on Emergency Planning issues in this proceeding.

Response.

Suffolk County objects to this request as being improper and beyond the permissible scope of such requests as set forth

in 10 CFR §2.742, in that it does not seek "the admission of the genuineness and authenticity of any relevant document described in or attached to the request, or for the admission of the truth of any specified relevant matter of fact." Without waiving its objection, the County refers LILCO to its August 31, 1983 response to LILCO Interrogatory 31 of August 8, 1983, and incorporates herein by reference its response above to Request No. 2.

Request No. 6. That Suffolk County does not intend to rely (a) on the document listed in Request for Admission 3, or (b) on work underlying it, in the presentation of its case on Emergency Planning issues in this proceeding.

Response.

Suffolk County objects to this request as being improper and beyond the permissible scope of such requests as set forth in 10 CFR §2.742, in that it does not seek "the admission of the genuineness and authenticity of any relevant document described in or attached to the request, or for the admission of the truth of any specified relevant matter of fact." Without waiving its objection, the County refers LILCO to its September 13, 1983 response to LILCO's August 8, 1983 Interrogatory 59, and incorporates herein by reference its response above to Request No. 2. In addition, the County notes that (a) it is under no obligation to provide, nor is LILCO entitled to discover, the contents or drafts of testimony prior to the

filing of such testimony, which is what this request seeks; and (b) the County's witnesses have been made available to answer questions by LILCO concerning relevant facts and their expert opinions.

Request No. 7. That Suffolk County does not intend to rely (a) on the document listed in Request for Admission 4, or (b) on work underlying it, in the presentation of its case on Emergency Planning issues in this proceeding.

Response.

See response above to Request No. 6 which is hereby incorporated by reference.

Request No. 8. That Suffolk County does not intend to rely on the PRC Voorhees report identified in Request 4, or on work underlying it, for support for any of the following propositions:

- (a) LILCO's evacuation time estimates are unreliable and should be far longer (SC Revised Contention 65);
- (b) only a limited east-west roadway network is available for evacuation;
- (c) "it will likely take at least from one to more than three hours for people to mobilize before they can begin to evacuate" (SC Revised Contention 65.A);
- (d) "[h]eavy traffic congestion from mobilization traffic, due to both high demand and conflicting traffic flow . . . will lengthen evacuation times" (SC Revised Contention 65.B);

- (e) "LERO mobilization will take at least several hours"
(SC Revised Contention 27), including
 - (i) mobilization of bus drivers,
 - (ii) mobilization of road crews,
 - (iii) mobilization of emergency response personnel living outside the EPZ, and
 - (iv) mobilization of fuel truck and route alert drivers;
- (f) LILCO has underestimated the number of persons to be served by buses (SC Revised Contention 67.A);
- (g) "LILCO's 'estimated route times' for the evacuation buses to reach the transfer points are also unrealistically low in that they fail to take into account the congested conditions that exist" (SC Revised Contention 67.C);
- (h) "[a]s a result of the time necessary to complete the evacuation, persons may be exposed to health-threatening radiation doses" (SC Revised Contention 67);
- (i) early dismissal of school children will take substantially longer than predicted by LILCO, and "[a]n evacuation of schools, using LILCO employees as bus drivers, would take too long and children would not be adequately protected from health threatening radiation doses" (SC Revised Contention 71.B);


- (j) evacuation of people from special facilities (SC Revised Contention 72.A) and handicapped people at home (SC Revised Contention 73.B) would take too long and those people would receive health threatening doses of radiation; and
- (k) ambulances will be unable to respond when needed due to severe traffic congestion during evacuation.

Response.

See response above to Request No. 6, which is hereby incorporated by reference. Also without waiving its objection to this request, the County refers LILCO to its September 13, 1983 response to LILCO Interrogatory 52 of August 8, 1983.

Respectfully submitted,

David J. Gilmartin
Patricia A. Dempsey
Suffolk County Department of Law
Veterans Memorial Highway
Hauppauge, New York 11788



Herbert H. Brown
Lawrence Coe Lanpher
Karla J. Letsche
KIRKPATRICK, LOCKHART, HILL,
CHRISTOPHER & PHILLIPS
1900 M Street, N.W., Suite 800
Washington, D.C. 20036

Attorneys for Suffolk County

September 29, 1983

Before the Atomic Safety and Licensing Board

Docket No. 50-322
(Emergency Planning)

CERTIFICATE OF SERVICE

I hereby certify that copies of SUFFOLK COUNTY RESPONSE TO LILCO'S REQUESTS FOR ADMISSIONS have been sent to the following this 29th day of September, 1983 by U.S. mail, first class, except as otherwise noted.

James A. Laurensen, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Ralph Shapiro, Esq.
Cammer and Shapiro
9 East 40th Street
New York, New York 10016

Dr. Jerry R. Kline
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

*W. Taylor Reveley, III, Esq.
Hunton & Williams
P.O. Box 1535
707 East Main Street
Richmond, Virginia 23212

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

Stephen B. Latham, Esq.
Twomey, Latham & Shea
33 West Second Street
Riverhead, New York 11901

David J. Gilmartin, Esq.
Suffolk County Attorney
H. Lee Dennison Building
Veterans Memorial Highway
Hauppauge, New York 11788

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

Bernard M. Bordenick, Esq.
David A. Repka, Esq.
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Eleanor L. Frucci, Esq.
Atomic Safety and Licensing
Board Panel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

* By Federal Express

Nora Bredes
Executive Director
Shoreham Opponents Coalition
195 East Main Street
Smithtown, New York 11787

MHB Technical Associates
1723 Hamilton Avenue
Suite K
San Jose, California 95125

Stewart M. Glass, Esq.
Regional Counsel
Federal Emergency Management
Agency
26 Federal Plaza, Room 1349
New York, New York 10278

James E. Dougherty, Esq.
3045 Porter Street, N.W.
Washington, D.C. 20008



Karla J. Letsche
KIRKPATRICK, LOCKHART, HILL,
CHRISTOPHER & PHILLIPS
1900 M Street, N.W., Suite 800
Washington, D.C. 20036

DATED: September 29, 1983