

'83 FEB 24 A10:25

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

February 22, 1983

DSO3

Specifically, NYPIRG requests that documents relating to a meeting with the Westchester Department of Health and the New York State Radiological Emergency Preparedness Group on January 24, 1983 be preserved and produced;

Documents relating to a meeting with school administrators and the REPG held on January 27, 1983, be preserved and produced;

Documents relating to a table top drill involving Westchester County officials on February 17, 1983, be preserved and produced;

Logs of phone calls made to reception centers, nursing homes, special facilities, or any other institution assigned a role in the Plan, by the Argonne National Laboratories, or any other contractor engaged by FEMA to verify portions of the Radiological Emergency Preparedness Plans, be preserved and produced;

These are only a few of the preparatory activities which have occurred in an attempt to assure the success of the March 9 exercise and to ascertain the status of emergency preparedness in case of a radiological emergency at the Indian Point Nuclear Power Station. NYPIRG reserves the right to request the preservation and production of documents relating to any other activity in preparation for the March 9 exercise of which it becomes aware. All these reports and documents will be of value to the Board in addressing questions 3 and 4 of the Commission's Memorandum and Order of January 8, 1981.

WHEREFORE, NYPIRG prays for an order directing

The NRC Staff, FEMA and its contractors, Westchester, Rockland, Orange and Putnam County officials, New York State Radiological Emergency Preparedness Group, the Power Authority of the State of New York, and Consolidated Edison, to:

(a) Preserve all reports and drafts of reports prepared by them in connection with the emergency planning exercise scheduled for March 9, 1983, together with any additional documents which relate directly to or help explain or provide background for the information contained in such reports;

(b) Prepare a list of all documents required to be preserved under (a) above by title, or by subject matter if untitled, and serve copies of the list on the Board and the parties to this proceeding, with updated copies to be served if and when new documents are prepared or become available;

(c) Designate a custodian of the listed documents and cause the custodian to maintain a repository of readable copies of the documents. The name and address of the custodian should be provided with the initial list.

The Board has the authority to grant the requested relief under 10 C.F.R. 2.718(e): "A presiding officer has all powers necessary to those ends, including the power to...regulate the course of the hearings and the conduct of the participants."

NYPIRG has moved directly to the Commission for an order requiring the licensees to permit representatives of the intervenors in this matter to observe the emergency planning exercise from the control room of Indian Point Unit 2; the control room of Indian Point Unit 3; and the near site emergency operations facility.

Respectfully submitted

Dated: New York City
February 22, 1983

Joan Holt
Project Director
New York Public Interest Research
Group, Inc.
9 Murray Street
New York City 10007
(212) 349-6460