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HEADLINE: Feds approve evacuation plan

BYLINE: Roger Witherspoon, Staff

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Indian Point crisis response rated safe, over local protests

Roger Witherspoon

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The Federal Emergency Management Agency yesterday ruled that the region surrounding the Indian Point nuclear power plants could be evacuated safely in the event of a nuclear emergency, dismissing the objections of the four counties that have to implement the controversial emergency plans.

The decision was immediately accepted by the U.S. Nuclear Regulatory Commission, which requires all the nation's power plants to have emergency plans that provide "reasonable assurance" that residents could be safely evacuated during nuclear emergencies. The NRC oversees emergency preparations within the nuclear sites themselves, and FEMA, an arm of the Department of Homeland Security, oversees the emergency plans for the 10 miles surrounding each site. The NRC traditionally accepts FEMA's certification that plans are effective.

Larry Gottlieb, a spokesman for Entergy Nuclear Northeast, the company that owns the two Buchanan plants, said the federal agencies "must have reviewed the overwhelming evidence out there and came to the right decision."

"Now we have to look towards raising the bar and making this the best emergency plan in the nation," Gottlieb said.

But FEMA's decision was excoriated by federal, state and local elected officials and civic groups that have criticized the plans as ineffective.

"It is outrageous for FEMA to think it can override the counties who know more about the evacuation plan than anyone else," said Westchester County Executive Andrew Spano. "This is bizarre. We have told the federal government that the emergency evacuation plans for Indian Point are unworkable in a fast-moving emergency. In my opinion, FEMA's credibility is completely destroyed on this issue."

Rep. Sue Kelly, R-Katonah, whose district includes the plants, said she immediately called FEMA chief Michael Brown, an undersecretary in Homeland Security.

"I asked that they immediately rescind the decision until local and state officials feel they can support the plan," Kelly said. "I said, 'I think you tried to ram this through at any cost.'

"He was upset that I said that. He tried to defend what I think is indefensible, and he did a pretty poor job of it. If local and state officials couldn't sign off on the plan, it is inconceivable how federal officials can sign off on it."

FEMA spokesman Donald Jacks declined to comment on the conversation.

Assemblyman Richard Brodsky, D-Greenburgh, who held hearings on the plans in December 2001 and issued a report asserting they were unworkable, said, "For the federal government to be telling us that this is a plan that will evacuate people is a lie. This is a government that made a predetermined decision to approve this plan and damn the facts."

This is the first time in the 30 years the agency has required nuclear plants to have emergency plans that FEMA and the NRC have approved them without the certification of the state and counties involved. It caps nearly two years of controversy over the effectiveness of emergency plans that had been routinely approved before the Sept. 11, 2001, terrorist attacks. Thousands of residents and more than 200 elected officials and 40 municipal bodies have signed resolutions calling for the plants to be closed because they are a potential terrorist target.

The analysis of the plans by Brodsky's committee fueled increased criticism of them last year, and prompted Gov. George Pataki to hire former FEMA Director James Lee Witt to analyze them for the state. Pataki made a campaign pledge that state action would be guided by Witt's findings.

The Witt report, made public in January, said the plans would not work in a nuclear emergency, particularly a fast-breaking event triggered by a terrorist attack. Witt also criticized the methods used to test the plans, saying FEMA was more concerned with bureaucratic checklists than in the substance of the plans.

The emergency plans are based on a pre-Sept. 11 scenario that considers an accident of limited duration at the plants. They cover the more than 300,000 people living within 10 miles of the plants and assume that most people would not know an accident had taken place for several hours after it occurred. The plans also assume that people would stay in their homes and wait until they were told to evacuate in an orderly manner, and that parents would not try to get their children from school but would wait until the youngsters were evacuated by buses driven by volunteers. The plans ignore West Point entirely, although that is the largest population center in Orange County.

As a result of Witt's report, the executives of the four counties surrounding the plant - Westchester, Rockland, Putnam and Orange - refused to certify their plans, which form a mosaic coordinated by the state. The State Emergency Management Office also refused to certify the plans, saying that because of the tradition of home rule, the state would not try to circumvent the decision of the counties.

FEMA sought to avoid the certification process by obtaining data from each of the counties on their efforts to update their plans. Putnam, Rockland and Orange provided data to the agency, though they did not sign letters certifying that the plans

were updated. Westchester refused FEMA access to its data.

The agency's regional office, which normally rules on emergency plans, disputed the major contentions of the Witt report.

In a letter to Pataki yesterday, David Paulison, director of FEMA's preparedness division, said a Sept. 24, 2002, test of the plans proved they would work successfully in a real emergency. The agency would not, however, release its analysis of the emergency plans or the criticisms posed by the counties and the state in the Witt report.

"After carefully considering all available information, we have reasonable assurance that appropriate protective measures to protect the health and safety of surrounding communities can be taken and are capable of being implemented in the event of a radiological incident at the Indian Point facility," Paulison wrote.

Paulison acknowledged that Westchester County did not cooperate with FEMA or certify that its plan had been updated. But, he wrote, the county has continued working with Entergy, the other counties and state agencies on emergency preparedness and, therefore, FEMA was confident the plan was effective.

Both FEMA and the NRC said the next test of the plans, in June 2004, would include a "terrorist scenario."

Reach **Roger Witherspoon** at rwithers@thejournalnews.com or 914-696-8566.