



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

SEP 7 1966

Irving Younger, Esq.
Powell Goldman & Younger
33 West Street
New York, New York 10019

In the Matter of Consolidated Edison Company
of New York, Inc.
(Indian Point Station Unit No. 2)
Docket No. 50-247 *(Journal)*

Dear Mr. Younger:

Your letter to the Commission concerning the captioned matter has been referred to me as counsel for the regulatory staff for reply. For your assistance, I have enclosed a copy of the pamphlet, "Licensing of Power Reactors" which describes the Commission's procedures for the evaluation of the safety of each proposed power reactor and the presentation of such analysis in a public hearing.

Under the Atomic Energy Act, the Commission's regulatory authority is limited essentially to matters of radiological safety and the common defense and security. Therefore, any non-radiological effects of the reactor and the coolant water effluents on marine ecology are not within our jurisdiction.

I have enclosed a copy of the "Safety Evaluation" prepared by the staff for this proceeding. You will note that we have considered the possible radiological effects on the environment (pp. 7-9) and have attached a report of the Fish and Wildlife Service of the United States Department of the Interior, which concludes that the proposed plant ". . . can be operated without harmful effects to the fisheries provided that the findings of the radiological monitoring program are

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used to govern the discharge of the radioactive material." The applicant, of course, uses such surveys to assure that releases of radioactive effluents from the presently operating Indian Point No. 1 facility do not exceed the permissible limits prescribed by the Commission in its regulation, "Standards for Protection Against Radiation," 10 CFR 20. At such time as Unit No. 2 may be completed and operational, the combined releases of radioactive effluents from the two plants under the controls proposed by the applicant will not exceed Part 20 limits.

Your letter also inquires as to what other State or Federal agencies are involved in approving the expansion of the plant. I have attached a statement which defines in general terms the respective responsibilities of the AEC and other Federal agencies which may have a regulatory interest in such projects.

Several State agencies also participate in New York's review of any proposed nuclear reactor. I would suggest that you contact the New York State Office of Atomic and Space Development, P.O. Box 7036, Albany, New York 12225 (Area Code 518-GR 4-7755).

All of the other questions raised by your letter relate to the non-radiological aspects of the proposed operations. You may wish to discuss these points with the appropriate State agencies.

Sincerely,

Original Signed by Troy B. Conner, Jr.

Troy B. Conner, Jr.
Trial Counsel

Enclosures:
As stated