

Docket No. 50-247

SEP 7 1966

Dev. file

Distribution

Suppl. Docket File
 Formal Docket File
 Public Document Room
 Congressional (2)
 Secretariat
 HLPrice
 CKBeck
 MMMann
 CLHenderson
 RLDoan
 HShapar, OGC (BETH)
 BSchur, OGC (BT)
 Joyce Shafer

Honorable Robert F. Kennedy
United States Senate

Dear Senator Kennedy:

This refers to your letter of August 23, 1966, concerning a prior communication from Mr. Larry Bogart to Chairman Seaborg in connection with the proposed construction of the Indian Point 2 reactor by Consolidated Edison Company of New York, Inc.

Mr. Bogart's letter, which was dated August 13, 1966, was answered for the Commission on August 25, 1966, and I am enclosing a copy of our response for your information.

Our letter to Mr. Bogart outlined the procedures which apply to the licensing by the Commission of nuclear power reactors and described the issuance of public announcements by the Commission to newspapers in the New York area in this case in addition to the official Notice of Hearing which was published in the Federal Register as required by statute. We also informed Mr. Bogart that a press release concerning the forthcoming public hearing had been made by Congressman Richard L. Ottinger to newspapers in the vicinity of the proposed plant.

We also provided Mr. Bogart with a copy of the Regulatory Staff's "Safety Evaluation" which analyzes the safety of the proposed facility and incorporates the Report of the Advisory Committee on Reactor Safeguards, and advised him of the postponement of the formal public hearing by the Atomic Safety and Licensing Board from the date originally scheduled (August 31, 1966) to September 14, 1966.

Sincerely yours,

(signed) Harold L. Price

Harold L. Price
Director of Regulation

Enclosure

Cy ltr to LBogart dtd 8/25/66
in TBConner, Jr.

*called July for copy for file + PDR (3)
9/12/66
RD*

8111140436 660907
PDR ADOCK 05000247
G PDR

ED IN DIRECTOR OF REGULATION OFFICE

OFFICE ▶	OGC	OGC	DIR:REG	<i>OCR</i>	
SURNAME ▶	9/2/66	9/ /66	<i>2/2/66</i>	<i>9-6</i>	
DATE ▶	TBConner:ps	BHSchur	HLPrice	<i>mm</i>	

Honorable Robert F. Kennedy
United States Senate

Dear Senator Kennedy:

This refers to your letter of August 23, 1966, concerning a prior communication from Mr. Larry Bogart to Chairman Seaborg in connection with the proposed construction of the Indian Point 2 reactor by Consolidated Edison Company of New York, Inc.

Mr. Bogart's letter, which was dated August 19, 1966, was answered for the Commission on August 23, 1966. I have enclosed a copy of our response for your information.

Our letter points out the Commission's procedures for the licensing of power reactors. We noted that in addition to the publication of the Notice of Hearing in the Federal Register as required by statute, the Commission issued a public announcement, and sent copies to newspapers in the New York area. We pointed out that Congressman Richard L. Ottinger also made a press release concerning the forthcoming public hearing to newspapers in the vicinity of the plant.

We noted that the Atomic Safety and Licensing Board which will conduct the public hearing had postponed the formal hearing from the originally scheduled date of August 31, 1966, until September 14, 1966. Mr. Bogart was also provided a copy of the Regulatory Staff's "Safety Evaluation" which analyzes the safety of the proposed facility. This document incorporates the report of the Advisory Committee on Reactor Safeguards.

Sincerely,

bcc: Harold L. Price Pub. Doc. Rm.
BHSchur
REG Files
OGC Files
Joyce Shafer
Off. of Secretary

Harold L. Price
Director of Regulation

General Counsel
Official File Copy

General Counsel
Official File Copy

	Enclosure:	OGC	OGC	REG		
OFFICE ▶	As stated					
SURNAME ▶		TBCanner:jh	BHSchur			
DATE ▶		9-1-66	9- -66	9- -66		

AUG 25 1966

Mr. Larry Bogart, Director
The Conservation Center
866 United Nations Plaza
New York, New York 10017

In the Matter of Consolidated Edison Company
of New York, Inc.

(Indian Point Station Unit No. 2)

Docket No. 50-247 *(Suppl)*

Dear Mr. Bogart:

Your letter to Chairman Seaborg has been referred to me for reply as counsel for the regulatory staff in the captioned matter. 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 evaluation in a public hearing.

In accordance with the statutory requirements, the notice of hearing was published in the Federal Register on July 30, 1966. In addition, a public announcement concerning the hearing was made by the Commission and sent to newspapers in the New York area. In addition, in this particular case, Congressman Richard L. Ottinger's office advised that he made a press release concerning the forthcoming hearing to newspapers in the vicinity of the plant.

The application was filed December 3, 1965, and since then has been under review by the regulatory staff of the Commission and the Advisory Committee on Reactor Safeguards. I have enclosed a copy of the staff's

Suppl
811140327

Mr. Larry Bogart

- 2 -

"Safety Evaluation" in this matter, which incorporates the report of the ACES as Appendix A. You will note that many special precautions have been taken to assure the safety of the plant and that continuing review of the development of these safeguards is provided.

It should also be emphasized that the issuance of a construction permit to an applicant does not authorize operation of the reactor. The applicant may not load fuel into the reactor until he has received an operator's license from the Commission. Before approving the issuance of an operating license, the Commission reviews the completed design and construction of the facility. Before such a license is issued, public notice and opportunity for hearing is provided in accordance with the Commission's "Rules of Practice," 10 CFR Part 2, a copy of which is enclosed.

Your letter to the Commission specifically requested a postponement of the proceeding. Such a request could be considered formally only upon a proper showing of good cause by a party to the proceeding as provided in the "Rules of Practice."

However, the Atomic Safety and Licensing Board in this proceeding postponed the formal hearing until September 14, 1966. A copy of its "Order," dated August 19, 1966, is also enclosed.

In the event you determine that you wish to appear in the proceeding, your request, filed in accordance with the provisions of the "Rules of Practice," should be addressed to the Secretary, U. S. Atomic Energy Commission, Washington, D. C. 20545.

Sincerely,

Original Signed by Troy B. Conner, Jr.

Troy B. Conner, Jr.
Trial Counsel

Enclosures:
As stated above

cc: Office of the Secretary, w/o encl.
Arvin E. Upton, Esquire
Joseph F. Scinto, Esquire

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of

CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.

DOCKET NO. 50-247

(Suppl)

CERTIFICATE OF SERVICE

I hereby certify that copies of the letter to the Chairman, Atomic Energy Commission from Larry Bogart, Director, Conservation Center dated August 13, 1966 and replies to Mr. Larry Bogart and Miss Elizabeth R. Hogan from Troy B. Conner, Jr. dated August 25, 1966 in the captioned matter were served on the following by deposit in the United States Mail, first class or air mail, this 26th day of August, 1966:

Samuel W. Jensch, Esq.
Little Sand Bay
Bayfield, Wisconsin 54814

Dr. John C. Geyer, Chairman
Department of Sanitary Engineering
and Water Resources
Johns Hopkins University
Baltimore, Maryland 21218

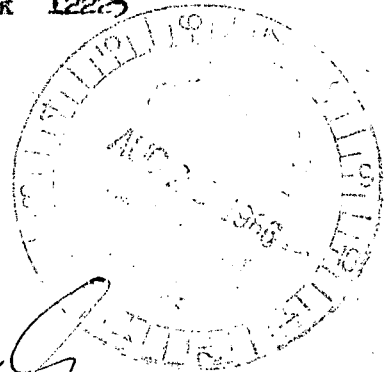
Dr. David B. Hall
Los Alamos Scientific Laboratory
P. O. Box 1663
Los Alamos, New Mexico 87544

Dr. Thomas H. Pigford
Professor of Nuclear Engineering
University of California
Berkeley, California 94720

Honorable William J. Burke
Mayor, Village of Buchanan
Buchanan, New York 10511

Mr. Oliver Townsend, Director
Atomic Space and Development Authority
State of New York
P. O. Box 7036
Albany, New York 12225

Maurice Axelrad, Esq.
New York State Office of
Atomic and Space Development
P. O. Box 7036
Albany, New York 12225



Office of the Secretary

cc: S. W. Jensch, Chairman, AS&L Board
Troy Conner, Esq.
R. Diggs ✓