

BEFORE THE
UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

12-01-70



In the Matter of)
)
)
CONSOLIDATED EDISON COMPANY)
OF NEW YORK, INC.)
(INDIAN POINT UNIT NO. 2))

Docket No. 50-247

M O T I O N

Intervenor, Environmental Defense Fund, Inc. by their attorney, Anthony Z. Roisman, move for the entry of an order adjourning the proceeding or withdrawing the notice of hearing until the Applicant has complied with the Appendix D of Part 50 of 10 CFR, until the AEC has complied with the requirements of the National Environmental Policy Act of 1969, until the notice of hearings has been reissued to indicate the full scope of environmental issues to be considered at this hearing as required by the National Environmental Policy Act of 1969 and until such further reasonable time as shall be required for intervenor and other interested members of the public to prepare for hearings on the issues which are raised by the proper application of the National Environmental Policy Act.

In support of this motion, intervenor states:

Hearing

B110310594 701201
PDR ADCK 05000247
G PDR

1. The notice of hearing in this proceeding does not indicate that any environmental issues will be considered at the hearing.

2. The applicants environmental statement as supplemented does not comply with the AEC's interim guidelines for implementation of NEPA.

3. The detailed environmental statement filed by the AEC on November 24, 1970, is not in compliance with NEPA in that it does not include complete studies of all relevant factors and does not include any study of the alternatives to the presently proposed design and operation of this plant.

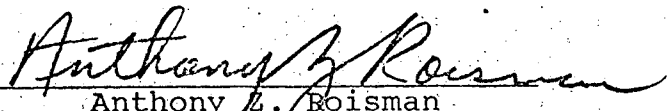
4. Intervenors and the public in general have not had an opportunity to carefully examine the detailed environmental statement (even assuming it were adequate) and to prepare interrogatories, motion for production of documents, lists of witnesses to depose, lists of witnesses to present at the hearings, and motions on legal issues all with respect to the environmental statement.

Therefore, intervenor respectfully requests that this motion be granted.

Respectfully submitted,

BERLIN, ROISMAN AND KESSLER
1910 N Street, N. W.
Washington, D. C. 20036

By


Anthony Z. Roisman
Attorney for Intervenor

Environmental Defense Fund, Inc.

BEFORE THE
UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)
)
CONSOLIDATED EDISON COMPANY)
OF NEW YORK, INC.)
(INDIAN POINT UNIT NO. 2))

Docket No. 50-247

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing motion were served on the following either by delivery to them by hand on December 1, 1970 or by mailing it to them on that date:

Samuel W. Jensch, Esq.
Chairman
Atomic Safety & Licensing Board
U.S. Atomic Energy Commission
Washington, D. C. 20545

Mr. R. B. Briggs
Associate Director
Molten-Salt Reactor Program
Oak Ridge National Laboratory
P. O. Box Y
Oak Ridge, Tennessee 37830

Dr. John C. Geyer, Chairman
Department of Geography and
Environmental Engineering
Johns Hopkins University
Baltimore, Maryland 21218

J. D. Bond, Esq.
Alternate Chairman
Atomic Safety & Licensing Board
18700 Woodway Drive
Derwood, Maryland 20752

Dr. Walter H. Hordan
Senior Research Advisor
Oak Ridge National Laboratory
P. O. Box X
Oak Ridge, Tennessee 37830

Joseph B. Knotts, Esq.
Myron Karman, Esq.
Regulatory Staff Counsel
U.S. Atomic Energy Commission
Washington, D. C. 20545

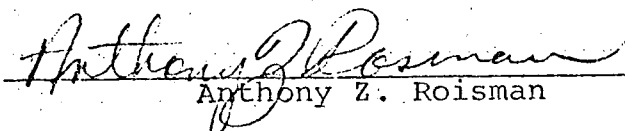
Arvin E. Upton, Esq.
Leonard M. Trosten, Esq.
Lex K. Larson, Esq.
Leboef, Lamb, Leiby and McRae
1821 Jefferson Place, N. W.
Washington, D. C. 20036

Gerard A. Maher, Esq.
1 Chase Manhattan Plaza
New York, New York 10005

Mayor
Village of Buchanan
Buchanan, New York 10511

Honorable Louis J. Lefkowitz
Attorney General
State of New York
80 Centre Street
New York, New York 10013

Dr. William E. Seymour
Commissioner of Commerce
State Department of Commerce
112 State Street
Albany, New York 12207


Anthony Z. Roisman

Counsel for Environmental Defense
Fund, Inc.

December 2, 1970

Edward Berlin, Esq.
Berlin, Roisman and Kessler
1910 N Street, N. W.
Washington, D. C. 20036

In the Matter of Consolidated Edison Company of New York, Inc.
Indian Point Nuclear Generating Unit No. 2
Docket No. 50-247

Dear Mr. Berlin:

Pursuant to my offer at the Prehearing Conference in the subject matter held on December 1, 1970, I am enclosing herewith copies of the Safety Evaluation by the Division of Reactor Licensing, U. S. Atomic Energy Commission, dated November 16, 1970, and Supplement No. 1 thereto prepared by the Division of Compliance, U. S. Atomic Energy Commission, dated November 20, 1970.

Sincerely,

Myron Karman
Counsel for AEC Regulatory Staff

Enclosures:
As stated

cc: Samuel W. Jensch, Esq.
J. D. Bond, Esq.
Dr. John C. Geyer
Mr. R. B. Briggs
Dr. Walter H. Jordan
Arvin Upton, Esq.
Honorable William J. Burke
Algie A. Wells, Esq.
Mr. Stanley T. Robinson, Jr.
J. Bruce MacDonald, Esq.
Honorable Louis J. Lefkowitz
George C. Arcaro, Esq.

bcc: OGC Files Beth/G'twn/Docket
DRL - NBrown
REG Central ✓
JBKnotts

Mrs. Mary Hays Weik

OFFICE ▶	OGC				
SURNAME ▶	Myron Karman, jls	DUPE			
DATE ▶	12/2/70	6-10310572			

Leaving