

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)
)
CONSOLIDATED EDISON COMPANY OF) Docket No. 50-247
NEW YORK, INC.)
)
(Indian Point Nuclear Generating)
Unit No. 2))

PETITION OF STATE OF NEW YORK FOR INTERVENTION

Petitioner, the State of New York, pursuant to Section 274 of the Atomic Energy Act of 1954, as amended, and in accordance with the Atomic Energy Commission's notice of hearing dated November 13, 1970, requests that it be permitted to intervene and become a party to the above entitled proceeding. In support of this request, petitioner states as follows:

1. The name and address of the petitioner is:

STATE OF NEW YORK
80 Centre Street
New York, New York 10013

2. The State of New York is a body corporate and a sovereign entity and brings this petition on behalf of itself and as parens patriae, trustee, guardian and representative, on behalf of all citizens and residents in the State of New York, to protect and preserve its environment and its economic and natural resources.

3. As trustee and guardian of the interests of the people of New York, the State of New York is uniquely responsible for protecting the health, safety and welfare of its citizens and the quality of its environment. This responsibility requires the State of New York to consider with utmost seriousness the questions that have been raised concerning the operation of the applicant's Indian Point II nuclear power facility, and actively participate in the examination and resolution of these questions.

4. This proceeding was initiated by the Consolidated Edison Company of New York, Inc. (Con Edison), which is before the Atomic Energy Commission seeking approval of an application for an operating license which would authorize the operation of the applicant's Indian Point II nuclear power facility in the Town of Buchanan in Westchester County, State of New York.

5. This application has raised a number of issues of vital concern to the people of the State of New York. It has been alleged by opponents of the application that the operation of the Indian Point II facility will adversely affect the environment and people of the State of New York. More specifically, it has been alleged that the operation of this plant will result in harm to the natural resources of the Hudson River through thermal and chemical water pollution and through obstruction of the natural, unimpeded flow of said river.

6. The National Environmental Policy Act of 1969 requires consideration of environmental matters by federal agencies in their planning and decision making. It is therefore appropriate for the State of New York to intervene herein so that it will be able to fully participate in decision making which may have an effect upon its environment.

7. The name and address of the person on whom service may be made and to whom it is requested that communications in respect to this Petition and proceeding be addressed is:

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

WHEREFORE, the State of New York respectfully
prays leave to intervene in this proceeding and be treated
as a party thereto.

Dated: New York, New York
November 25, 1970

Respectfully submitted,

LOUIS J. LEFKOWITZ
Attorney General of the
State of New York
80 Centre Street
New York, New York 10013
(212) 488-7560

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 petition of the State of New York to intervene and become a party to the above entitled proceeding, filed by Louis J. Lefkowitz, Esq., Attorney General of the State of New York, dated November 25, 1970, in the above captioned matter have been served on the following by deposit in the United States mail, first class, this 25th day of November, 1970:

Mr. Stanley T. Robinson, Jr. Samuel W. Jensch, Esq.
Office of the Secretary Atomic Safety and Licensing
U.S. Atomic Energy Commission Board
Washington, D.C. 20545 U.S. Atomic Energy Commission
Washington, D.C. 20545

Gerald Hadlock, Esq.
U.S. Atomic Energy Commission Eugene B. Thomas, Jr., Esq.
Washington, D.C. LeBoeuf, Lamb, Leiby & MacRae
1821 Jefferson Place, N.W.
Washington, D.C. 20036

David Sive, Esq.
Winer, Neuburger & Sive
445 Park Avenue
New York, New York 10022 Joseph F. Scinto, Esq.
New York State Atomic Energy
Council
State Department of Commerce
112 State Street
Albany, New York 12207

Paul S. Shemin

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U.S. ATOMIC ENERGY COMM.
RESERVE DEPT
MAIL & RECORDS SECTION

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

H. Smith

11-23-70

In the Matter of)
)
CONSOLIDATED EDISON COMPANY OF)
NEW YORK, INC.)
(Indian Point Nuclear Generating)
Unit No. 2))

Docket No. 50-247

CERTIFICATE OF SERVICE

I hereby certify that copies of (1) Letter from Mrs. Milton Kurtz, Chairman, CLEAN, Inc., dated November 23, 1970 indicating intention to intervene; and (2) PETITION OF STATE OF NEW YORK FOR INTERVENTION dated November 25, 1970, in the captioned matter have been served on the following by deposit in the United States mail, first class or air mail, this 27th day of November 1970:

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

Joseph B. Knotts, Esq.
Myron Karman, Esq.
Regulatory Staff Counsel
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

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

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

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

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

The Mayor of the Village
of Buchanan
Buchanan, New York 11511

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

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

* Served Item (1) only.

Hearing

Edward J. Sack, Esq.
4 Irving Place
New York, New York 10003

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

Patricia M. Verling
Office of the Secretary of the Commission

cc: Mr. Jensch
Mr. Knotts
Mr. Yore
N. Brown
H. Smith

CLEAN

CITIZENS LEAGUE FOR EDUCATION ABOUT NUCLEAR-ENERGY INC. BOX 1087, NEW ROCHELLE, N.Y. 10802

Nov. 23, 1970

Secretary Atomic Energy Commission
Attention: Public Proceedings Branch
Washington, D. C. 20545

Dear Sir:

We, CLEAN, Inc., wish to intervene in the proceedings of Consolidated Edison's application for an operating license for Indian Point #2. Mr. George Arcaro, Esq., CLEAN's attorney will represent us on Dec. 1, 1970 at any place designated by you.

Sincerely yours,

Mrs. Milton Kurtz
Mrs. Milton Kurtz, Chairman

CLEAN, Inc.

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