

United States Senate

Respectfully referred to

.....Atomic Energy Commission.....

for such consideration as the communication  
herewith submitted may warrant, and for a report  
thereon, in duplicate to accompany return of  
inclosure.

By direction of

FROM THE OFFICE OF  
SENATOR JACOB K. JAVITS  
NEW YORK

U. S. S.

GPO 16-7357-2

811140163 710419  
PDR ADDCK 05000247  
H PDR

DR. 3105

Senator Jacob Javits  
Senate Office Building  
Washington, D. C.

CLEAN

REC'D FEB 8 1971

AEC

Feb. 6, 1971

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

Dear Senator Javits:

CLEAN deploras the arrogance of Con Ed because of their intention to start the power testing of Indian Point #2 without even having obtained an AEC operating permit license. According to the New Rochelle Standard Star dated Jan. 20, 1971, the three-member board of the Atomic Safety and Licensing Board (ASLB) posed several questions to Con Ed counsel and engineers which so far as we know have not been answered. These questions were: concern about the sensitivity of the plant's radiation monitoring systems; provisions for warning the public in the event of an accident at the plant; and the potential effectiveness of the plant's emergency cooling system. Without having the answers to these question, jeopardy to the lives and the well-being of thousands of residents of Westchester County are in danger. We are appealing to you to do whatever you can to halt the start-up of this nuclear power reactor.

on construction

We are also calling on you to ask for a moratorium of all nuclear power reactors until there has been more experience and knowledge with the huge reactors now being planned for population centers. This experience should be gathered by locating these nuclear furnaces in remote areas.

Enclosed you will find an articles written by Congressman Reid who states his opposition to nuclear power ~~far more~~ eloquently. On the reverse side is an reprint of a letter written by Senator Mike Gravel.

We are sure that you will take whatever steps necessary to insure us of a man-made radiation free environment.

Sincerely yours,

*Mrs. Milton Kurtz*  
Mrs. Milton Kurtz

for  
CLEAN

# Reid Opposes Mol Urges AEC Not To Ap Con Edison's 2nd P

By Congressman Ogden Reid

I very much value this opportunity to express my opposition to the granting of an operating license for unit 2 of the Indian Point Nuclear Station at this time.

It is my understanding that two of the questions to be considered during this hearing are "whether there is reasonable assurance . . . that the activities authorized by the operating license can be conducted without endangering the health and safety of the public" and "whether the issuance of the license will be inimical to the common defense and security or to the health and safety of the public." It is to these points that I wish to direct the attention of the board.

## Unknown Damage

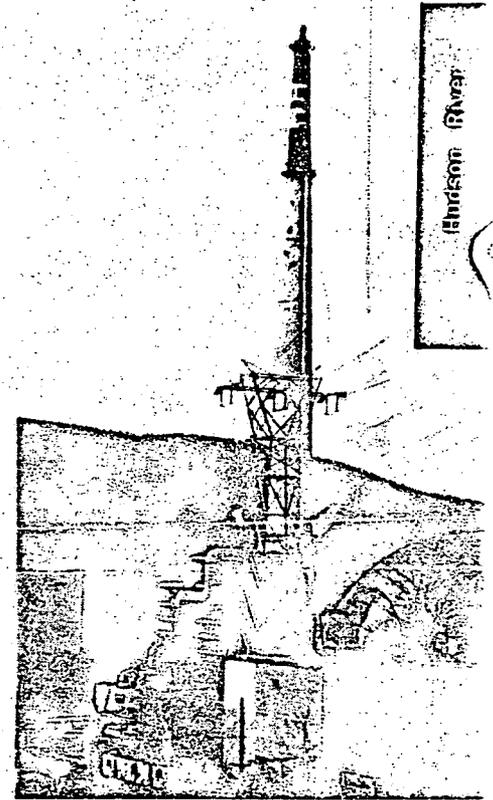
As I have indicated on previous occasions, my principal concern with regard to the proliferation of nuclear plants in this country is the unknown damage which may be resulting from the radioactive emissions from the plants. That question continues to be cause for grave concern, in view of the fact that 12 plants are currently being planned for the Long Island Sound Region and another 4-5 units will be constructed by Con Edison on the Hudson River. It is my understanding that the concentration of radionuclides contained in plant emissions (particularly tritium, 90Sr, 131I, and 137Cs) can increase, and changes in distribution can occur, along the path of nutrition, or food chain. This factor is of serious concern to members of the general public, and should be given due consideration during this hearing.

Aside from concern over concentration of radionuclides in the food chain, Drs. John Gofman and Arthur Tamplin have repeatedly testified that, if everyone in the United States received the allowable radiation doses under FRC guidelines, there could well be 32,000 extra cases of cancer plus leukemia annually in the United States. I realize that everyone in the United States does not receive the maximum permissible dose, and that Con Edison has stated that "the combined releases from all three units (at Indian Point) are expected to be far below the regulatory limits." However, I would hope that the board will require that Con Edison adopt the safeguards recommended in the Department of Health, Education, and Welfare's environmental report, require careful monitoring of the radioactive emissions from the plant, and require that the level of such emissions be reduced to the lowest level possible to minimize the risks involved, as prior conditions for the approval of any operating license. Con Ed's responsibility does not end with conformity to the AEC's standards, which are inadequate.

## Sacrificing The Environment

Those of us who live in the Northeast are all painfully aware of the demand for more and more power to keep subways, air conditioners, elevators, and numerous household appliances running. However, in my judgment, we will eventually regret it if we sacrifice concern for our environment to the demand for power - the environment cannot be repaired once it is destroyed; but power requirements can be reduced by eliminating non-essential uses during periods of peak demand.

Further, it is not beyond the ingenuity of technology or our country to develop essentially non-polluting sources of power - through the use of essentially non-polluting fossil fuels or hydroelectric power. Technology should not force the government or the public to choose between inadequate power or pollution; hopefully, we can in the future have planned



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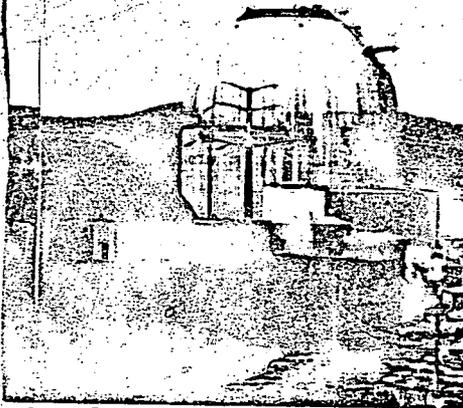
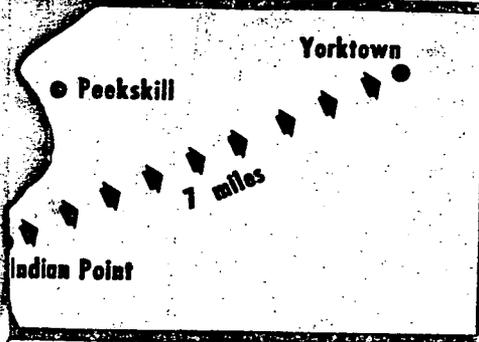
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With regard to the environment, I would urge that Con Edison and this board heed the warning of the Department of the Interior that "we believe it premature for the applicant to conclude . . . that on the basis of investigations and studies conducted to date . . . Unit 2 will have no significant adverse impact on the ecology of the Hudson River." The fish kills which took place last winter at Indian Point Unit 1 have still not been satisfactorily explained, and there is no assurance that they will not be repeated at Unit 2, even in the face of the additional precautions being taken by Con Edison. Furthermore, I am seriously disturbed by the statement that small organisms - plankton and fish eggs and larvae - will be carried through the system with the cooling water and heated significantly before being discharged. No one knows what effect this might have on the ecology of the Hudson River and of Long Island Sound, into which it flows; it seems

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Time 4:00

# the Nukes

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to me to be foolhardy to risk further impairment of the  
ecological balance of the Hudson at this time. Thermal  
pollution is of course a question of continuing concern  
in the development of all nuclear power units.

Absent persuasive answers to the serious questions  
which have been raised about the safety of nuclear power  
and its effect on health and environment, and absent  
thoughtful research in this area, we should not, in  
my judgment, proceed with construction of additional  
power plants on the Hudson River and Long Island  
Sound. The population in this area is simply too large  
to risk exposure to unknown dangers. If convincing  
answers to the questions can be provided, then there is  
no doubt that we can use additional power - but if we  
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in abeyance until all the relevant factors have been  
considered and we can be certain that the public health  
and welfare, and our environment, are being stringently  
protected.

## Letters to the Editor

### Alternatives to Nuclear Power

To the Editor:

I would like to take issue with Dr. Glenn Seaborg's remarks [Op-Ed article Dec. 28] "Do We Need Nuclear Power?"

A plan to make this country dependent for its electrical energy on radioactivity—the worst conceivable pollutant and threat to life—might be dismissed as simply irrational and possibly of questionable morality if anyone of lesser stature than Dr. Seaborg were proposing it.

When the Atomic Energy Commissioners compare radiation exposures from nuclear power plants to exposures from luminous wrist watches and airplane trips, they are talking about today's exposure. Today there are barely twenty relatively small nuclear power plants newly in operation. There has been no time for accumulation and reconcentration of their radioactive effluents in the environment, and there has been no experience at all with the bigger reactors to indicate how much radioactivity they will release in fact, not theory.

It is intellectually devious for nuclear enthusiasts to limit their remarks to today's radiation exposure, when the A.E.C. itself projects the construction of 600 large nuclear power plants in the next thirty years, and when two A.E.C. Commissioners testified last year that they cannot reduce the A.E.C.'s permissible effluent levels because they have no idea what the big plants will actually put out. ("Environmental Effects of Producing Electrical Power," hearings before the



Washington State Advertising Commission

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If this country actually does build 600 nuclear power plants, those plants will produce each and every year about as much long-lived radioactivity as 500,000 Hiroshima bombs. If just one-tenth of 1 per cent of it escaped into the environment annually, that would equal the contamination from 500 such bombs every year.

The remarks and speeches of all the Commissioners present one side. They invariably gloss over the hard questions about accidents, sabotage, evacuation plans and cost of building underground. They neglect to mention uninsurability, plutonium theft for bomb-making, "permissible" levels of contamination, reasons for not re-

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This failure to tell the whole story is not villainy. We simply should not expect to hear more than the rosy side from the Commissioners of an agency charged with a promotional mission. The Atomic Energy Commission is, after all, busy "spreading the gospel of the peaceful atom," according to its assistant manager, Howard Brown.

Fortunately, there exist some alternatives to discuss, and each of them may turn out to be far safer and ethically sounder than nuclear fission. I am referring to new, clean fossil-fuel technology, magnetohydrodynamics generators, plus geothermal, solar, and fusion energy.

It is unfortunate that we have an Atomic Energy Commission instead of an energy commission. A single word has condemned some intelligent public servants to a limited, radioactive vision.

MIKE GRAVEL  
United States Senator from Alaska  
Washington, Dec. 30, 1970

Read about the Atomic Energy Commission in

February, 1971, ATLANTIC MONTHLY

CITIZENS COMMITTEE FOR THE  
PROTECTION OF THE ENVIRONMENT  
71 PINE AVENUE  
OSSINING, NEW YORK 10562

# Reid Opposes Moratorium Urges AEC Not To Approve Con Edison's 2nd Plant

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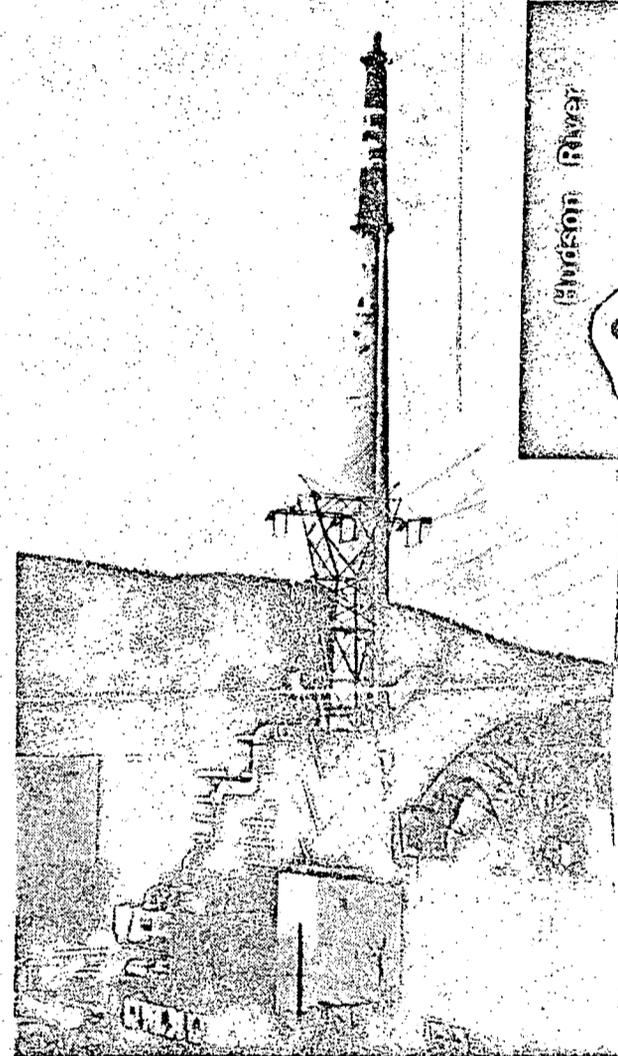
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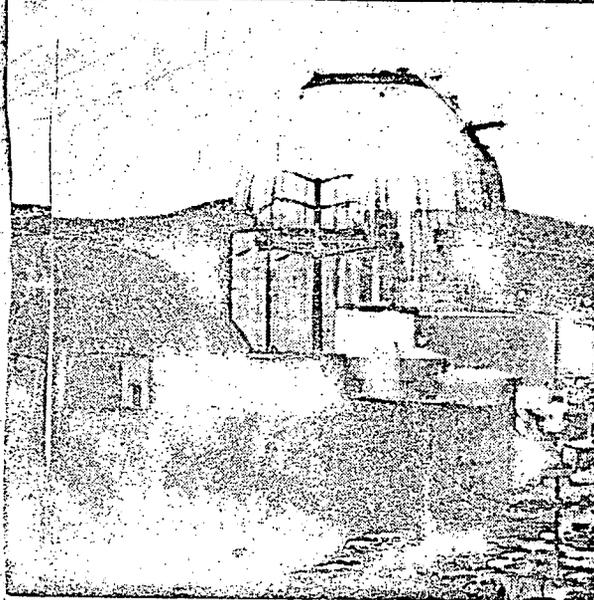
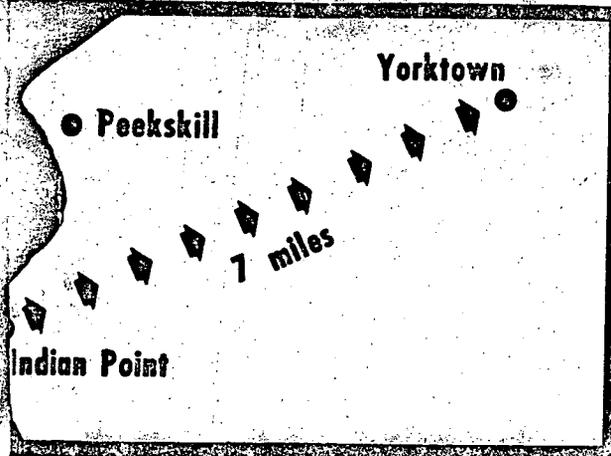
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Absent persuasive answers to the serious questions which have been raised about the safety of nuclear power and its effect on health and environment, and absent thoughtful research in this area, we should not, in my judgment, proceed with construction of additional power plants on the Hudson River and Long Island Sound. The population in this area is simply too large to risk exposure to unknown dangers. If convincing answers to the questions can be provided, then there is no doubt that we can use additional power - but if we must choose between additional power accompanied by destruction of our environment, or power shortages accompanied by clean air and water and uncontaminated food, then I would choose to do without a few electrical appliances. I urge the board to hold this application in abeyance until all the relevant factors have been considered and we can be certain that the public health and welfare, and our environment, are being stringently protected.

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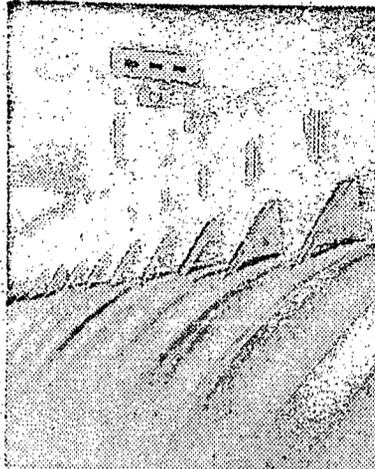
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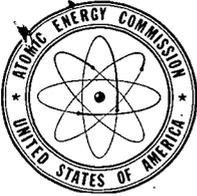
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UNITED STATES  
ATOMIC ENERGY COMMISSION  
WASHINGTON, D.C. 20545

Mrs. Milton Kurtz  
Citizens League for Education  
about Nuclear-Energy Inc.  
Box 1087  
New Rochelle, New York 10802

Dear Mrs. Kurtz:

I am pleased to reply to your February 9, 1971, letter to Senator Javits which was referred to me by his office.

You state in your letter that Consolidated Edison Company intends to start the power testing of Unit No. 2 prior to receiving an operating license from the Atomic Energy Commission. Consolidated Edison is not now authorized to load nuclear fuel and thus operate the Unit No. 2 nuclear reactor. Before this authorization can be given, the Atomic Safety and Licensing Board (ASLB), which is now conducting the Public Hearing, must write an Initial Decision. Depending upon the conditions of the Initial Decision, the AEC will issue a license to Consolidated Edison to load fuel and operate the unit.

In some recent cases the ASLB has written an interim Initial Decision that would authorize the AEC to issue a license for limited operation of the plant (usually fuel loading and taking physics measurements at low power) prior to completion of the Public Hearing. No such interim Initial Decision has been requested by Consolidated Edison; however, <sup>as of this date</sup> considering that the hearing process will take a long period of time, it is conceivable that Consolidated Edison will request such an interim Initial Decision by the ASLB. Such a request would be granted only after review by the Regulatory Staff and the ASLB. All deliberations on this subject would be in the record of the public hearing. In summary, operation of the Unit No. 2 nuclear reactor can commence only after the ASLB issues a decision which authorizes the AEC to issue an operating license.

You should note that as the construction of plant systems and components is completed, the function of the system or component is tested in a number of ways, including simulated or actual operation, if possible. Such testing is now being carried out on Unit No. 2, but I emphasize, the nuclear reactor is not being operated; rather, the function of completed systems and components is being tested.

Mrs. Milton Kurtz

- 2 -

As you state, the ASLB has posed a number of questions to be answered by the AEC Regulatory Staff and by Consolidated Edison. Each of these questions, as well as any others posed by the members of the ASLB will be answered during subsequent evidentiary sessions of the hearing. I suggest that you attend these sessions and hear the discussion on the health and safety impact of the proposed plant on the community in order to gain a full understanding of the matters that enter into the construction and operation of the Indian Point Unit No. 2.

Thank you for your interest in the Consolidated Edison, Indian Point Unit No. 2 proceedings.

Sincerely,

Harold L. Price  
Director of Regulation



UNITED STATES  
ATOMIC ENERGY COMMISSION

WASHINGTON, D.C. 20545

Docket No. 50-247

Honorable Jacob K. Javits  
United States Senate

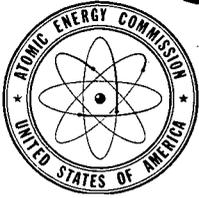
Dear Senator Javits:

This is in response to your transmittal of a letter from Mrs. Milton Kurtz, New Rochelle, New York, concerning the start of power testing of the Indian Point 2 nuclear reactor by the Consolidated Edison Company.

The public hearing, <sup>which is being</sup> conducted by the Atomic Safety and Licensing Board <sup>(ASLB)</sup>, on the application of the Consolidated Edison Company for an operating license for Indian Point 2, is in recess pending disposition of certain preliminary matters prior to resumption of evidentiary sessions. At the conclusion of the hearing, the <sup>ASLB</sup> Atomic Safety and Licensing Board will issue its initial decision on whether an operating license should be granted. The initial decision will be reviewed by the Atomic Safety and Licensing Appeal Board. Since the ASLB has not issued its initial decision, the Consolidated Edison Company is not now authorized to load fuel, nor to operate Indian Point 2.

In some recent cases, the ASLB has written an interim initial decision that would authorize the AEC to issue a license for limited operation of a plant (usually fuel loading and taking physics measurements at low power) prior to completion of the public hearing. <sup>for full power</sup> As of this time, no such interim initial decision has been requested by Consolidated Edison.

It should be noted that as the construction of the plant systems is completed, the function of the system or component is tested in a number of ways, including simulated or actual operation--if possible. Such testing is now being carried out on Indian Point 2, but I emphasize, the nuclear reactor is not being operated; rather, the function of completed systems and components is being tested.



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*per HRP  
4/14/71*

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If we can provide any further assistance, please let me know.

Sincerely,

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CRESS OFFICE ▶	PWR-1/DRL	AD/PWRs	DRL	OGC	DR
T50 R1,2	<i>Morris</i>	<i>see attached</i> DeYoung	<i>see attached</i> Morris	<i>4/8/71</i>	Price
SURNAME ▶					
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I am pleased to reply to your February 9, 1971, letter to Senator Javits which was referred to me by his office.

You state in your letter that Consolidated Edison Company intends to start the power testing of Unit No. 2 prior to receiving an operating license from the Atomic Energy Commission. Consolidated Edison is not now authorized to load nuclear fuel and thus operate the Unit No. 2 nuclear reactor. Before this authorization can be given, the Atomic Safety and Licensing Board (ASLB), which is now conducting the Public Hearing, must write an Initial Decision. Depending upon the conditions of the Initial Decision, the AEC will issue a license to Consolidated Edison to load fuel and operate the unit.

In some recent cases the ASLB has written an interim Initial Decision that would authorize the AEC to issue a license for limited operation of the plant (usually fuel loading and taking physics measurements at low power) prior to completion of the Public Hearing. No such interim Initial Decision has been requested by Consolidated Edison; however, considering that the hearing process will take a long period of time, it is conceivable that Consolidated Edison will request such an interim Initial Decision by the ASLB. Such a request would be granted only after review by the Regulatory Staff and the ASLB. All deliberations on this subject would be in the record of the public hearing. In summary, operation of the Unit No. 2 nuclear reactor can commence only after the ASLB issues a decision which authorizes the AEC to issue an operating license.

You should note that as the construction of plant systems and components is completed, the function of the system or component is tested in a number of ways, including simulated or actual operation, if possible. Such testing is now being carried out on Unit No. 2, but I emphasize, the nuclear reactor is not being operated; rather, the function of completed systems and components is being tested.

Mrs. Milton Kurtz

- 2 -

As you state, the ASLB has posed a number of questions to be answered by the AEC Regulatory Staff and by Consolidated Edison. Each of these questions, as well as any others posed by the members of the ASLB will be answered during subsequent evidentiary sessions of the hearing. I suggest that you attend these sessions and hear the discussion on the health and safety impact of the proposed plant on the community in order to gain a full understanding of the matters that enter into the construction and operation of the Indian Point Unit No. 2.

Thank you for your interest in the Consolidated Edison, Indian Point Unit No. 2 proceedings.

Sincerely,

Harold L. Price  
Director of Regulation

**Distribution:**

- AEC PDR
- Docket File
- PWR-1 Reading
- DRL Reading
- DR Reading
- H. L. Price
- R. C. DeYoung
- N. M. Brown
- OGC
- G. Etter (DR-3105)
- VH Wilson

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Form AEC-93 (Rev. May 14, 1947) AECM 0240

See me about this.

For concu

For action.

Note and return.

For signature.

For information.

TO (Name and unit)

**D. Muller**

cc: T. R. Wilson

INITIALS

DATE

REMARKS

Please prepare a reply, for Mr. Price's  
signature, to the attached letter from  
Mrs. Milton Kurtz for CLEAN. (DR-3105)

TO (Name and unit)

INITIALS

DATE

REMARKS

TO (Name and unit)

INITIALS

DATE

REMARKS

FROM (Name and unit)

R. DeYoung 

REMARKS

PHONE NO.

425

DATE

2/19/71

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Sen: Jacob K. Javits (N.Y.)

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Ltr fm Mrs. Milton Kurtz, Citizens League for Education About Nuclear-Energy, Inc., New Rochelle, N. Y., re intention to start power testing of Indian Point 2 without an operating license & req. a moratorium on construction of all nuclear power plants

Encls: Ltr to Editor N.Y. Times fm Sen. Gravel  
Newspaper article by Congressman Reid

23486

REMARKS

Reply for signature of Dir.  
of Reg.

Is notification to the JCAE  
recommended? \_\_\_\_\_

*[Signature]*

REFERRED TO

DATE

Morris f/action

2/17/71

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RE ENC. LTR FM MRS. MILTON KURTZ, CITIZENS LEAGUE FOR  
EDUCATION ABOUT NUCLEAR-ENERGY INC., NEW ROCHELLE, N.Y.  
RE INTENTION OF CON ED TO START THE POWER TESTING OF  
INDIAN POINT #2 WITHOUT HAVING OBTAINED AN AEC  
OPERATING PERMIT LICENSE

ENCLOSURES

ORIG. OF LTR FM MRS. KURTZ TO SEN. JAVITS DTD  
2/6/71 W/ENC - ARTICLE

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 CHAIRMAN DIV./OFFICE DIRECTOR GENERAL MANAGER ASST. GENERAL MANAGER

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