

ATOMIC ENERGY COUNCIL

Department of Commerce
112 State Street
Albany, N. Y. 12207

July 7, 1971

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

Dr. John C. Geyer
Chairman, Department of Geography
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The Johns Hopkins University
513 Ames Hall
Baltimore, Maryland 21218

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

Gentlemen:

Re: Consolidated Edison Company
of New York, Inc.
Indian Point Station Unit No. 2
AEC Docket No. 50-247



This is to inform the Board and the parties concerning the intentions of the New York State Atomic Energy Council to introduce evidence in the captioned proceeding.

As indicated to the Board when Con Edison Exhibit No. 2 was first offered on March 24, 1971, we intend to produce a witness to authenticate the New York State Emergency Plan for Major Radiation Accidents Involving Nuclear Facilities.

It is our intention to call Mr. Sherwood Davies, Director of the Bureau of Radiological Health, New York State Department of Health, to authenticate the New York State Emergency Plan and to indicate certain changes recently made in such Plan in order to reflect recent organizational changes in certain New York State agencies.

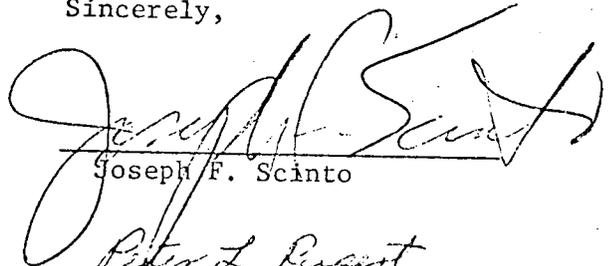
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Mr. Davies will also testify in response to certain questions or allegations raised as to the application of the New York State Emergency Plan to the facility involved in the captioned proceeding. While neither the Board nor any of the parties have specifically addressed such inquiries or allegations to the State, they do deal with the State's Emergency response plans, and we desire to present State testimony on these matters. Mr. Davies' testimony on these latter matters, entitled "Supplemental Testimony of Sherwood Davies", has been prepared in written form in advance as is served herewith upon the Board and the parties. We will also have one or two additional backup technical personnel to support Mr. Davies' testimony and may desire to call such persons to testify jointly with Mr. Davies on certain aspects.

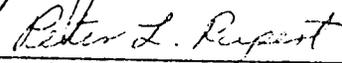
We would also like to indicate to the Board and the other parties a change of attorneys for the New York State Atomic Energy Council. Mr. Joseph Scinto will withdraw from representation of the Council in the proceeding, effective close of business July 14, 1971. Mr. Peter Rupert, whose notice of appearance is attached hereto, will undertake representation of the Council.

In view of this change and since no schedule of testimony for State witnesses has been established in this proceeding with resultant difficulty in scheduling personnel during the summer period, the earliest that a State witness could be present to testify concerning this proceeding is July 20, 1971, or at any adjourned session of the hearing commencing after that date. If State witnesses cannot be accommodated on that day, we would thereafter need three days' notice in order to assure that our witnesses will be able to attend when desired.

Sincerely,



Joseph F. Scinto



Peter L. Rupert

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of the)
CONSOLIDATED EDISON COMPANY)
OF NEW YORK, INC.)

DOCKET NO. 50-247

NOTICE OF APPEARANCE

Pursuant to Section 2.713 of the Commission's Rules of Practice, notice is hereby given that the undersigned attorney herewith enters an appearance in the above captioned proceeding on behalf of the New York State Atomic Energy Council, 112 State Street, Albany, New York 12207.

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| <u>Name</u> | Peter L. Rupert |
| <u>Address</u> | New York State Atomic Energy Council Department of Commerce 112 State Street Albany, New York 12207 |
| <u>Telephone Number</u> | GR 4-4102 (Area Code 518) |
| <u>Admitted to Practice</u> | New York Court of Appeals |

Dated: July 2, 1971

Peter L. Rupert