

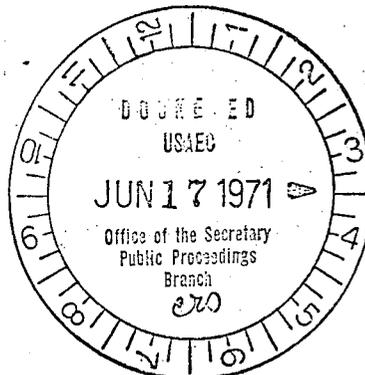
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Samuel W. Jensch, Esq.  
Chairman  
Atomic Safety and Licensing Board  
U.S. Atomic Energy Commission  
Washington, D.C. 20545

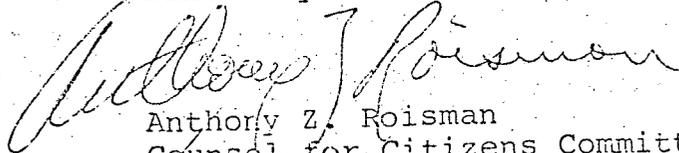
Re: Consolidated Edison Company  
of New York, Inc. (Indian  
Point No. 2) Docket No. 50-247

Dear Mr. Chairman:

By letter dated June 10, I was advised by the Staff that so-called proprietary Topical Reports BAW 10017 and BAW 10022 would not be voluntarily made available by Babcock & Wilcox Co. and that the procedures of 10 CFR Part 2 would have to be invoked by us to obtain these documents. Rather than force the delay which would surely occur if the Citizens Committee were to invoke Section 2.744 we are postponing, but not waiving, our request for the proprietary documents.

We have received what purports to be a non-proprietary version of these reports and shall study it to determine if it contains adequate information. We do not in any way countenance the abusive use of "proprietary" by which B & W attempts to hide information essential to the evaluation of the safety of pressurized water reactors. We only hope that the Board, in reflecting upon the question of delay in licensing hearings, will recognize that these hyper-paranoid hardware manufacturers, aided and abetted by the Regulatory Staff, cause more delay than the discovery procedures of citizen intervenors. The B & W reports suggest conclusions about the containment spray additive directly contrary to those of Consolidated Edison's Westinghouse witness. For the Staff to even argue that some special showing must be made of the relevance of that document and that the cumbersome procedures of Section 2.744 must be invoked is absurd. However, we shall wait before invoking the procedure. We should know on or about June 18th if the "proprietary" documents are needed.

Sincerely,

  
Anthony Z. Roisman  
Counsel for Citizens Committee for the  
Protection of the Environment

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cc: All counsel of record

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hearing