



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

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

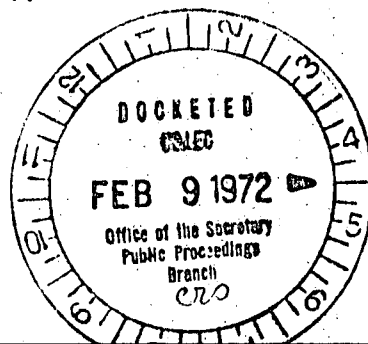
Gentlemen:

The regulatory staff has reviewed the applicant's "Proposed Findings of Fact and Conclusions of Law in the Form of a Proposed Initial Decision with Respect to Motion for 50 Percent Testing License Part I," submitted in this proceeding on January 28, 1972, and, subject to the modifications below, agrees with the substance thereof as being in conformance with the record, and the Commission's "Rules and Regulations." The applicant indicated in its letter to the Board of January 28, 1972, that it will supplement its proposed findings by February 8, 1972, with environmental findings in accordance with 10 CFR 50 Appendix D, Section D.2. The staff will respond to those findings shortly after receipt thereof. In addition, the staff will provide technical specifications with respect to environmental matters in the near future, together with the ordering provisions of a proposed initial decision taking into account 10 CFR Part 50 Appendix D matters.

The modifications which we propose are as follows:

1. Page 4 - The penultimate sentence should read: "A sixth person - Mary Hays Weik - was permitted to intervene in opposition to the application, but withdrew her intervention by letter to the Board dated January 18, 1971."

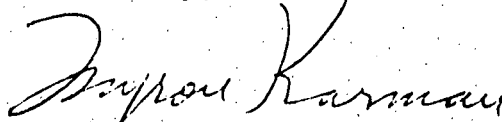
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2. Page 5 - Paragraph 7 should read: "The application, as amended, has been reviewed, as reflected in the Safety Evaluation, the record of the proceeding, and the ACRS letter, and the conclusions are favorable to the granting of an operating license."
3. Page 9 - Paragraph 12 should read: "The applicant has operated Indian Point Unit 1 since 1962, and has Indian Point Unit 3 under construction at the Indian Point site. The competence of the applicant's organization has continually increased and is consistent with the requirements of its expanded nuclear program."
4. Page 13 - Paragraph 15 should read: "The applicant is required to comply with the technical specifications for this facility which will be incorporated in the operating license. These technical specifications represent a definition of an envelope of conditions within which the plant can be operated safely, and within the conditions considered in the safety evaluation for this particular plant. In addition, the applicant will comply with the requirements of the Atomic Energy Act and of the Commission's 'Rules and Regulations.'"
5. Page 13 - Paragraph 16 - The following should be added to paragraph 16: "The Board does not view as inconsistent with the foregoing the operational flexibility provided in the technical specifications."
6. Page 14 - Paragraph 19 should read: "In addition to normal surveillance by the operator, the plant is provided with a protection system which provides for automatic shutdown of the plant if unsafe operating conditions are approached."
7. Page 34 - Paragraph 44 - The second sentence of this paragraph should be amended to read: "Applicant has shown that the primary system is designed, fabricated, and inspected to specific codes and standards in accordance with regulatory requirements, and that normal operation will be within the limitations defined by the technical specifications, and that the quality will be maintained by periodic inservice inspection."

8. Page 38 - Paragraph 49 should read: "Using the containment design leak rate as verified by initial tests and requirements for periodic inservice retests, the filtration capacity of the containment air recirculation cooling and filtration system will, when operated in combination with the containment spray system, reduce the concentration of particulate and organic iodine in the containment atmosphere following a LOCA to levels which assure that the guidelines of 10 CFR Part 100 are met."
9. Page 60 - Paragraph 81 should be deleted as the subject of this paragraph is covered in paragraph 84.
10. Page 65 - Paragraph 86 should be deleted as being superfluous.
11. Page 69 - Paragraph 89 - Footnote 153(a) should be added which cites the testimony of Mr. Dudley Thompson, incorporated in the transcript at P. 3802.
12. Page 73 - XII - The heading should read: "Assertion That Board Must Make a Risk-Benefit Determination."

Sincerely,



Myron Karman  
Counsel for AEC Regulatory Staff

cc: Leonard M. Trosten, Esq.  
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