

MAR 21 1973

Anthony Z. Roisman, Esq.
Berlin, Roisman and Kessler
1712 N Street, Northwest
Washington, D. C. 20036

Distribution:
DR Central Files (50-247)
OGC Files (Beth/G'town)
Formal Files (OGC)
PDR
LPDR
LMMuntzing
EJBboch
JFO'Leary
AGiambusso
HKShapar
JScinto
MKarman

Dear Mr. Roisman:

Thank you for your letters of March 7, 12 and 13, 1973, regarding our authorization, on February 22, 1973, of a Technical Specification change in connection with Operating License No. DPR-26 (Consolidated Edison Company of New York - Indian Point Unit No. 2 - Docket No. 50-247).

The change in question was authorized only after a determination, pursuant to § 50.59 of 10 CFR Part 50, that the change did not involve significant hazard considerations not described or implicit in the Final Facility Description and Safety Analysis Report and that there was reasonable assurance that the health and safety of the public would not be endangered. Because your objection to the change is based, at least in part, on the justification for that determination, it may prove mutually profitable for us to have a discussion of the technical basis for our action, with technically-oriented personnel present. We, on our part, would welcome the opportunity to have a better understanding of your difficulties with our letter of February 22 and I would be happy to arrange such a meeting if you consider it desirable. The meeting would, of course, be without prejudice to whatever position you may wish to submit to the hearing board with respect to your being afforded a hearing in this matter. I would also like to assure you that the change in question will in no way inhibit any further actions by the AEC in this proceeding from the standpoint of the public health and safety or environmental protection.

I am looking forward to hearing from you.

Sincerely,

(Signed) John F. O'Leary

John F. O'Leary
Director of Licensing

8110310379 730321
PDR ADOCK 05000247
P PDR

cc: See page 2

OFFICE	OGC	DL				Copy sent PDR
SURNAME	HKShapar:jd	JFO'Leary				
DATE	3/19/73	3/20/73				

Anthony J. Roisman, Esq.

- 2 -

cc: Samuel W. Jensch, Esq.
Dr. John C. Geyer
Mr. R. B. Briggs
J. Bruce MacDonald, Esq.
Angus Macbeth, Esq.
Honorable William J. Burke
Paul S. Shemin, Esq.
Leonard M. Trosten, Esq.
Atomic Safety and Licensing
Board Panel
Atomic Safety and Licensing
Appeal Board
Mr. Frank W. Karas

MEMO ROUTE SLIP

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

See me about this.

For concurrence.

For action.

Note and return.

For signature.

For information.

TO (Name and unit)

J. F. O'Leary
Director of LicensingKP #3
3/20/73

INITIALS

DATE

REMARKS

TO (Name and unit)

CASE #1A
3/20

INITIALS

DATE

REMARKS

Jack: you asked me
to handle this
for you. This
is the way
I would do it.
HAW

TO (Name and unit)

INITIALS

DATE

REMARKS

FROM (Name and unit)

H. K. Shapar
Asst. Gen. Counsel
Licensing/Regulation

REMARKS

PHONE NO.
7308DATE
3/19/73

USE OTHER SIDE FOR ADDITIONAL REMARKS

GPO : 1971 O - 445-469

FROM

Leonard M. Trenton
 LeCompt, Lamb, Leiby & MacIne
 Wash., D. C.

CONTROL NUMBER

5395

FILE LOCATION

DATE OF DOCUMENT

3/9/73

ACTION COMPLETION DEADLINE

3/26/73

TO

J. F. O'Leary

ACTION PROCESSING DATES

Acknowledged _____

Interim Report _____

Final _____

PREPARE FOR SIGNATURE OF:

Chairman_____
Director of Regulation

X CEC

DESCRIPTION

Ltr

☒ Original☐ Copy☐ Other

REMARKS

DR-5304

Urges denial of request in letter from Holman dtd 3/7/73
 for reconsideration of change in Facility Operating License,
 Indian Point 2, to allow loading & subcritical testing of pre-
 pressurized fuel rods and that hearings be held on proposed
 change

REFERRED TO

DATE

IS NOTIFICATION TO THE JCAE

Shaper 2/Action

3/19/73

RECOMMENDED? _____

Cys:

Kuntzing

Block

O'Leary

Giambruso

Basket Files (50-247)

FBI

LPM

DO NOT DETACH THIS COPY

DIRECTOR OF REGULATION
 COMMUNICATIONS CONTROL

Form HQ-32 (6-70)
 USA EC

FROM Leonard N. Broderick Labcoat, Lamb, Lobb & MacInnes Wash., D. C.	CONTROL NUMBER <div style="font-size: 2em; font-weight: bold;">5395</div>	FILE LOCATION					
TO J. P. O'Leary	DATE OF DOCUMENT 3/9/73	ACTION COMPLETION DEADLINE 3/26/73					
DESCRIPTION LET <input checked="" type="checkbox"/> Original <input type="checkbox"/> Copy <input type="checkbox"/> Other <p>Urgent denial of request in letter from Holman dtd 3/7/73 for reconsideration of change in Facility Operating License, Indian Point 2, to allow loading & substitution of pre-pressurized fuel rods and that hearings be held on proposed change</p> <table border="1" data-bbox="16 621 1039 725"> <tr> <td>REFERRED TO</td> <td>DATE</td> <td>IS NOTIFICATION TO THE JCAE</td> </tr> <tr> <td>Chapman 1/1/73</td> <td>3/13/73</td> <td>RECOMMENDED? _____</td> </tr> </table> <p>Cys: Monting Block O'Leary Glenbush Decker Files (24-247) RM 1272</p>	REFERRED TO	DATE	IS NOTIFICATION TO THE JCAE	Chapman 1/1/73	3/13/73	RECOMMENDED? _____	REMARKS <div style="text-align: right; font-weight: bold;">12-5304</div>
REFERRED TO	DATE	IS NOTIFICATION TO THE JCAE					
Chapman 1/1/73	3/13/73	RECOMMENDED? _____					

FROM: Leonard H. Brodeur
Laborer, Ind. Lobby & Engineer
Wash., D. C.

CONTROL NUMBER

5395

FILE LOCATION

DATE OF DOCUMENT

3/9/73

ACTION COMPLETION DEADLINE

3/26/73

TO

J. F. O'Leary

ACTION PROCESSING DATES

Acknowledged _____

Interim Report _____

Final _____

PREPARE FOR SIGNATURE OF:

Chairman

Director of Regulation

SI

CS

DESCRIPTION

1cc

☒ Original

☐ Copy

☐ Other

REMARKS

DE-5304

Urges denial of request in letter from Leonard H. Brodeur dated 3/7/73 for reconsideration of change in Facility Operating License, Indian Point 2, to allow loading & unloading testing of pre-preserved fuel rods and that hearings be held on proposed change

REFERRED TO

DATE

IS NOTIFICATION TO THE JCAE

Dispar 1/Action

3/13/73

RECOMMENDED? _____

Cys:

Leonard

Block

O'Leary

Gianfranco

Debra Files (20-247)

FB

1/7/73

FROM: Leonard M. Brothman LeBeauf, Lamb, Lally & Marler Wash., D. C.	CONTROL NUMBER <div style="font-size: 2em; font-weight: bold; text-align: center;">5395</div>	FILE LOCATION
TO J. P. O'Leary	DATE OF DOCUMENT <div style="text-align: center;">3/10/73</div>	ACTION COMPLETION DEADLINE <div style="text-align: center;">3/28/73</div>
DESCRIPTION LET <input checked="" type="checkbox"/> Original <input type="checkbox"/> Copy <input type="checkbox"/> Other Urges denial of request in letter from Indians dated 2/7/73 for reconsideration of change in Facility Operating License, Indian Point 2, to allow loading & subcritical testing of pre-preserved fuel rods and that hearings be held on proposed change.	ACTION PROCESSING DATES Acknowledged _____ Interim Report _____ Final _____	PREPARE FOR SIGNATURE OF: _____ Chairman _____ Director of Regulation <div style="text-align: center;">X GC</div>
	REMARKS <div style="text-align: right;">EX-334</div>	
REFERRED TO Chapter 2/Action	DATE <div style="text-align: center;">3/13/73</div>	IS NOTIFICATION TO THE JCAE RECOMMENDED? _____
Cys: Brothman Black O'Leary Chambers Robert Piles (SO-247) FBI WPA		