

BERLIN, ROISMAN AND KESSLER

SECRET NUMBER

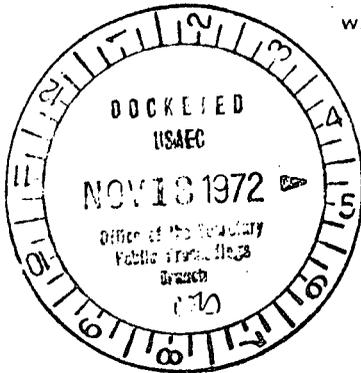
PROD. CONTROL TAG

50-247

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WASHINGTON, D. C. 20036

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AREA CODE 202
PHONE 833-9070



November 8, 1972

Director, Materials Branch
Directorate of Licensing
U. S. Atomic Energy Commission
Washington, D. C. 20545

Re: Special Nuclear Material License
Indian Point Station, Unit No. 2

Dear Sir or Madam:

On October 6, 1972 you received a copy of the request from Consolidated Edison for a special nuclear material license. As the Counsel for Citizens Committee For Protection Of The Environment, an Intervenor in Docket No. 50-247, I did not receive a copy of this request until November 8, 1972, although prompt service of a copy of such communication to me was ordered by the Atomic Safety and Licensing Board Chairman, Samuel Jensch on May 19, 1972 (T.R. 5446-5450).

The Citizens Committee For Protection Of The Environment intends to vigorously oppose permitting Con Ed to possess any nuclear materials. In order to fully present our contentions we hereby request that you postpone any actions on the license requested until 60 days after receipt of this letter. Any inconvenience that such postponement may cause the Applicant is the direct product of their own violation of the order of Chairman Jensch - a violation which we firmly believe was intentional and was designed to limit our opportunity to effectively challenge the request.

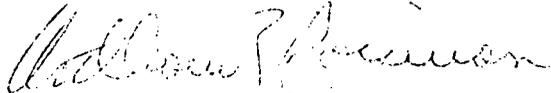
Finally, we wish to note that the nuclear material in question is a replacement core of pressurized fuel. The avowed purpose of this replacement is Consolidated Edison's unsupported assertion that the pressurized fuel will eliminate the "Ginna problem". The Staff has yet to express its opinion on this

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subject nor has the Hearing Board had an opportunity to consider the issue in the licensing proceeding. Certainly both of these reviews should be completed prior to any action being taken on the requested material license by your branch.

Sincerely,



Anthony Z. Roisman
Counsel for Citizen's Committee
for Protection of the Environment

AZR/pq

cc: All parties of record.