

JUN 11 1973

Docket No. 50-247

Mr. Franklin L. Gage, Coordinator  
Citizens Association for Safe Energy  
27 Hastings Avenue  
Croton-on-Hudson, New York 10520

Dear Mr. Gage:

Your letter to Chairman Ray regarding your recommendations concerning the licensing for testing and operation of Indian Point Nuclear Generating Unit No. 2 has been referred to me for response.

As you know, the Consolidated Edison Company of New York's request for an operating license for Indian Point Unit No. 2 has been involved in an extensive adjudicatory radiological safety and environmental public hearing before an Atomic Safety and Licensing Board (ASLB) since December 17, 1970. Evidentiary sessions of the hearing were completed on April 26, 1973, after an elapsed period of more than 2 years and 4 months and after the taking of 11,451 pages of testimony. Extensive direct testimony and cross examination regarding the subjects mentioned in your letter, namely, the fire in the auxiliary building, thin walled valves, and quality assurance was presented at the hearing. The ASLB is expected to reach a decision regarding authorization for power operation of Indian Point Unit 2 during August of 1973.

In accordance with 10 CFR Part 2 Section 2.785 of the Commission's rules and regulations, the Commission has delegated its review functions to the Atomic Safety and Licensing Appeal Board (ASLAB). The ASLAB has the authority to review the ASLB decision acting for the Commission.

An operating license to permit testing of Indian Point Unit 2 at power levels not in excess of 20% of rated power was issued by the Directorate of Licensing on April 20, 1973. The ASLB had authorized such a license on July 14, 1972. An operating license to permit testing at up to 50% of rated power was subsequently issued on April 27, 1973 after the ASLAB had authorized such action in its order dated April 24, 1973.

Your letter discusses an abnormal occurrence involving a failure to maintain containment integrity involving the personnel access

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Mr. Franklin L. Gage

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doors to the containment. The licensee is required by the Technical Specifications (attached as Appendix A to the Operating License) to maintain certain standards of operability and performance with respect to equipment involving protection of the public health and safety at its facility. These types of failures labeled "abnormal occurrences" are defined in detail in the Technical Specifications and generally do not result directly in any significant consequences. Rather, they indicate a potential deterioration in plant protection systems. Incidents involving this type of failure are immediately reportable to the regional office of the Directorate of Regulatory Operations and later reported in detail along with the licensee's plans for avoiding recurrence to the Directorate of Licensing. The Directorate of Regulatory Operations normally inspects at the facility changes made by the licensee to avoid recurrence of the incident. In this manner the Commission has provided for the early detection of any deteriorating condition in the facility status with respect to the public health and safety which might warrant further action.

The record of plant performance in this regard, with all reports and correspondence between the licensee and the Regulatory staff, is always available for your inspection at the Public Document Room.

Sincerely,

Original Signed by  
A. Giambusso

A. Giambusso, Deputy Director  
for Reactor Projects  
Directorate of Licensing

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