

# Natural Resources Defense Council, Inc.

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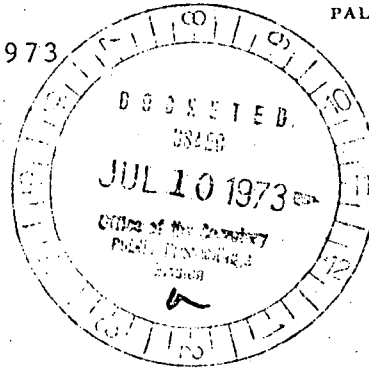
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July 6, 1973

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



In re: Consolidated Edison Company  
of New York, Inc.  
Indian Point Unit No. 2  
AEC Docket No. 50-247

Dear Chairman Jensch:

I am writing to submit brief comments on the proposed technical specifications for the Indian Point 2 operating license.

Those portions of the technical specifications which deal with the problems of the effect of the plant on the fish populations are, to a very large extent, simply adopted from Con Edison's proposed technical specifications of April 30, 1973, and basically rehearse the research program which Con Edison has proposed to carry out. All the objections and arguments which the HRFA raised in connection with the research program should be considered to apply equally to the same issues when they are rehashed in the technical specifications.

It is somewhat unclear what the Staff aims to achieve by incorporating this program into the specifications, particularly in light of the Staff's position on the research program. If the aim is to keep an

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eye on what Con Edison is doing on the River, this role as watchdog should be clearly stated. In any case, the self-congratulatory editorializing should be deleted as inappropriate for a technical document. For instance, the following statement is found at 4-23:

The study of biological characteristics and health of fish populations reached full scale in April 1973 and will continue until January 1, 1976. This is a continuation of efforts begun in 1972, which will provide information as to the age and growth of fishes in the area, sexual maturation, sex rate, fecundity and any possible effects by the once through cooling employed at Indian Point. Data of very high precision are being obtained in this part of the study.

The tone of the passage, particularly the last sentence, is more appropriate to a company press release than to a technical operating document.

The proposed technical specifications provide for extensive monitoring and reporting, but virtually nothing in the way of concrete action to reduce environmental impact. Abnormal environmental occurrences result in reports with plans for future action but require no particular remedial measures at the time they take place. At 5-2. Large fish kills require corrective action with no indication of what such action will be. At 4-31 to 32. As an obvious first step, the Board should require that these reports be served on the Fishermen's Association, otherwise, keeping up with what is happening at the plant and insuring that corrective action is in fact taken will

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impose a heavy and unnecessary burden of periodically searching the public dockets at distant and inconvenient locations.

The basic anomaly of the proposed technical specifications lies in the fact that the Staff has asked for a license condition requiring Con Edison to prepare a plan for minimizing the effect of plant operation on the aquatic biota, Staff's Proposed Findings App. at 5, and HRFA has asked for a condition requiring restricted operation, HRFA Proposed Findings at \$2.8, so that if both or either of these proposals is accepted by the Board, the actual regime of operation will be profoundly affected and the technical specifications will have to be given real force in directly controlling operation. Basically, the technical specifications must follow the terms of the yet unissued license. Thus, if the Board includes conditions in the license such as suggested by HRFA and the Staff, it is important to recognize that the technical specifications will have to be largely rewritten to include more than the present vast monitoring effort.

Yours sincerely,

*Argus Macbeth*  
Argus Macbeth

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