

June 1, 1973

Mr. Samuel W. Jensch
Chief Administrative Law Judge
U. S. Atomic Energy Commission
Washington, D. C. 20545

Dr. John C. Geyer
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In the Matter of
Consolidated Edison Company of New York, Inc.
(Indian Point Nuclear Generating Station, Unit 2)
Docket No. 509247

Gentlemen:

50-247

Reference is made to the letter of Chairman Jensch, dated May 24, 1973 requesting comments from all parties on whether the hearing record should be reopened to provide for receipt of evidence related to the possible environmental impact of cooling towers. This matter arose as a result of a letter dated May 9, 1973, from the Mayor of the Village of Buchanan, New York, indicating the possibility of unfavorable action by the Planning Board of the Village of Buchanan on any application by Consolidated Edison to build cooling towers. It would appear that the letter refers to natural draft cooling towers.

The Final Environmental Statement (FES) concluded that there should be a condition in any license issued for Unit 2 limiting operation with once-through cooling until January 1, 1978, and requiring closed-cycle cooling thereafter. The FES assessed various closed-cycle systems and concluded that such systems were desirable and warranted on the basis of weighing of all relevant factors, but the FES did not specify that natural draft or any other closed-cycle system should be employed. Instead, the FES called for the applicant to make an evaluation of the economic and environmental impact of alternative closed-cycle cooling systems in order to determine a preferred system for installation.

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During the course of the hearing, considerable testimony was presented concerning such alternative cooling systems. Even though the major portion of such evidence, including the FES itself, related to natural draft towers, there was adequate evidence to demonstrate that mechanical draft towers would be warranted as an alternative to natural draft towers.

We recognize that applicants for nuclear power reactor licenses will be obliged to comply with certain state and local requirements. If certain features of the plant are so affected, the applicant will, of necessity, so comply.

In view of the above discussion, we do not believe that the letter from the Mayor of Buchanan warrants the reopening of the proceeding.

Sincerely,

Myron Karman
Counsel for AEC Regulatory Staff

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Atomic Safety and Licensing
Appeal Board
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Board Panel
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