

10-5-73

BEFORE THE UNITED STATES  
ATOMIC ENERGY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of	)	
	)	
	)	
Consolidated Edison Company	)	Docket No. 50-247
of New York, Inc.	)	
(Indian Point Unit No. 2)	)	

HUDSON RIVER FISHERMEN'S ASSOCIATION  
EXCEPTIONS TO INITIAL DECISION

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DATED: October 5, 1973

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PDR ADOCK 05000247  
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### EXCEPTIONS

1. It was error to conclude that when juvenile striped bass reach a length of 1 to 1-1/2 inches they are too large to pass through the screens ahead of the pumps in the cooling water system and are no longer entrainable.

Initial Decision, p.38.

2. It was error to conclude that there was some evidence to indicate that larvae tend not to be entrained if longer than 3/4 inches.

Initial Decision, p. 38.

3. It was error to conclude that the Applicant's standard procedures for operation of Unit Nos. 1 and 2 from October through March call for a reduction in flow from 105,000 gpm to 84,000 gpm per pump, when the procedures call for reduction in flow from 140,000 gpm to 84,000 gpm per pump.

Initial Decision, p. 54.

4. It was error to conclude that HRFA's estimate of the number of fish likely to be killed each year by impingement on the screens of Unit Nos. 1 and 2 was based on full flow throughout the year, when it was based on a reduced flow of 105,000 gpm per pump.

Initial Decision, p. 54.

5. It was error to conclude that past experience indicates that the fish that will be killed by impingement each year by operation of Unit Nos. 1 and 2 will have an average weight of 0.2 oz.

Initial Decision, p. 55.

6. It was error to conclude that if loss by entrainment were as large a percentage of the bass population as HRFA's analysis indicated, the population would be too small to provide a large fraction of the recruits to the Middle Atlantic fishery.

Initial Decision, p. 55.

7. It was error to conclude that because the Applicant's correlations of Chesapeake Bay landings to Middle Atlantic landings and combined Hudson River and Chesapeake Bay landings to Middle Atlantic landings were found to be as good or better than the correlations obtained by the Staff, the regression analyses did not provide a basis for choosing between the positions of the parties.

Initial Decision, p. 62.

8. It was error to conclude that the biological value of fish species in the Hudson River, other than the striped bass, and the aesthetic value of the total fishery could not be assessed qualitatively.

Initial Decision, pp. 65-66.

9. It was error to conclude that December 1, 1978 would be the earliest feasible date for completion of the closed-cycle cooling system.

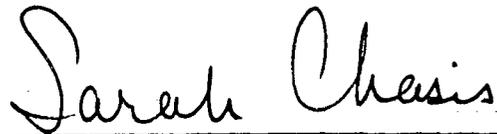
Initial Decision, pp. 82-83.

10. It was error to conclude that operation of Unit No. 2 with the present once-through cooling system should be permitted until May 1, 1978.

Initial Decision, p. 83.

Initial Decision, p. 123.

Respectfully submitted,



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SARAH CHASIS

Attorney for Hudson River  
Fishermen's Association

Dated: October 5, 1973  
New York, New York

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CERTIFICATE OF SERVICE

I hereby certify that I have served a document entitled:  
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