

7/15/74

BEFORE THE UNITED STATES  
ATOMIC ENERGY COMMISSION

In the Matter of )  
 )  
Consolidated Edison Company )  
of New York, Inc. )  
(Indian Point Station, Unit No. 2) )

Docket No. 50-247

BEFORE THE ATOMIC SAFETY  
AND LICENSING APPEAL BOARD

STATEMENT OF CONSOLIDATED EDISON  
REGARDING MATTERS REMANDED  
TO THE APPEAL BOARD

The public record in this proceeding demonstrates that the two matters recently remanded to the Appeal Board for consideration<sup>1/</sup> have been satisfactorily resolved and that further evidentiary hearings in this proceeding are not required. In accordance with the Order of the Atomic Safety and Licensing Appeal Board dated June 26, 1974, Consolidated Edison submits the following in support of this position.

The Regulatory Staff has demonstrated that each of the six concerns expressed by the Appeal Board regarding the

1/  
These matters relate to the Indian Point 2 security plan and to the Refrigerant Air Dryer. Consolidated Edison Co. (Indian Point Station, Unit No. 2), Commission Memorandum and Order (June 21, 1974).

Indian Point 2 security plan has been resolved.<sup>2/</sup> Indeed, the Regulatory Staff has reviewed the entire revised security plan for Indian Point 2 and has determined that the plan is acceptable.<sup>3/</sup>

The Regulatory Staff has also determined that adequate administrative controls and operational changes have been implemented for the Refrigerant Air Dryer.<sup>4/</sup> Having reviewed the completed modification to the Refrigerant Air Dryer together with the test results of that modification, the Regulatory Staff has further determined that the modification and test results are satisfactory.<sup>5/</sup>

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2/

Letter from Myron Karman to the Appeal Board, July 12, 1974.

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Letter from Karl R. Goller to William J. Cahill, Jr., June 5, 1974. The security plan, revised in accordance with the amended Commission regulations as well as Regulatory Guide 1.17, has been implemented at Indian Point 2.

4/

Memorandum from John G. Davis to A. Giambusso, Sept. 28, 1973, together with memorandum from James P. O'Reilly to J.G. Davis, Sept. 28, 1973; RO Inspection Report No. 50-247/73-17 at 1-2 (transmitted by letter from Eldon J. Brunner to W.E. Caldwell, Jr., Oct. 2, 1973); RO Inspection Report No. 50-247/73-18 at 1-5 (transmitted by letter from Eldon J. Brunner to W.E. Caldwell, Jr., Oct. 11, 1973).

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RO Inspection Report No. 50-247/74-10 at 1 (transmitted by letter from Eldon J. Brunner to William J. Cahill, Jr., June 24, 1974).

On the basis of this uncontroverted record Consolidated Edison submits that further evidentiary hearings on the two matters remanded to the Appeal Board not only would be unwarranted but also would be improper. Consolidated Edison requests the Appeal Board to order that these matters have been resolved on the basis of the written submissions cited herein and that further evidentiary hearings shall not be held.

Respectfully submitted,

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Dated: July 15, 1974