

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)	
)	Docket No. 50-247
CONSOLIDATED EDISON COMPANY)	OL No. DPR-26
OF NEW YORK, INC.)	(Determination of Preferred
)	Alternative Closed-Cycle
(Indian Point Station,)	Cooling System)
Unit No. 2))	

12-6

APPLICANT'S EXCEPTIONS TO PARTIAL
INITIAL DECISION IN REFERENCE TO
STIPULATED PREFERRED TYPE OF CLOSED-CYCLE
COOLING SYSTEM AND RECEIPT OF GOVERNMENTAL APPROVALS

On November 30, 1976, the Atomic Safety and Licensing Board ("the Licensing Board") issued a Partial Initial Decision in Reference to Stipulated Preferred Type of Closed-Cycle Cooling System and Receipt of Governmental Approvals ("Partial Initial Decision"). Pursuant to that Partial Initial Decision, Consolidated Edison Company of New York, Inc. ("Con Edison"), Applicant in the above-captioned proceeding, submits the following exceptions:

EXCEPTION NO. 1:

The Licensing Board erred in its determination that as of November 30, 1976, approval by the Village of Buchanan was not a governmental approval that is required to proceed with

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construction of the closed-cycle cooling system and that all necessary governmental approvals will have been received when an amendment to the Facility Operating License is issued pursuant to the Partial Initial Decision.

Portion of the Decision to which Exception No. 1 is addressed:

Partial Initial Decision at pages 11-13.

EXCEPTION No. 2:

The Licensing Board erred in stating that the Licensee should commence construction of its recommended closed-cycle cooling tower system.

Portion of the Decision to which Exception No. 2 is addressed:

Partial Initial Decision at page 14.

EXCEPTION NO. 3:

The Licensing Board erred in stating that HRFA has a substantial basis for its comments upon Con Edison's conduct at proceedings conducted by the Village of Buchanan.

Portion of the Decision to which Exception No. 3 is addressed:

Partial Initial Decision at pages 12-13.

EXCEPTION NO. 4:

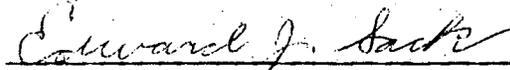
The Licensing Board erred in stating that if issuance by the Village of variances and a building permit was required, further examination of the Licensee's efforts to obtain the variances might be warranted.

Portion of the Decision to which Exception No. 4 is addressed:

Partial Initial Decision at pages 12-13.

A Brief in support of the foregoing exceptions will
be timely filed.

Respectfully submitted,


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December 6, 1976

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CERTIFICATE OF SERVICE

I hereby certify that I have this 6th day of December, 1976, served the foregoing document entitled "Applicant's Exceptions to Partial Initial Decision in Reference to Stipulated Preferred Type of Closed-Cycle Cooling System and Receipt of Governmental Approvals" by mailing copies thereof first class mail, postage prepaid and properly addressed to the following persons:

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U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555
(original + 20)

Atomic Safety and Licensing
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U.S. Nuclear Regulatory
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Washington, D.C. 20555
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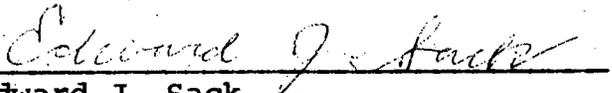
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