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UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON 20545

Article
ACTION

May 3, 1974

Mr. O'Leary

What is the significance of the Appeal Board's decision on Indian Point-2 about using reasonable rather than conservative data in environmental impact statements?

I thought the approach was to use reasonable data.

LMMuntzing/DR

Enclosure

Article in Nucleonics Week dtd 5/2/74
re "Use Reasonable - Not Most Conservative -
Environmental Data:Board"

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A HALF-INCH DEEP 'DISCONTINUITY' HAS BEEN DETECTED IN A MAJOR PIPE IN THE PILGRIM-1 plant of Boston Edison. The flaw, possibly slag or even a crack, was found in the weld between the reactor vessel and the recirculation line intake pipe after ultrasonic testing. Staffers from the AEC Directorates of Regulatory Operations and Licensing were scheduled to meet with Boston Edison officials yesterday, with Daniel Ford of the Union of Concerned Scientists as an observer. Further AEC action will depend on the results of that meeting and the data collected by Boston Edison and Southwest Research Institute, which have been examining the affected pipe.

Ford is intervenor in an AEC licensing hearing to determine whether Boston Edison can reload Pilgrim-1, a General Electric plant, with the new 8 by 8 fuel assemblies. The utility had been arguing that Ford was holding up operation of Pilgrim-1 — partly reloaded with the new fuel — at a rate of some \$300,000 a day. Now, however, the plant will not be able to operate for an as-yet undetermined period while the pipe problem is taken care of. It will take at least two months, said one source. The partially loaded core will have to be unloaded again and the reactor drained, said a Boston Edison official. He said the discontinuity had been detected by ultrasonic testing when the plant was being built but didn't seem serious and was passed by the utility's quality assurance people. Then ultrasonic testing was recently resumed at a different angle and it was found that the discontinuity was more extensive than previously thought, the utility official said. The reactor started commercial operation in December 1972 and was ordered shut down by AEC a year later for examination of vibrating reactivity curtains in the fuel core.

One source said the "huge abnormality" is in the heart of the reactor's plumbing system. If it failed it would mean a loss of coolant accident. There are worries about the crack propagating into the vessel, he said.

USE REASONABLE — NOT MOST CONSERVATIVE — ENVIRONMENTAL DATA BOARD

An Atomic Safety & Licensing Appeal Board has ruled in the Indian Point-2 operating license case that reasonable, rather than the most conservative, assumptions should be used in evaluating environmental impacts from nuclear power plants. In a monumental 187-page decision (Alab-188), the appeal board also said that the National Environmental Policy Act does not require that environmental considerations be given "paramount consideration," nor must environmental impacts be minimized in all instances. The decision was viewed by attorneys for the applicant, Consolidated Edison, as a boost for nuclear power with broad implications for other reactor environmental reports.

The appeal board, chaired by William C. Parler, rejected the conservative environmental assumptions used by the intervenors, the Citizens' Committee for the Protection of the Environment and the Hudson River Fishermen's Assn., and the regulatory staff in favor of the less restrictive data submitted by Con Edison. The particular issue in the Indian Point-2 case was when cooling towers would be required. The board allowed Con Ed to use once-through cooling until May 1, 1979, one year later than the date set by the Atomic Safety & Licensing Board in its initial decision last September, but 28 months earlier than Con Edison has requested.

"Neither on its face nor in its legislative history does Nepa require that environmental considerations be given paramount consideration so that in all instances all environmental impacts must be minimized," the board wrote, adding "moreover, as a practical matter, such an interpretation would do violence to the fundamental objective of using an individualized balancing analysis to ensure that the optimally beneficial action is finally taken."

INDUSTRY FRUSTRATED OVER AEC'S APPENDIX I POSITION

Many in the nuclear/utility industries are frustrated over AEC's attitude on appendix I (covering radioactivity emissions from nuclear plants) following the lengthy rulemaking hearings. Some sources wonder why AEC bothered to hold the hearings, since they allege that the regulatory staff has produced a revised proposed appendix that takes little account of much important evidence — especially on costs and benefits — introduced into the hearing record. The utility group that jointly appeared at the hearings and General Electric have requested an opportunity to present oral argument before the AEC commissioners, and this will be held on May 21 in a public session. AEC says it is specifically interested in cost-benefit considerations of the regulatory staff's proposed amended rule, the need for specific AEC guidance on application of appendix I, application of its gaseous release standards on a site basis, and assumptions underlying the staff models for calculating food-chain doses to individuals.

An industry source said that AEC presented in the final environmental impact statement one coefficient value for transfer of iodine from grass to milk, and then doubled the figure in the draft guide. Similarly, the deposition factor for iodine from air to grass was also doubled, so that "the difference between these two factors

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June 7, 1974

Docket No. 50-3
60-247

Mr. Sheldon Meyers
Office of Federal Activities
Environmental Protection Agency
Room 3632 Waterside Mall
Washington, D. C. 20460

Subject: **FORWARDING OF AMENDMENTS TO FACILITY OPERATING LICENSES FOR
INDIAN POINT, UNITS NOS. 1 AND 2**

The following documents concerning our review of the subject facility
are transmitted for your information:

- Notice of Receipt of Application.
- Draft Environmental Statement, dated _____.
- Final Environmental Statement, dated _____.
- Safety Evaluation, or Supplement No. _____, dated _____.
- Notice of Hearing on Application for Construction Permit.
- Notice of Consideration of Issuance of Facility Operating License.
- Application and Safety Analysis Report, Vol. _____.
- Amendment No. _____ to Application/SAR, dated _____.
- Construction Permit No. CPPR-_____, dated _____.
- Facility Operating License No. DPR-_____, dated _____.
- Technical Specifications, or Change No. _____, dated _____.
- Other: **Goller ltr to Cahill (ConEd) dated May 22, 1974
w/enclosures**

Directorate of Licensing

Enclosures:
As stated

cc: **Mr. Paul Arbesman
Environmental Protection Agency
26 Federal Plaza
New York, New York 10007**

OFFICE ▶	New York, New York 10007	EP-1			
SURNAME ▶		MSlater			
DATE ▶		6/7/74			