

HAMILTON FISH, JR.  
25th DISTRICT, NEW YORK

DISTRICT OFFICES:

POUGHKEEPSIE OFFICE  
62 MARKET STREET 12501  
PHONE: (914) 452-4223

PEEKSKILL OFFICE  
739 SOUTH STREET 10565  
PHONE: (914) 739-2282

KINGSTON OFFICE  
292 FAIR STREET 12401  
PHONE: (914) 331-4465

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

April 12, 1976

JUDICIARY COMMITTEE  
SMALL BUSINESS COMMITTEE  
SELECT COMMITTEE ON THE  
OUTER CONTINENTAL SHELF

WASHINGTON STAFF:  
JOHN D. BARRY  
ADMINISTRATIVE ASSISTANT  
MRS. AYA H. ELY  
EXECUTIVE AND  
APPOINTMENT SECRETARY  
JARED O. BLUM  
LEGISLATIVE ASSISTANT  
SHIRLEY CAVANAUGH  
CASE WORKER

Mr. William A. Anders  
Chairman  
Nuclear Regulatory Commission  
Division of Site Safety  
Washington, D. C. 20555

Re: Draft Environmental Statement  
Closed Cycle Cooling System  
Indian Point Unit No. 2.

Dear Mr. Anders:

In your consideration of the Draft Environmental Statement for a Closed Cycle Cooling System at Indian Point Unit No. 2, which is located within the 25th Congressional District, it is my understanding that an extensive study of fish in the Hudson River is being conducted at this time and nearing completion.

It is further my understanding that fishing in the Hudson has been banned due to the high levels of PCB's in the water.

Therefore, although I am in full support of preservation of our environment, would it not be wise to pause for completion of the fish study at this time. I also believe that alternative closed cycle cooling systems would be preferable to the natural draft system proposed for Indian Point #2 and #3 which, due to the congestion of the area, could have devastating adverse economic effects on the entire area.

Sincerely,



Hamilton Fish, Jr.  
Member of Congress

F:JDBjt

8111200204 760514  
PDR ADOCK 05000247  
D PDR

DISTRIBUTION:

Docket File (Environ)	DRMuller	MSlater
NRC PDR	VAMoore	DSS
Local PDR	GWKnighton/RGeckler	
EDO Reading	BJYoungblood	
NRR Reading	WRegan	
DSE Reading	GErtter(EDO#00245)	
EP-1 Reading	MGroff	
OELD (5)	IE(3)	
LVGossick	CA	
BRusche	Secy Mail Facility (3)76-1607	
EGCase	RBoyd	
HDenton	RHeineman	
	VStello	
	MAYcock	

Docket No. 50-247

Honorable Hamilton Fish, Jr.  
U. S. House of Representatives

Dear Mr. Fish:

Your letter of April 12, 1976, to the Chairman, Nuclear Regulatory Commission, relative to the Draft Environmental Statement (DES) for the closed-cycle cooling system at Indian Point Unit No. 2 has been referred to me for reply. Since the applications of Consolidated Edison Company of New York, Inc., for amendments to facility operating licenses for Indian Point Units Nos. 2 and 3 may be subject to review by the Commission in the exercise of its quasi-judicial duties, it would be inappropriate for the Chairman to respond directly to you. It is, therefore, a pleasure for me to respond to your letter.

In your letter of April 12, you recommend that consideration be given to staying licensing action requiring construction of the cooling towers until after completion of the Hudson River fish study. In addition, you state your belief that an alternative closed-cycle system other than a natural draft cooling tower would be preferable for Indian Point, Units Nos. 2 and 3.

Both of these issues are being considered by the Staff in evaluating three applications made by Consolidated Edison of license amendments related to closed-cycle cooling systems at the Indian Point site. These are listed below.

1. Application for Amendment to Facility Operating License DPR-26. This deals with selection of the preferred closed cycle cooling system for Indian Point Unit No. 2 and is the application for amendment for which the DES was issued in February 1976 and to which you referred in your letter.
2. Application for Facility License Amendment for Extension of Operation with Once-Through Cooling for Indian Point Unit No. 2. This application will result in a DES which is scheduled for issuance in May 1976.

OFFICE >					
SURNAME >					
DATE >					

Docket No. 50-247 ✓

Honorable Hamilton Fish, Jr.  
U. S. House of Representatives

Dear Mr. Fish:

Your letter of April 12, 1976, to the Chairman, Nuclear Regulatory Commission, relative to the Draft Environmental Statement (DES) for the closed-cycle cooling system at Indian Point Unit No. 2 has been referred to me for reply. Since the applications of Consolidated Edison Company of New York, Inc., for amendments to facility operating licenses for Indian Point, Unit Nos. 2 and 3 may be subject to review by the Commission in the exercise of its quasi-judicial duties, the Chairman considered it inappropriate to respond directly to you. It is a pleasure for me to respond to your letter.

In your letter of April 12, you recommend that consideration be given to staying licensing action requiring construction of the cooling towers until after completion of the Hudson River fish study. In addition, you state your belief that an alternative closed-cycle system other than a natural draft cooling tower would be preferable for Indian Point, Unit Nos. 2 and 3.

Both of these are being considered by the Staff in evaluating three applications made by Consolidated Edison for license amendments related to closed-cycle cooling systems at the Indian Point site. These are listed below.

1. Application for Amendment to Facility Operating License DPR-26. This deals with selection of the preferred closed-cycle cooling system for Indian Point Unit No. 2 and is the application for amendment for which the DES was issued in February, 1976, and to which you referred in your letter.
2. Application for Facility License Amendment for Extension of Operation with Once-Through Cooling for Indian Point Unit No. 2. This application will result in a DES which is scheduled for issuance in May, 1976.

OFFICE➤						
SURNAME➤						
DATE➤						

3. Application for Amendment to Facility Operating License DPR-64 January, 1976. This deals with selection of the preferred closed-cycle cooling system for Indian Point Unit No. 3. The DES addressing this application for amendment is scheduled for issuance later this year (tentatively, August, 1976).

The DES for item 2 above will specifically address the Applicant's request to permit completion of the fish study prior to initiation of construction of the cooling towers.

The Staff has made and will continue in the different environmental statements to make every effort to set forth the rationale and pathways (procedures) used in arriving at its conclusions and recommendations. It is believed that by doing this the public and parties involved can better understand the basis for the actions recommended.

Your comments concerned with the Indian Point Units are appreciated, and we will continue to consider them in our evaluation.

Sincerely,

Distribution

Docket File) 50-247  
 EDO #00245 (Gerritt)  
 OELD(5)  
 PE  
 PA  
 OCA  
 SECY (3)  
 NRC Central  
 OELD File  
 HShapar  
 TEngelhardt  
 MGrossman  
 JScinto  
 PDR  
 LPDR  
 D&SS

Distrib. continue

EDO Reading ✓  
 NRR Reading ✓  
 L.V. Gossick  
 BHarless  
 MGroff  
 RGeckler/GKnighton  
 IE(3)  
 MAycock  
 BYoungblood ✓  
 WRegan  
 VAMoore  
 RMuller  
 HRDenton  
 EGCCase  
 BRusche

RHeineman  
 RBoyd  
 VStello  
 MSlater  
 EP-1 Reading ✓

DSE:EP VAMoore	DSE HDenton	NRR EGCase
5/3/76	D. R. Muller 5/ /76	5/ /76

OFFICE MKarman Chroff	OELD Karman	OELD Engelhardt	NRR BRusche	EDO L. V. Gossick
SURNAME Erickson, RGeckler ff(2)	4/30	4/29	4/29	
DATE				





No. **76-1607**

Logging Date 4/20/76

NRC SECRETARIAT

- TO:
- Commissioner \_\_\_\_\_ Date \_\_\_\_\_
  - Exec. Dir./Oper. \_\_\_\_\_  Gen. Counsel \_\_\_\_\_
  - Cong. Liaison \_\_\_\_\_  Solicitor \_\_\_\_\_
  - Public Affairs \_\_\_\_\_  Secretary \_\_\_\_\_
  - \_\_\_\_\_

Incoming: Hamilton Fish, Jr., H.R.  
 From: \_\_\_\_\_

To: Chairman Anders Date 4/12/76

Subject: Recommending delay of environmental statement at Indian Pt. No.2 until study of fish in Hudson River is complete.

- Prepare reply for signature of:
- Chairman
  - Commissioner \_\_\_\_\_
  - EDO, GC, CL, SOL, PA, SECY      SUSPENSE: May 4
  - Signature block omitted
  - \_\_\_\_\_
  - Return original of incoming with response

- For direct reply\*
- For appropriate action
- For information
- For recommendation

Rec'd Off. Dir.                       
 Date 4/21/76  
 Time 9:12

Remarks: Cy of incoming to OGC, ~~SECRETARY~~, PE, PA, OCA. OCA to acknowledge. LOGGED EX! PART I  
Original to Pocket-File. Send cy of response to Mess.

For the Commission: White

\*Send three (3) copies of reply to Secy Mail Facility

HAMILTON FISH, JR.  
25TH DISTRICT, NEW YORK

DISTRICT OFFICES:

POUGHKEEPSIE OFFICE  
62 MARKET STREET 12601  
PHONE: (914) 452-4220

PEEKSKILL OFFICE  
738 SOUTH STREET 10566  
PHONE: (914) 739-8282

KINGSTON OFFICE  
292 FAIR STREET 12401  
PHONE: (914) 331-4466

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

April 12, 1976

JUDICIARY COMMITTEE  
SMALL BUSINESS COMMITTEE  
SELECT COMMITTEE ON THE  
OUTER CONTINENTAL SHELF

WASHINGTON STAFF:  
JOHN D. BARRY  
ADMINISTRATIVE ASSISTANT  
MRS. AYA H. ELY  
EXECUTIVE AND  
APPOINTMENT SECRETARY  
JARED O. BLUM  
LEGISLATIVE ASSISTANT  
SHIRLEY CAVANAUGH  
CASE WORKER

Mr. William A. Anders  
Chairman  
Nuclear Regulatory Commission  
Division of Site Safety  
Washington, D. C. 20555

Re: Draft Environmental Statement  
Closed Cycle Cooling System  
Indian Point Unit No. 2.

Dear Mr. Anders:

In your consideration of the Draft Environmental Statement for a Closed Cycle Cooling System at Indian Point Unit No. 2, which is located within the 25th Congressional District, it is my understanding that an extensive study of fish in the Hudson River is being conducted at this time and nearing completion.

It is further my understanding that fishing in the Hudson has been banned due to the high levels of PCB's in the water.

Therefore, although I am in full support of preservation of our environment, would it not be wise to pause for completion of the fish study at this time. I also believe that alternative closed cycle cooling systems would be preferable to the natural draft system proposed for Indian Point #2 and #3 which, due to the congestion of the area, could have devastating adverse economic effects on the entire area.

Sincerely,



Hamilton Fish, Jr.  
Member of Congress

F:JDBjt