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ENVIRON, FILE (NEPA)

Daniel R. Muller, Assistant Director for Environmental Projects, L
THRU: George W. Knighton, Chief, Environmental Projects Branch #1, L

TRIP REPORT TO ORNL TO PREPARE FOR THE INDIAN POINT UNIT NO. 2 HEARINGS ON
DECEMBER 4, 1972

A trip was made by M. Karman and E. Lyle, OGC, and R. Geckler and the Project Manager to ORNL on November 28-29, 1972 for the purpose of preparing for the upcoming hearings on environmental issues beginning December 4, 1972. Discussions were held with the Indian Point Team Members regarding the scheduling of the hearing and specific areas of cross-examination by the applicant and the intervenors. Input to an errata sheet for the FES from W. Yee, Team Leader, was received. A description of the scope of Technical Specifications was also prepared. Details of the trip to ORNL to prepare for the hearings on the FES are enclosed.

/s/ Original signed by
M. J. Oestmann

M. J. Oestmann, Project Manager
Environmental Projects Branch No. 1
Directorate of Licensing

Enclosure:
As stated

- Distribution
- Docket File ←
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- D. Muller, EP, L
- G. W. Knighton, DP #1, L
- M. Karman, OGC
- E. Lyle, OGC
- K. Kniel, PWR, L
- M. McCoy, PWR, L
- W. Yee, Team Leader, ORNL
- E. Struxness, Env. Director, ORNL
- M. J. Oestmann, EP #1, L
- R. Geckler, EP #1, L
- N. Brown, EP #1, L

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| 12/5/72 SURNAME ▶ | MJOestmann:jj | RGeckler | | | |
| DATE ▶ | 12/8/72 | 12/8/72 | | | |

Details of the Trip to ORNL on November 28-29, 1972
to Prepare for Hearings on the FES for
Indian Point Unit No. 2

1. General Considerations

A number of items were settled as follows:

- a. Travel arrangements of the ORNL and AEC witnesses to the Hearing were made.
- b. Witnesses required include:

W. Yee, P. Goodyear, C. Coutant, M. Siman-Tov, M. Carter, D. Nelson from ORNL and M. J. Oestmann, R. Geakler, and G. Knighton from AEC, M. Karman and E. Lyle will be the AEC counsel. Wilson Horde, attorney for Union Carbide, expressed an interest in attending but will not be a party of the proceeding.
- c. Professional qualifications of all witnesses are required. M. Karman received copies from all of the ORNL witnesses who were not already sworn into the hearing.
- d. W. Yee provided input into an errata sheet for the FES. It will be available for the hearing.
- e. M. Karman stated that he had requested FPC to have a man ready upon call to testify on the need for power, if this topic should be brought up.

2. Major Issues of Contentions for the Hearing

- a. **Cost-Benefit Analysis** - M. Karman had a discussion with M. Carter on the specific areas Carter would be willing to testify to in Chapter XI of the FES. Carter was willing to support the areas outlined in Chapter XI. In regard to the costs of alternate cooling systems, the applicant's costs presented in SER #3 on cost-benefit analysis for individual cooling systems were accepted and used in the assessment presented in Chapter XI. Yee gave Carter the testimony from the applicant and the intervenors which discusses the costs of cooling towers. The 5-year time period used in the FES was based on a reasonable time to design, build, and have operational cooling towers on Indian Point.

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- b. Ecological issues on entrainment and impingement were discussed with P. Goodyear. Geckler, Oestmann, Goodyear, and Siman-Tov discussed the details of the applicant's testimony submitted on October 30, 1972. The differences in models were pointed out. Lawler's model on entrainment is based on a density-dependent natural mortality rate and Goodyear's model on density-independent natural mortality rate. Lawler has an 8 segment model and Goodyear, 19 segment model. Computational methods used in each model differ. Lawler's survival rate is correlated with density-dependence and the model assumes sufficient compensatory reserve to take care of any losses caused by plant operation. Goodyear said sufficient evidence exists on the decline of white perch population, particularly the 0 and first year class of fish, to indicate that the compensatory reserve has been eliminated. The population has declined by a factor of 7 times over a period of 5 years.
- c. The intervenors presented a series of dollar value for the striped bass but it was agreed upon that the AEC would not express a dollar value since any value stated would not be defensible. This is particularly true if there is a strong possibility of eliminating a whole fishery. The value of that fishery would be priceless.
- d. The time of 5 years for allowing plant operation before an alternate cooling system has been installed was discussed. Goodyear said that a pronounced effect on fish population will result during the 5 year operation. Goodyear is concerned about the operation of Unit No. 1 over the next 3-4 years and its effect on the fish population.
- e. The sampling techniques used by Lauer in some of the results done by NYU in 1972 appear to be poor. These are shown in Lawler's testimony of October 30, 1972.
- f. McFadden's testimony is not relevant to the Hudson River. Most of it pertains to the behavior of striped bass on the West Coast which involves cannibalism. Thus the population distribution is quite different between the East and West Coast bass since the older population eats the younger population on the West Coast.
- g. Raney's testimony doesn't address the crucial points regarding the origin of the mid-Atlantic striped bass. The first 3 year olds never leave Chesapeake Bay.

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h. Geckler has been preparing a list of questions for cross examination of the applicant and intervenors which will be carried out in the second week of the hearing.

3. Hearing Process

M. Karman discussed the manner in which the hearing will be carried out. W. Horde was concerned with the manner in which cross-examination would be made, particularly in regard to the qualifications of witnesses. Karman explained that a panel of witnesses will swear in the FES and each witness's qualifications submitted to the Board. The applicant will cross-examine the qualifications of each witness. All questions presented will be fielded through Karman and the Project Manager to the individual expert on a particular subject. The hearing schedule calls for cross-examination of the AEC witnesses by the applicant (3 days) and by the intervenors (1-1/2 days). The second week will be cross-examination of the applicant's witness by the intervenors and vice versa. The AEC will have an opportunity for cross-examination of these witnesses at that time.

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| SURNAME ▶ | M. J. Oestman | | | | | |
| DATE ▶ | 12/8/72 | | | | | |