

UNITED STATES OF AMERICA

ATOMIC ENERGY COMMISSION

In the matter of)

CONSOLIDATED EDISON OF)
NEW YORK, INC.)

(Indian Point Nuclear Generating)
Unit No. 3))

Docket No. 50-286

PETITION FOR INTERVENTION

The Citizens Committee for the Protection of the Environment (on its own behalf and on behalf of its individual members) hereby petitions the Atomic Energy Commission for leave to intervene in the above captioned matter.

A. The interest of the Petitioner is as follows:

The Petitioner is an unincorporated association with offices at One Spring Street, Ossining, New York, organized for the purpose of taking appropriate action to protect the environment against various insults produced by modern technology. It has approximately 300 members, about 50 percent of whom reside and/or work in

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Westchester County and about 20 percent of whom reside and/or work within a radius of 20 miles of the proposed Indian Point Nuclear Generating Unit No. 3. Many of Petitioner's members use the Hudson River, in close proximity to the proposed facility, for boating, fishing, bathing, and other recreational purposes. The Petitioner and its individual members are concerned with the preservation of marine and plant life in the vicinity of the proposed facility and in preserving the usefulness of the Hudson River for recreational purposes. The Petitioner and its individual members are also concerned about the possibility that operation of the proposed facility will create conditions detrimental to the health and safety of the Petitioner's members, their neighbors, the communities in which they reside, and the economic well-being of the area.

- B. The interest of the Petitioner and its individual members may be affected by the Commission's action in this proceeding in that if the Commission permits construction and licenses operation of the proposed facility:

1. The discharge of radioactive effluents and heat into the Hudson River and the atmosphere in routine operation of the proposed facility may adversely affect marine and plant life in the area and endanger the health of the public (including Petitioner's members) who reside, work, or visit in the vicinity of the facility or who use the recreational facilities available in the vicinity;
2. In the event of an accident during operation of the proposed facility, the health, safety, lives, and property of Petitioner's individual members, and of others who reside, work, or visit, or who use the vicinity for recreational purposes, would be endangered; and
3. Especially in view of the prevailing meteorological conditions in the area, the generation and dissipation of heat by the proposed facility, particularly when combined with the heat generated by the Applicant's other nuclear facilities in the immediate vicinity, may create atmospheric conditions detrimental to the health, safety, and activities of the

public, including Petitioner's members.

C. The Petitioner contends that the Commission should not issue a construction permit to the Applicant for the following reasons:

1. The proposed facility operating by itself, and especially operating in combination with other facilities presently being operated by the Applicant, under construction by the Applicant, or planned by the Applicant, will result in the discharge of heat and radioactive effluents into the Hudson River and the atmosphere which will endanger marine and plant life in the area, endanger the health, safety and property of the Petitioner's individual members and the public generally, and detract from the recreational utilization of the area;
2. Operation of the proposed facility, especially when considered in connection with operation of the Applicant's other facilities in the immediate vicinity, will involve the possibility of a catastrophic accident which will seriously endanger the health and safety of the Petitioner's individual members and

members of the public who reside, work, or visit, or who use recreational facilities in the vicinity of the proposed facility;

3. Construction and operation of a nuclear facility in a population density area such as the proposed site in Westchester County would create undue risk to the health and safety of the public;
4. The proliferation of nuclear facilities in New York State, and in the Northeastern part of the United States generally, creates an undue risk to the health and safety of the public in this section of the United States; accordingly the Commission should not permit construction of the proposed facility; and
5. The Applicant has not demonstrated that the benefits to be achieved (from operation of the proposed facility) by the public (including Petitioner's members) who will be subjected to the risks created thereby are of such magnitude that the Commission can properly find reasonable assurance that the proposed facility can be constructed and operated without undue risk to the health and safety of the public.

D. The name and address of the person on whom service may be made is Harold P. Green, Esq., 1700 K Street, N.W., Washington, D. C. 20006.

WHEREFORE, Petitioner respectfully requests the Commission to issue an order permitting its intervention as a party in this proceeding.

March 6, 1969.

CITIZENS COMMITTEE FOR THE PROTECTION OF THE ENVIRONMENT

By /s/ Harold P. Green
HAROLD P. GREEN

/s/ Richard B. Berryman
RICHARD B. BERRYMAN

/s/ David E. Birenbaum
DAVID E. BIRENBAUM

Attorneys for Petitioner
1700 K Street, N.W.
Washington, D. C. 20006

Certificate of Service

I hereby certify that a copy of this Petition for Intervention has been served upon Leonard M. Trosten, Esq., Counsel for Applicant, by hand delivery to his office at 1821 Jefferson Place, N.W., Washington, D. C. this sixth day of March, 1969.

/s/ Harold P. Green
HAROLD P. GREEN

Certificate of Service

I hereby certify that a copy of this Petition for Intervention has been served upon Troy B. Conner, Esq., Counsel for the Regulatory Staff, by deposit thereof in the United States mail, postage prepaid, addressed to him at the Office of the General Counsel, United States Atomic Energy Commission, Washington, D. C. 20545 this sixth day of March, 1969.

/s/ Harold P. Green

HAROLD P. GREEN

District of Columbia) ss.

Larry Bogart, being duly sworn, deposes and says that he is the Executive Director of the Citizens Committee for the Protection of the Environment, the Petitioner herein; that he has read the foregoing Petition and knows the contents thereof, and that the same are true to the best of his knowledge, information, and belief.

/s/ Larry Bogart
LARRY BOGART

District of Columbia) ss.

On this sixth day of March, 1969, before me, Irene G. Oppenheimer, the undersigned officer, personally appeared Larry Bogart, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[SEAL]

/s/ Irene G. Oppenheimer
Notary Public

My Commission Expires April 30, 1971

