

12-28-73

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)
)
CONSOLIDATED EDISON COMPANY) Docket No. 50-286
OF NEW YORK. INC.)
(Indian Point Station,)
Unit No. 3))

APPLICANT'S INTERROGATORIES AND REQUESTS FOR
INFORMATION TO INTERVENORS HRFA AND SOS

In accordance with Sections 2.740b and 2.741 of the Rules of Practice of the Commission, 10 C.F.R. §§ 2.740b, 2.741 (1973), Consolidated Edison Company of New York, Inc., Applicant in the above-captioned proceeding, hereby addresses to Intervenors Hudson River Fishermen's Association ("HRFA") and Save Our Stripers ("SOS") the attached interrogatories and requests for information and the production of documents. Applicant requests that Intervenors respond fully hereto on or before February 15, 1974.

LeBOEUF, LAMB, LEIBY & MacRAE

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1. On what basis do HRFA and SOS place the annual value of the Atlantic striped bass fishery supported by the Hudson at \$73 million for sports catch and \$2.4 million for commercial catch? Show how these figures were obtained with all underlying mathematical computations and a list of all underlying assumptions. If these figures have changed or do not reflect your current position, supply the new figures and the basis for their derivation including mathematical computations and a list of all underlying assumptions.

2. What do HRFA and SOS estimate to be the percentage of the annual production of striped bass eggs, larvae and juveniles in the Hudson River that will pass through the cooling system of:
 - (a) Indian Point Unit 3 alone;
 - (b) Indian Point Units 1, 2 and 3 together; and
 - (c) Indian Point Units 1, 2 and 3, Bowline Point, Roseton, Lovett and Danskammer?Show how these figures were obtained. Produce copies of all reports, studies, analyses, or data on which you rely.

3. On what basis do HRFA and SOS claim that significant

damage to the Hudson population of white perch, alewife, blueback herring, bay anchovy, smelt, and Atlantic silver-side is probable due to their passage through the cooling systems at Indian Point Units 1, 2 and 3? Define what is meant by "significant". Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.

4. On what basis do HRFA and SOS estimate that more than 1.5 million fish per year will probably be killed at the intake screens of Indian Point Unit 1 by impingement, and at least 12 million fish per year will be killed at the intake screens of the three plants? Show how these estimates were obtained with all mathematical computations and a list of all underlying assumptions. Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.
5. On what basis do HRFA and SOS estimate that at Indian Point Units 1, 2 and 3 at least 5% of the fish killed at the intake screens will be striped bass? Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.
6. On what basis do HRFA and SOS estimate that the annual

production of striped bass in the Hudson River will be reduced by approximately 65% by the combined effects of entrainment and impingement at Indian Point Units 1, 2 and 3? By what percent do HRFA and SOS predict the annual production of striped bass in the Hudson River will be reduced by entrainment and impingement at each of the following plants, considering all units operating or presently under construction:

- a) Bowline
- b) Roseton,
- c) Danskammer,
- d) Lovett?

Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.

7. In responding to Interrogatory 6, have HRFA and SOS taken into account any compensatory effects that might make the relationship of the destruction of young-of-the-year striped bass other than directly proportional to the impact of plant operation on future adult populations of striped bass? Please describe the basis for such inclusion or omission and produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely for such inclusion or omission.

8. Do HRFA and SOS have any information not presented in the Indian Point Unit 2 hearings that the Hudson nursery ground is a major contributor to the Mid-Atlantic and New England striped bass fisheries? If so, describe such information. Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely not introduced in evidence during the hearings on Indian Point Unit 2.

9. What do HRFA and SOS estimate to be the percentage of the Hudson River population of Gammarus and Noemysis which will be entrained by the cooling water systems of Indian Point Units 1, 2 and 3? Provide the data from which these estimates were derived. Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.

10. What percentage of the Gammarus and Neomysis entrained in the cooling water systems of Indian Point Units 1, 2 and 3 do HRFA and SOS estimate will be killed? Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.

11. On what basis do HRFA and SOS claim that the estimated reduction of Gammarus and Neomysis given in response to

Interrogatory 10 will result in "a significant loss of food organisms"? Define what is meant by "significant".

Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.

12. What do HRFA and SOS estimate to be the percentage of all phytoplankton in the Hudson River which will be entrained by the cooling water system of Indian Point Units 1, 2 and 3? Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.
13. What percentage of the phytoplankton entrained in the cooling water systems of Indian Point Units 1, 2 and 3 do HRFA and SOS estimate will be killed? Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.
14. On what basis do HRFA and SOS claim that the estimated reduction of phytoplankton given in response to Interrogatory 13 will result in an "adverse impact on the food chain"? In responding, quantify the reduction in food availability and its effect on fish populations as a result of estimated plant impact on the food chain. Produce copies of all reports, studies, analyses, or

data on which HRFA and SOS rely.

15. On what basis do HRFA and SOS claim that the heated plumes from Indian Point and Lovett will interfere with the migrating and seasonal movements of fish in the Hudson to and from their spawning grounds? Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.

16. On what basis do HRFA and SOS claim that a loss of dissolved oxygen will occur during the passage of water through the cooling system of the plant? On what basis do HRFA and SOS claim that this will have an adverse effect in summer on the biota of the Hudson River? Give detailed explanations and produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely.

17. On what basis do HRFA and SOS claim that the release of chlorine and its compounds will have a significant adverse impact on the fish and other aquatic biota in the vicinity of Indian Point? Give a detailed explanation and specify what is meant by the "vicinity of Indian Point." Produce copies of all reports, studies, analyses, or data

on which HRFA and SOS rely.

18. On what basis do HRFA and SOS claim that all or nearly all striped bass passing through the present cooling systems will be killed? Identify all tests or studies that document this claim. Produce copies of all reports, studies, analyses, or data on which HRFA and SOS rely other than those conducted by or for Con Edison.

19. How many years of operation of Indian Point Unit 3 in addition to the operation of Indian Point Units 1 and 2 are required to produce an irreversible adverse impact on the Hudson River striped bass fishery? Produce copies of all reports, studies, analyses, or data on which your answer is based.

20. In responding to Interrogatory 19, what, if any, mitigating measures (such as restocking with hatchery-reared fish) were included in your calculations? Show how those measures were taken into account in your calculations.