

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of
CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.

(Indian Point Station
Unit No. 3)

Docket No. 50-286
OL No. DPR-64

(Determination of
Preferred Alternative
Closed-Cycle Cooling
System)

ANSWER OF HUDSON RIVER FISHERMEN'S
ASSOCIATION AND SAVE OUR STRIPERS
TO NOTICE OF HEARING

Pursuant to Notice of Hearing, issued October 12, 1976, respecting a license amendment proposed by Consolidated Edison Company of New York, Inc. (Con Edison) which would designate a closed-cycle natural draft, wet cooling tower system as the preferred alternative cooling system at Indian Point Unit No. 3, and the provisions of 10 C.F.R. Section 2.705 of the Commission's Rules of Practice, the Hudson River Fishermen's Association ("HRFA") and Save Our Stripers ("SOS") hereby submit the following answer.

Nature of HRFA's and SOS' Position

HRFA and SOS do not oppose the designation of a natural draft, wet cooling tower as the preferred closed-cycle cooling system for Indian Point 3. The basis for this position is set forth in HRFA's and SOS' petition to intervene filed on April 29, 1976. See Petition at p. 5.

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HRFA and SOS' Position with Respect to Issues
Raised by Proposed Amendment

HRFA and SOS take the position, based on the evidence contained in the Final Environmental Statements relating to operation of Indian Point Units Nos. 2 and 3, the Final Environmental Statement related to Selection of the Preferred Closed-Cycle Cooling System at Indian Point Unit No. 2, and Con Edison's Report on Economic and Environmental Impacts of Alternative Closed-Cycle Cooling Systems, dated January 1, 1976, that they do not controvert the issues raised by the proposed amendment. However, in the event that new evidence or data is presented by the NRC staff or any other party, HRFA and SOS reserve the right to modify their position.

HRFA and SOS' Intent to Appear and Present Evidence

HRFA and SOS, by their counsel, intend to appear and participate as full parties in any hearing which may be held. HRFA and SOS also reserve the right to present evidence at such a hearing.

Respectfully submitted,

Sarah Chasis

Sarah Chasis
Attorney for Hudson River
Fishermen's Association and
Save our Stripers

Dated: New York, New York
November 8, 1976

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NOTICE OF APPEARANCE FOR HRFA AND SOS

In accordance with §2.713(a) of the Rules of Practice of the Nuclear Regulatory Commission, notice is hereby given that the following attorney will appear for the Hudson River Fishermen's Association ("HRFA") and Save Our Stripers ("SOS") in the above-captioned proceeding.

Sarah Chasis

Member of the Bar of the
United States Court of Appeals
for the Second Circuit; of
the United States District
Court for the Southern
District; of New York State

The foregoing attorney has her office at the Natural Resources Defense Council, Inc., 15 West 44th Street, New York, New York 10036, Telephone (212) 869-0150.



Sarah Chasis

Dated: November 8, 1976

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CERTIFICATE OF SERVICE

I hereby certify that copies of "ANSWER OF HUDSON RIVER FISHERMEN'S ASSOCIATION AND SAVE OUR STRIPERS TO NOTICE OF HEARING" and "NOTICE OF APPEARANCE FOR HRFA AND SOS", in the above-captioned matter have been served on the following by deposit in the United States mail, first class or air mail, this 8th day of November, 1976.

Samuel W. Jensch, Esq., Chairman
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. R. Beecher Briggs
110 Evans Lane
Oak Ridge, Tennessee 37830

Dr. Franklin C. Daiber
College of Marine Studies
University of Delaware
Newark, Delaware 19711

Stephen H. Lewis, Esq.
Office of the Executive Legal
Director
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Leonard M. Trosten, Esq.
LeBoeuf, Lamb, Leiby &
MacRae
1757 N. Street, N.W.
Washington, D.C. 20036

Honorable George V. Begany
Mayor, Village of Buchanan
Buchanan, New York 10511

Michael Curley, Esq.
Office of the General Counsel
New York State Atomic Energy
Council
New York State Department
of Commerce
99 Washington Avenue
Albany, New York 12210

Edward J. Sack, Esq.
Law Department
Consolidated Edison Company
of New York, Inc.
4 Irving Place
New York, New York 10003

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Sarah Chasis

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Attorney for HRFA and SOS