



RECEIVED CORRESPONDENCE

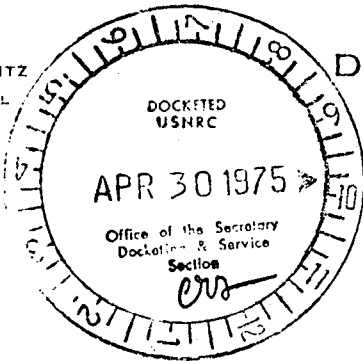
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April 25, 1975

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Chairman, Atomic Safety and
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Re: Consolidated Edison Company of New York, Inc.
(Indian Point Unit No. 3), Docket No. 50-286

Gentlemen:

The Attorney General of the State of New York requests that this letter be included in the record of this proceeding along with Con Edison's Supplemental Response No. 4.

Extensive cross-examination of Texas Instruments witnesses on this point showed the figures referred to by Con Edison to be meaningless at best and more likely deceptive. The data were appallingly inadequate for the change in ratio method use by the company to determine relative survival of hatchery reared and wild fingerlings.

Without going into statistical details, it is sufficient to note that of 28,674 stocked hatchery fingerlings, 35 were captured by sampling, and that of 3,388 wild fish, the sampling gear captured 52. (While 11 additional hatchery fish were found on various intake screens, no similar count was kept for wild fingerlings.)

Con Edison suggests that the relative paucity of captured hatchery fingerlings is accounted for by their greater avoidance capability. No empirical basis for this has been offered. In addition, the relatively larger size of hatchery fish at the time of stocking (hatchery fish averaged 4" - 6"; wild fish averaged 3") would be far more likely to produce differential survival, biasing the results in favor of the hatchery fish.

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The task group established by the Interior Department for the review of Con Edison's Storm King presentation considers the stocking program to have demonstrated severe problems with this mitigation measure as a result of the relatively poor survival rate shown by this data.

Very truly yours,

LOUIS J. LEEKOWITZ
Attorney General
By

PSS:nv

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