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Docket No. 50-286

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THRU: George W. Knighton, Chief, Environmental Projects Branch #1

MEETING AT ORNL ON THE FPC HEARING ON THE CORNWALL PUMPED STORAGE PROJECT AND THE PREPARATION OF THE FES FOR INDIAN POINT UNIT NO. 3

On September 10, 1974, a meeting was held at ORNL for the purpose of discussing the possible participation of the ORNL team members in the FPC hearing on the Cornwall Pumped Storage Project (Storm King) and the status of the preparation of the FES for Indian Point Unit No. 3. The EPM stayed on through September 13, 1974, to review the details of the work on the FES for Unit No. 3.

The conclusions reached in the meeting involved the following:

- (1) The participation on the part of A. Ersalan and other ORNL team members in the FPC hearing will be kept to a minimum. A. Ersalan would complete his work on the Indian Point case before being involved as an independent expert witness in preparing testimony for the FPC hearing.
- (2) The ORNL draft of the FES will be delayed until November 7, 1974. ORNL management assured the AEC that the FES summary and conclusions will be amply supported in the text of the draft. The FES will be issued on November 29, 1974.
- (3) Section I through IV and VI through IX of the FES and Appendices C, D, E, and H and revisions are being typed up.

The attendees at the September 10, 1974 meetings included F. Gray and J. Scinto, OGC, S. Beall, W. Fulkerson, D. Nelson, T. Row, R. Rush, A. Ersalan, S. Christensen, W. Van Winkle, M. Siman-Tov and C. Carter, ORNL and G. Knighton and the EPM.

Details of the discussion are presented in Enclosure 1.

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OFFICE	Enclosure: Details of meeting	L:EP-1	L:EP-1		
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DATE		10/4/74	10/ /74		

DETAILS OF THE MEETING AT ORNL ON SEPTEMBER 10, 1974

I. The FPC Storm King Project

In the morning of September 10, the possible participation of the ORNL team members in the FPC hearing on the Storm King Project (No. 2338) was discussed. On August 19, 1974, a prehearing conference on the Project was held before the FPC Administrative Law Judge William Levy to set a schedule for the remanded hearing and to comply with the direction of the Second Circuit Court of Appeals to determine by January 1, 1975, the extent to which the Project poses a danger to fish life and whether such danger can, as a practical matter, be eliminated or greatly diminished. September 13, 1974 was set for the filing by all parties of their testimony and cross examination of witnesses was scheduled to begin on October 8, 1974.

At the prehearing conference, HRFA and the NYS Attorney General alerted Judge Levy as to the work done by P. Goodyear in response to Senator A. Ribicoff's request to Chairman Dixie Lee Ray of the AEC in the Fall of 1973. The names of A. Ersalan and the ORNL team effort on the young-of-the-year model on Indian Point were also brought to the attention of Judge Levy through the intervenors. A. Ersalan subsequently received correspondence from the FPC to possibly submit testimony in the hearing in October. He agreed to act as an independent witness for the FPC. Later on he received additional correspondence that he would not be called upon until his work on the Indian Point case would be completed. Ersalan is trying to arrange with FPC to testify only after completion of the FES. Ersalan contends that whether or not he is clobbered in the FPC hearings, he must testify to prevent Lawler, Con Ed's consultant, from white-washing the Storm King Project. ORNL agrees with this point and encourages that AEC should become involved in the FPC controversy. ORNL would encourage Van Winkle and others to participate in the FPC hearings.

On September 9 and 20, extensive testimony was submitted by the parties in the FPC hearing. A task force meeting with the intent of trying to reach a stipulation on the hearing was held at the FPC headquarters on September 30 and October 1, 1974. F. Gray, OGC, A. Ersalan and S. Christensen participated in the task force meeting.

At the September 10 meeting R. Rush also discussed the history of the Storm King Project, including the ORNL - AEC interaction during the past year. Copies of the files he had including correspondence between ORNL and the AEC were distributed to OGC and the EPM. The EPM also distributed a memo to the attendees discussing the FPC - AEC interaction on the Storm King Project.

In the testimony submitted by Con Ed the Hudson River life cycle computer model which includes real time simulation in short time intervals of 4 hours will be submitted. Some additional valuable testimony and TI and QLM reports should be available for the Indian Point case. Ersalan pointed out the basic differences between the staff's and Con Ed's life-cycle model for striped bass. The timing is a basic element of difference. The staff's model is based on a tidal average cycle (12 hours) and includes 76 cross sections of the entire lower Hudson. Con Ed's model uses a 1 hour distribution in the tidal cycle. However, the data input lacks sufficient accuracy to take into account the 1 hour distribution.

It was concluded that F. Gray, OGC, would keep in close contact with FPC to find out what was going on in the case and A. Ersalan would concentrate on the Indian Point case and complete that work before getting involved as an independent witness in the Storm King Project.

In this manner, the schedule for completing the FES would not be affected by the FPC hearings.

II. The Status of the FES for IP-3

In the afternoon of September 10, 1974, we met with the ORNL management and certain team members to review the status of the preparation of the FES for Unit No. 3. The ORNL management reported that the schedule presented in the July 16, 1974 letter to A. Giambusso for submitting the ORNL draft of the FES on October 15, 1974 would not be met. The schedule would be slipped to November 7, 1974.

The reasons for the delay were considered to be due to the following factors:

- (1) Unexpected and frequent briefing meetings.
- (2) Conflicting requirements for Summit and to a lesser extent, Fulton, and
- (3) The delay in receipt of the information requested from Con Ed and the form of the information received (raw undigested data)

The ORNL submitted evidence as to the lost time for items (1) and (2). However, the meetings on July 30 - 31 and August 1 and 2 involved a frank exchange of information among the parties which was very valuable for all concerned. The effort by W. Van Winkle on the Summit case also was not scheduled. See Enclosure 2 on unexpected working days lost.

The most critical work, particularly in meeting the schedule to issue the FES, is that being done on the development of the young-of-the-year and adult model studies by W. Van Winkle, S. Christensen, A. Ersalan,

B. Rust and others. This work was given top priority. It was hoped that the input information to the y-o-y model would be the applicant's 1973 data. The earlier models used the 1967 data. The key to accomplishing the verification of the y-o-y model was to obtain the 1973 data from Con Ed as requested in the AEC's letter of August 13, 1974. Much of the 1973 needed information was absent from the 1973 reports that Con Ed has sent the AEC. The AEC has only received 4 responses out of 12 inquiries in our letter of August 13. Response from Con Ed was due August 28, 1974. The most critical information missing is the data on "f" factors taken at the intakes at Indian Point. Information on "f" factors at the other plants on the Hudson was obtained. See the Enclosure 3 listing the problems with information from Con Ed.

W. Fulkerson recommended that the results and description of these models should be left out of the FES and be submitted in a separate document. However, the results and a summary of the description would have to be put in the FES which would provide support for the conclusions of the FES. It was also agreed that the detailed description of the model would be put in a separate ORNL technical report that would be available at the time of issuance of the FES. This description and validation document, however, would not be available for discovery. This would allow ORNL to complete their work on the FES by November 7, a slip of 17 days from the October 15, 1974 date proposed by ORNL in its letter of July 16, 1974 to A. Giambusso.

ORNL also said that a complete critique of Con Ed's Hudson River life-cycle model would not be finished in time to get into the FES. J. Scinto emphasized that before the FES is to be issued, a complete critique would have to be provided to affect the conclusions of the FES.

The FES appendices would include a summary description of how the model was developed and how it was applied to get the results of the y-o-y and adult model.

The subjects which are being worked on include the applicant's research program, compensation, fish hatchery proposal, and a critique on "f" factors. A draft of the subject on f_c is completed. Sampling problems in collecting data also has been discussed. The monetary loss of fish is also being evaluated. M. Carter is working on the need for power section. It was also agreed that a new appendix F on the life history of fish taken from the FES for Unit No. 2 would replace the old one on the contribution of the Hudson River striped bass to the Mid-Atlantic fishing.

No major revisions to the thermal section has occurred. M. Siman-Tov is calculating the frequency of occurrence when the NYS thermal criteria cannot be met. Siman-Tov explained the major differences between Con Ed's thermal model and the staff's model. This difference includes the thermal stratification factor, the dispersion coefficient, and the heat exchange coefficient. ORNL would like to have another meeting with Con Ed to discuss the thermal models and thermal monitoring measurements being taken on the river during 1974. Suggested items (Enclosure 4) for discussion with Con Ed were also presented. However, Con Ed has discouraged having another meeting.

We also discussed the work load to complete the FES. We have encouraged that additional help be given to W. Van Winkle, but this has been found to be unfruitful. ORNL would like to have W. Van Winkle carry the workload as far as the ecological studies are concerned. Ersalan and W. Van Winkle are on the critical path to complete the workload for the FES. Both are over extending themselves. Christensen is also helping Ersalan with the y-o-y model development. All three are pushing to complete the FES.

The schedule for the work load appears as follows:

<u>Milestone</u>	<u>Schedule</u>	
	<u>Present</u>	<u>Revised</u>
FES from Lab	10/15/74	11/7/74
Staff Review	10/25/74	11/12/74
Management OGC Review	11/4/74	11/19/74
FES Issue	11/15/74	11/29/74
Env. Hearings	Not scheduled yet	
Fuel Loading	1/15/75	2/1/75

In order to meet the above dates, ORNL arbitrarily fixed the date of September 6, as the time past which ORNL would not consider any new data relative to the FES. Data received after this date will be analyzed and used in preparing testimony for hearings.

In addition ORNL plans to reduce the DES revisions to the absolute minimum consistent with a "fresh look" and consistent with good quality and defer much of the writing on the documentation report on the young-of-the-year model until after the FES writing is completed. ORNL also plans to publish the documentation report on the adult model by the end of November and the y-o-y report by mid-December. The ORNL revisions of the FES including editing, graphics, typing and taping should be completed on November 7 at the latest.

In order to minimize the delay, the staff review will be carried out during the first two weeks of November so as to complete the staff review by November 12. It was anticipated to issue the FES by November 29, 1974. ORNL management has assured the AEC that the schedule for the ORNL lab draft will be met by November 7. The FES must include a solid basis for supporting the summary and conclusions reached.