

SEP 15 1969

50-286

Honorable Jacob K. Javits
United States Senate

Dear Senator Javits:

I am pleased to respond to your referral of a letter dated March 31, 1969, from Mrs. Jacques Chazaud, Crugers, New York, expressing her concern about the safety of nuclear power plants under construction or planned by the Consolidated Edison Company.

Mrs. Chazaud states in her letter that she felt she would "not be able to register any meaningful protest" at the public hearing before the Atomic Safety and Licensing Board on the Indian Point Unit 3 nuclear power plant application, and that it appeared the outcome was "a foredrawn conclusion." Every effort is made to afford full public participation in hearings on construction permit applications, and they are conducted at locations convenient to the area in which the nuclear reactor is proposed to be built. Under the Commission's rules of practice, persons whose interests may be affected by the proceeding may intervene as parties in accordance with requirements of the regulations, and others may state their views before the board in limited appearances. In the Indian Point Unit 3 proceeding, there were two interventions opposing the granting of a permit, and limited appearances by twenty-two other persons, several of whom appeared before the Board more than once. We are not aware of any request by Mrs. Chazaud to appear at this hearing.

After considering all the evidence and the record of the proceeding, the Atomic Safety and Licensing Board authorized issuance of a construction permit to Consolidated Edison for Indian Point Unit 3, and the permit was issued on August 13, 1969. The permit and the Board's decision will be reviewed by the Commission.

Mrs. Chazaud's letter states "we have only Con Edison's word" regarding safety, and suggests that the purpose of the hearings was "only to determine whether or not Con Edison is sufficiently skilled in the construction and operation" of its nuclear plants. In this case, following our standard procedures, the Atomic Safety and Licensing Board's decision was preceded by technical safety reviews by the AEC regulatory staff and by the independent Advisory Committee on Reactor Safeguards which was

established by law to advise the Commission on reactor safety matters. These reviews considered all radiological aspects of the project having a bearing on public health and safety, including the design of the reactor and its engineered safety features, and the suitability of the site.

The board determines whether the application and the record of the proceeding contain sufficient information, and whether safety review of the application has been adequate to support findings proposed to be made by the Director of Regulation and to support issuance of a construction permit. When the application is contested -- as was the case in the Indian Point Unit 3 proceeding -- the board considers all matters in controversy. I am enclosing a copy of the booklet, "Licensing of Power Reactors," which describes the regulatory process in detail, including the further procedures that pertain to the operating license stage.

Regarding Mrs. Chazaud's concern over radioactivity that might be in drinking water drawn from the Hudson River, AEC limits on concentrations of radioactivity permitted in any nuclear power reactor liquid effluents leaving a restricted area, prior to dilution in a stream or other body of water, are such that a member of the public could use the effluent as a source of drinking water throughout his lifetime without exceeding the radiation protection guides recommended by the Federal Radiation Council and approved by the President. Concentrations in the effluents, of course, are further reduced by dilution in the body of water into which they are discharged. Environmental monitoring programs to measure radioactivity levels are carried out by licensees, New York State, the Bureau of Radiological Health, and the AEC.

With respect to thermal effects of heated cooling water discharges, the AEC lacks authority to impose restrictions concerning nonradiological effects of nuclear facilities in its licensing process. AEC licensing, however, does not relieve the applicant from being subject to the appropriate jurisdictions in other areas which also would be involved if the plant were fueled by coal, oil, or other nonnuclear means. In this connection, the AEC keeps interested federal, state and local officials informed of applications received and licensing actions taken on the proposed nuclear projects.

Honorable Jacob K. Javits

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With respect to Mrs. Chazaud's statement, "It has been rumored that there is a higher rate of leukemia, cancer of the thyroid gland and birth defects in this general area," we assume that this refers to testimony at the hearings presented by Mrs. Mary Hays Weik. We understand that Mrs. Weik's allegations have been referred to the New York State Health Department.

Sincerely,

S/C. L. Henderson
for Harold L. Price
Director of Regulation

Enclosures:

1. Booklet, "Licensing of Power Reactors"
2. Ltr fm Mrs. Jacques Chazaud dtd 3/31/69

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