

Big Intake

June 27, 1973

Richard I. Goldsmith, Esq.
Syracuse University
College of Law
E.I. White Hall, Campus
Syracuse, New York 13210

In the Matter of Niagara Mohawk Power Corporation
(Nine Mile Point, Unit No. 2)
Docket No. 50-410

Dear Mr. Goldsmith:

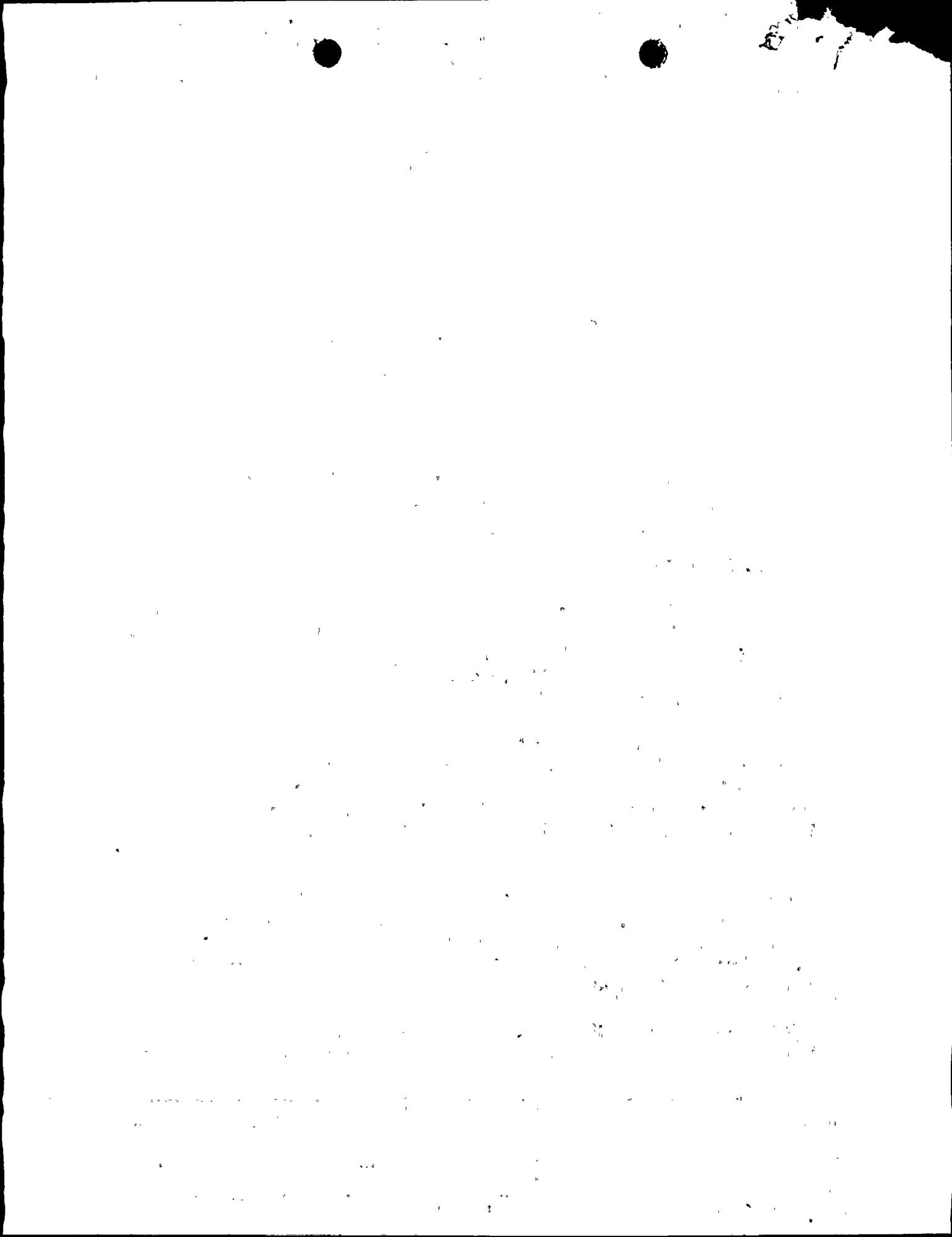
Enclosed are AEC Regulatory Staff (staff) questions to your clients which are propounded in connection with the subject proceeding. These questions are submitted as part of the "informal discovery" agreed to by the parties at the meeting of counsel held in Syracuse on April 19, 1973, and at the second prehearing conference held in Oswego on April 27, 1973.

The staff requests that question 2 be answered not less than two weeks before the scheduled commencement of the evidentiary hearing. As you can appreciate, certain staff witnesses have numerous other commitments. Thus a timely answer on your part will obviate last minute scheduling difficulties for appropriate and necessary staff witnesses to appear for examination by you.

As to the remainder of the questions, the staff requests that they be answered on or before August 1, 1973. In this connection, the staff again offers to meet with Intervenors' scientific advisers in Syracuse or Oswego in addition to or in lieu of your clients providing written answers to the staff's questions. (This would exlude question 2)

Additionally, the staff will not require answers to any of the attached questions should you decide not to present an affirmative case-in-chief and/or forego

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Richard I. Goldsmith, Esq.

- 2 -

cross-examination of staff witnesses. This would generally follow the approach the staff took in the FitzPatrick proceeding.

Sincerely,

Bernard M. Bordenick
Counsel for AEC Regulatory Staff

Enclosure:
Staff questions

cc w/enclosure:

Daniel M. Head, Esq.
Dr. Marvin M. Mann
Joseph F. Tubridy, Esq.
Mr. Gustave A. Linenberger
Mr. J. Bruce MacDonald
Arvin E. Upton, Esq.
Eugene B. Thomas, Jr., Esq.
James P. McGranery, Jr., Esq.
Ms. Suzanne Weber
Atomic Safety and Licensing
Board Panel
Atomic Safety and Licensing
Appeal Board
Mr. Frank W. Karas

bcc w/enclosure:

Anthony Bournia
Jan Norris
Charles A. Barth

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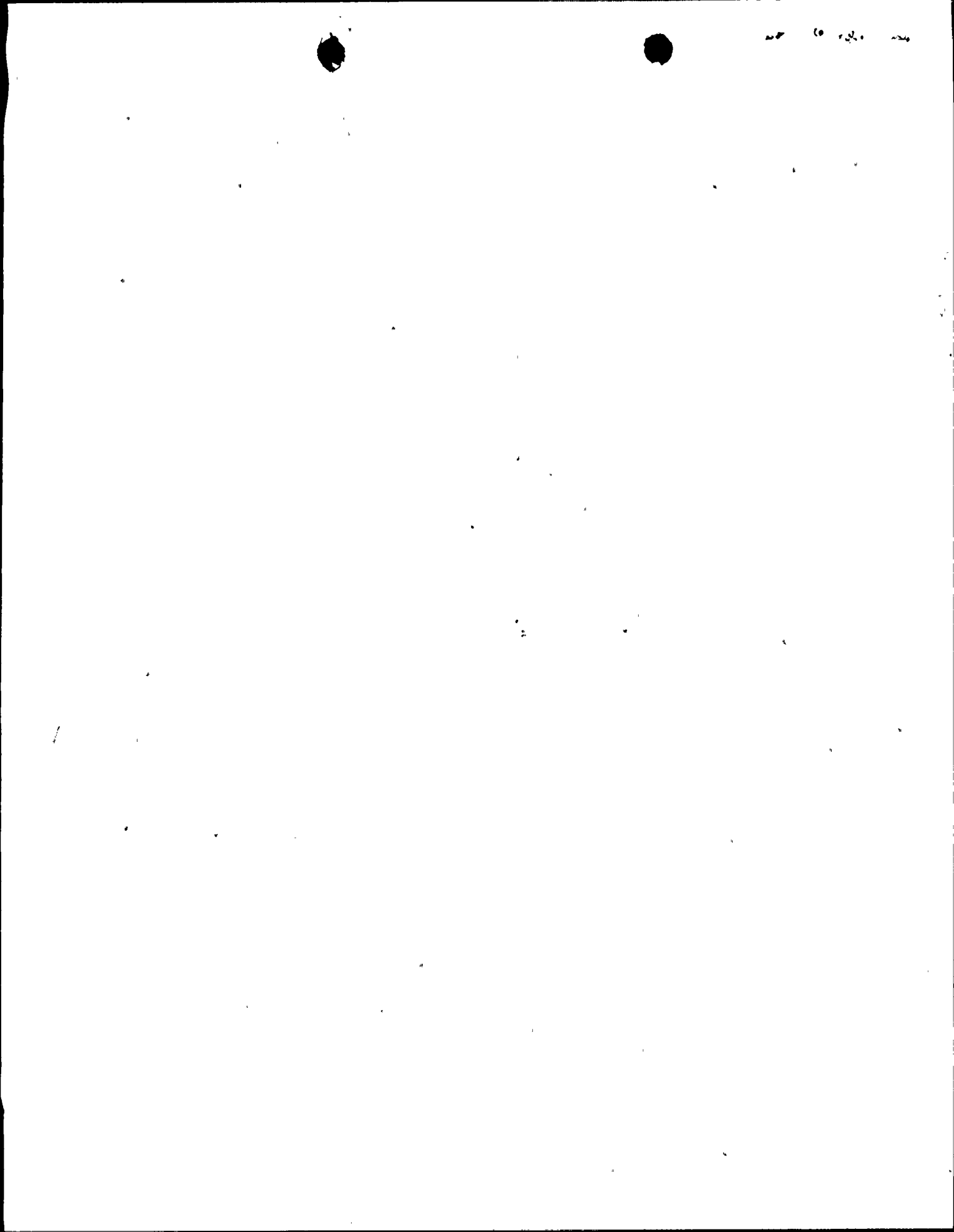
AEC REGULATORY STAFF QUESTIONS TO
INTERVENORS ECOLOGY ACTION AND SUZANNE WEBER

1. State a) the name, b) address, and c) professional qualifications of each person who will appear as a witness at the evidentiary hearing in this proceeding on behalf of intervenors' case-in-chief. Your answer should include the general area of testimony to be given by each such person (e.g., "fuel densification").

2. State the areas of cross-examination to be pursued by intervenors at the evidentiary hearing with respect to those portions of the staff's Safety Evaluation Report and Final Environmental Statement which are at issue in this proceeding (e.g. "fuel densification").

3.
 - a) Identify all independent calculations made by, or on behalf of, the intervenors regarding radioactive effluents from either the proposed Nine Mile Point, Unit 2, plant and/or the Nine Mile Point, Unit 1, plant and/or the proposed James A. FitzPatrick plant.
 - b) Describe fully the models used for the calculations identified in response to 3(a) above.
 - c) Define the value or ranges of all pertinent parameters used in the models described in answer to 3(b) above.
 - d) For each referenced model, indicate whether it has been developed and verified by, or on behalf of, the intervenors, or by others.
 - e) If the referenced models were developed or verified by others, please identify any such person or persons by name and address.

4.
 - a) State the additional preventive measures and/or design criteria which intervenors allege should be included in the proposed Nine Mile Point, Unit 2, plant to guard against fuel densification or fuel migration.
 - b) Identify all independent calculations made by, or on behalf of, the intervenors regarding the additional preventive measures and/or design criteria set forth in response to 4(a) above.
 - c) Describe fully the models used for the calculations identified in response to 4(b) above.
 - d) Define the value or ranges of all pertinent parameters used in the models described in answer to 4(c) above.
 - e) For each referenced model, indicate whether it has been developed and verified by, or on behalf of, the intervenors, or by others.
 - f) If the referenced models were developed or verified by others, please identify any such person or persons by name and address.
5.
 - a) Identify all independent calculations made by, or on behalf of, the intervenors regarding the need, or the alleged lack of need, for power by applicant from the proposed Nine Mile Point, Unit 2, facility.
 - b) Describe fully the data, sources of data and calculational methods identified in response to 5(a) above.
6.
 - a) State the energy sources which intervenors allege are viable alternatives to the proposed Nine Mile Point, Unit 2, plant.
 - b) With respect to any such alternative energy source identified in response to question 6(a) above, identify any documentary or other evidence intervenors intend



to rely on at the evidentiary hearing to show that any such alternative energy source will be available on a commercial basis within the Nine Mile Point, Unit 2, time frame (i.e., will be commercially available for the generation of electrical energy to applicant's customers by 1978 and/or 1979).

7. a) Identify all independent calculations made by, or on behalf of, the intervenors regarding the economic and other costs of operating the proposed Nine Mile Point, Unit 2, facility. Your answer should include the quantification of any alleged costs and any calculations made by, or on behalf of, the intervenors relating to so-called "hidden costs" which you allege are borne by the public as a result of fuel cost subsidies provided by the government and the limitation of liability for radiation damage provided by the Price-Anderson Act.
 - b) Describe fully the models and/or calculational methods used for the calculations identified in response to 7(a) above.
8. Describe fully and/or submit copies of the results of all independent measurements and/or studies which have been made by, or on behalf of, the intervenors with regard to any parameters of safety or environmental impact which are of concern to intervenors with respect to the proposed Nine Mile Point, Unit 2, plant to the extent that such descriptions and/or copies have not been supplied in your answers to questions 1-7.

