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USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DEC 14 P2:27

ATOMIC SAFETY & LICENSING BOARD

SECRETARIAT  
& SERVICE  
UNIT

Before Administrative Judges:

Louis J. Carter, Chairman  
Dr. Oscar H. Paris  
Frederick J. Shon

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 )  
 In the Matter of: )  
 )  
 CONSOLIDATED EDISON COMPANY OF NEW YORK )  
 )  
 (Indian Point, Unit 2) )  
 )  
 )  
 POWER AUTHORITY OF THE STATE OF NEW YORK )  
 )  
 (Indian Point, Unit 3 )  
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Docket Nos.  
50-247-SP  
50-286-SP

AMENDED PETITION  
FOR LEAVE TO INTERVENE

Alfred B. DelBello, County Executive of the County of Westchester in the State of New York, hereby petitions for intervention in the above proceeding as an Interested State, pursuant to 10 C.F.R. §2.715(c).

The Indian Point nuclear power facilities are located in Buchanan, New York, within the County of Westchester. All questions regarding the safety of these plants are of paramount concern to the residents of Westchester County. As Chief Executive of the County, it is clearly my responsibility to represent my constituents in this proceeding.

The powers and duties of the County Executive of the County of Westchester, set forth in Chapter 110 of the Westchester County Charter, 1937 New York Laws, Chapter 617, as amended, include the following:

The County Executive shall be the chief executive and administrative officer of the County and the official head of the County government.

Emergency powers are delegated to County Executives by the State of New York, pursuant to New York Executive Law, Article 2-B, as amended by the Radiologic Emergency Preparedness Act of 1981, 1981 New York Laws, Chapter 708. Section 24(1) of that law provides for the chief executive of a county to request the Governor to declare a disaster emergency in the event of a radiological accident, and further provides:

Following such a declaration and during the continuance of such local state of emergency, the chief executive may promulgate local emergency orders to protect life and property or to bring the emergency situation under control.

The Westchester County Emergency Response Plan for the Indian Point Power Station, now in draft pursuant to NUREG 0654 and the final emergency planning rule, 10 C.F.R. 50.54, assigns the County Executive lead responsibility for command and control in the event of a radiological emergency. The County Director of Disaster and Emergency Services, who is directly responsible to the County Executive, is charged with responsibility for all preparedness functions, and County departments directly responsible to the County Executive are charged with lead responsibility for all response functions under the Plan.

Therefore, County Executive DelBello respectfully requests the Board to grant leave to intervene as a representative of "an interested state, county, municipality and or agencies thereof" in accordance with 10 C.F.R. 2.715(c).

ALFRED B. DEL BELLO  
WESTCHESTER COUNTY EXECUTIVE

BY: Marianne L. Sussman  
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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
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CONSOLIDATED EDISON COMPANY	)	Docket Nos. 50-247-SP
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POWER AUTHORITY OF THE STATE OF	)	
NEW YORK (Indian Point, Unit 3)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the annexed AMENDED PETITION FOR LEAVE TO INTERVENE in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class this 10th day of December, 1981.

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Administrative Judge  
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U.S. Nuclear Regulatory Commission  
Washington, DC 20555

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Atomic Safety and Licensing Board  
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Washington, DC 20555

Mr. Frederick J. Shon  
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U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Atomic Safety and Licensing  
Appeal Board Panel  
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Washington, DC 20555

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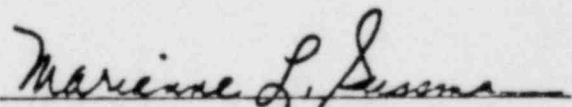
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