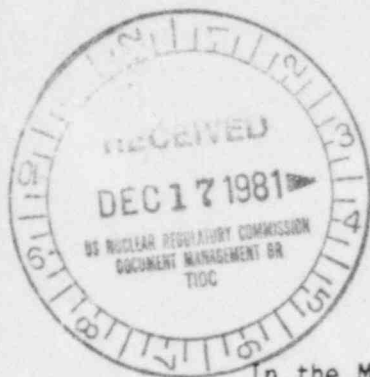


12/8/82

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION



BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'81 DEC 14 P2:44

*em*

In the Matter of )

CONSOLIDATED EDISON COMPANY OF NEW YORK )  
(Indian Point Unit 2) )

) Docket Nos. 50-247 SP  
) 50-286 SP

POWER AUTHORITY OF THE STATE OF NEW YORK )  
(Indian Point Unit 3) )

NEW YORK PUBLIC INTEREST RESEARCH GROUP, INC., PETITION FOR LEAVE TO AMEND  
PORTIONS OF JOINT PETITION TO INTERVENE

New York Public Interest Research Group, Inc., (NYPIRG), by its representative Joan Holt, requests leave to amend sections of its and the Union of Concerned Scientists', (UCS), Joint Petition For Leave to Intervene in the manner set out below. NYPIRG and UCS have agreed to file separate responses to the challenges against our intervention in that the challenges are directed at us as separate entities. NYPIRG seeks to amend paragraph 4.B. to read as follows:

B. NYPIRG (All within 50 miles of Indian Point)

- i. Jodi Devido  
Peekskill, New York, 10566
- ii. Marla Levenstein  
Bronx, New York, 10461
- iii. Lori Schreier  
Bayside, New York, 11364
- iv. Ellen D. Spilka, who resides at 35 Bow Street, Forest Hills, New York, 11375, and is a voluntary member of NYPIRG, with voting rights as a member, and in addition is the Vice-Chairperson of NYPIRG's Board of Directors. Ms. Spilka is threatened by the

*DS03  
50/11*

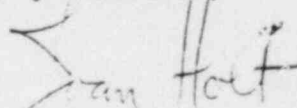
continued operation of the Indian Point nuclear reactors without adequate offsite emergency planning for the area, within fifty miles of the plants, in which she lives. A major accident at Indian Point could seriously impair her health and safety because of inadequate emergency preparedness for such an accident. Ms. Spilka has specifically authorized NYPIRG to represent her interests in this proceeding, as is documented by her attached affidavit, made a part hereof.

- v. Virginia Rojack  
Bronxville, New York, 10708
- vi. Joshua Sesler  
Hartsdale, New York, 10530
- vii. Mark Grill  
Bronxville, New York, 10708

In response to request for documentation of NYPIRG's decision to intervene in these proceedings, see the attached affidavit of Lisa Schwartz with attached Board Resolution and affidavit of Joan Holt, all made a part hereof.

In response to the challenge based on alleged inadequate specification of issues, see the Joint Contentions of UCS and NYPIRG submitted Dec. 2, 1981.

respectfully submitted,



Joan Holt, Project Director  
Indian Point Project  
New York Public Interest  
Research Group  
5 Beekman Street  
New York, New York, 10038

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

01 07 14 P2:44

In the Matter of )

CONSOLIDATED EDISON COMPANY OF NEW YORK )  
(Indian Point Unit 2) )

Docket Nos. 50-247 SP  
50-286 SP

POWER AUTHORITY OF THE STATE OF NEW YORK )  
(Indian Point Unit 3) )

AFFIDAVIT

County of New York )

) ss:

State of New York )

I, Ellen D. Spilka, being duly sworn, do state as follows:

1. I reside at 35 Bow Street, Forest Hills, New York 11375, approximately 40 miles SSE from the site of the Indian Point reactors.

2. I am deeply concerned about the potential hazards of the Indian Point reactors. An accident at Indian Point would be a threat to my health and safety. I am further concerned about the threat to the environment posed by potential mishaps and accidents at the facility.

3. I am a voting member of the New York Public Interest Research Group, Inc., and Vice-Chairperson of its Board of Directors. NYPIRG has for some years been monitoring matters relating to Indian Point and has actively and continuously expressed its concerns relating to potential environmental and public health hazards posed by that facility. NYPIRG's interests in these matters are substantially the same as my own.

4. I hereby authorize NYPIRG, through its Indian Point Project, to represent my interests in the Nuclear Regulatory Commission investigatory

proceeding before an Atomic Safety and Licensing Board.

Signed *Eileen P. [Signature]*

Subscribed and sworn to  
before me this 8<sup>th</sup> day  
of December, 1981

*Gene Russianoff*  
Notary Public

GENE RUSSIANOFF  
Notary Public, State of New York  
No. 24-4713-100  
Qualified in Westchester County  
Certificate filed in Westchester County  
Commission Expires 07/1983

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND Licensing Board

'81 DEC 14 P2:44

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) )

Docket Nos. 50-247 SP

50-286 SP

AFFIDAVIT

County of New York )

) cc:

State of New York )

I, Lisa Schwartz, being duly sworn, do state as follows:

1. I am the Chairperson of the Board of Directors of the New York Public Interest Research Group, Inc.
2. At the December 6, 1981 meeting of the Board of Directors of said corporation the resolution attached hereto, and made a part hereof, was passed by the Board.

Signed Lisa Schwartz  
Lisa Schwartz

Subscribed and sworn to  
before me this 8<sup>th</sup> day  
of December, 1981.

Gene Russiencff  
Notary Public

GENE RUSSIANOFF  
Notary Public, State of New York  
No. 21-4193105  
Qualified in Kings County  
Certificate filed in New York County  
Commission Expires Mar. 30, 1985



# NEW YORK PUBLIC INTEREST RESEARCH GROUP, INC.

5 Beekman Street, Room 1000 • Manhattan, N.Y. 10038 • (212) 349-6460

Offices in: Albany, Binghamton, Buffalo, Fredonia, Long Island, New Paltz, New York City, Niagara Falls, Syracuse, Utica

## LATE PROPOSAL

To NYPIRG State Board

From Mel Goldberg

Whereas the New York Public Interest Research Group State Board has previously authorized NYPIRG's Indian Point Project to represent the Board, the Organization and our members in all matters pertaining to the Nuclear Regulatory Commission's adjudicatory hearings on Indian Point and to conduct NYPIRG's intervention in those hearings, and

Whereas the Board now determines that it is in the Board's, the organization's and our members' interests to continue to be represented by NYPIRG's Indian Point Project in the NRC Atomic Safety and Licensing Board hearings, therefore

### BE IT RESOLVED:

That the Indian Point Project is hereby authorized to represent the Board, the organization and our members in the aforesaid hearings; and

That Joan Holt, as Project Director, will represent the Indian Point Project at said hearings, and is authorized by the Board to appoint a substitute representative or additional representatives at such times and in such manner as she deems appropriate.

December 6, 1981



UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'81 DEC 14 P2:44

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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) )

Docket Nos. 50-247 SP  
50-286 SP

NOTICE OF APPEARANCE ON BEHALF OF THE  
NEW YORK PUBLIC INTEREST RESEARCH GROUP, INC.

- 
1. My name is Joan Holt. I am Director of the Indian Point Project of the New York Public Interest Research Group, Inc., 5 Beekman Street, New York, New York 10038.
  2. By resolution dated December 6, 1981, the NYPIRG Board of Directors authorized the participation of the NYPIRG Indian Point Project in the Nuclear Regulatory Commission's hearings on Indian Point. The Board further authorized me, as Director of the Indian Point Project, to represent the organization, the Board, and NYPIRG's members at these hearings before the Atomic Safety and Licensing Board, and "to appoint a substitute representative or additional representatives at such time and in such manner as she deems appropriate."

Signed Joan Holt  
Joan Holt

December 8, 1981

(212) 349-6460

Director, Indian Point Project  
New York Public Interest Research  
Group, Inc.  
5 Beekman Street  
New York, New York 10038

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'81 09 14 P2:44

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) )

Docket Nos. 50-247 SP  
50-286 SP

CERTIFICATE OF SERVICE

I hereby certify that copies of the NYPIRG PETITION FOR LEAVE TO AMEND PORTIONS OF JOINT PETITION TO INTERVENE, in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class this 9th day of December, 1981.

Louis J. Carter, Esq., Chairman  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dr. Oscar H. Paris  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Mr. Frederick J. Shon  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Docketing and Service Section  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Janice Moore, Esq.  
Office of the Executive Legal  
Director  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Brent L. Brandenburg, Esq.  
Assistant General Counsel  
Consolidated Edison Co.  
of New York, Inc.  
4 Irving Place  
New York, N.Y. 10003

Charles, M. Pratt, Esq.  
Assistant General Counsel  
Power Authority of the State of  
New York  
10 Columbus Circle  
New York, New York 10019



Ellyn R. Weis, Esq.  
William S. Jordan, III, Esq.  
Harmon & Weiss  
1725 I Street, N.W., Suite 506  
Washington, D. C. 20006

Jeffrey M. Blum, Esq.  
New York University Law School  
423 Vanderbilt Hall  
40 Washington Square South  
New York, N.Y. 10012

Pat Posner, Spokesperson  
Parents Concerned About  
Indian Point  
P. O. Box 125  
Croton-on-Hudson, NY 10520

Charles A. Scheiner, Co-Chairperson  
Westchester People's Action  
Coalition, Inc.  
P. O. Box 488  
White Plains, N.Y. 10602

Alan Latman, Esq.  
44 Sunset Drive  
Croton-on-Hudson, N.Y. 10520

Lorna Salzman  
Mid-Atlantic Representative  
Friends of the Earth, Inc.  
208 West 13th Street  
New York, N.Y. 10011

Zipporah S. Fleisher  
West Branch Conservation  
Association  
44 Buena Vista Road  
New City, N.Y. 10956

Honorable Ruth Messinger  
Member of the Council of the  
City of New York  
District #4  
City Hall  
New York, New York 10007

Greater New York Council  
on Energy  
c/o Dean R. Corren, Director  
New York University  
26 Stuyvesant Street  
New York, NY 10003

Charles J. Maikish, Esq.  
Litigation Division  
The Port Authority of  
New York and New Jersey  
One World Trade Center  
New York, N.Y. 10048

Ezra I. Bialik, Esq.  
Steve Leipsiz, Esq.  
Environmental Protection Bureau  
New York State Attorney  
General's Office  
Two World Trade Center  
New York, N.Y. 10047

Alfred B. Del Bello  
Westchester County Executive  
Westchester County  
148 Martine Avenue  
New York, N.Y. 10601

Andrew S. Roffe, Esq.  
New York State Assembly  
Albany, N.Y. 12248

Renee Schwartz, Esq.  
Botein, Hays, Sklar & Herzberg  
Attorneys for Metropolitan  
Transportation Authority  
200 Park Avenue  
New York, N.Y. 10166

Stanley B. Klimberg  
General Counsel  
New York State Energy Office  
2 Rockefeller State Plaza  
Albany, New York 12223

Judith Kessler  
Rockland Citizens for  
Safe Energy  
P.O. Box 74  
New City, NY 10956

Marc L. Parris, Esq.  
County Attorney  
County of Rockland  
11 New Hempstead Road  
New City, NY 10956

Geoffrey Cobb Ryan  
Conservation Committee  
Chairman, Director  
New York City Audubon Society  
71 West 23rd Street, Suite 1828  
New York, NY 10010

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'81 07 14 P2:45

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

AFFIDAVIT

ALBERT F. Appleton being duly sworn deposes and says: that I reside at 348 East 87th Street - Apartment 6 New York New York 10028 within a fifty-mile radius of Indian Point Units 2 & 3; that operational safety of said plants is of utmost concern to me; that I am <sup>the</sup> ~~a~~ duly elected President of the New York City Audubon Society, Inc., a not-for-profit membership corporation organized and existing under the laws of the State of New York and hereinafter referred to as NYC Audubon; that I have authorized NYC Audubon to represent me and my interests in the above proceedings; and that I concurred with the unanimous resolution of the NYC Audubon Board of Directors to authorize NYC Audubon's Conservation Committee, its chairman, Geoffrey Cobb Ryan, and/or his assigns to represent the interests of the NYC Audubon and its members at the above proceedings.

Albert F. Appleton

MOLLIE R. KLEIMAN  
Notary Public, State of New York  
No. 41-4683945  
Qualified in Queens County  
Commission Expires March 30, 1982

Mollie R. Kleiman

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'81 DEC 14 P2:45

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

ASHER FRIED AFFIDAVIT

being duly sworn deposes and says: that I reside at 571 8th ST  
BROOKLYN NY within a fifty-mile radius of Indian Point Units 2 & 3; that operational safety of said plants is of utmost concern to me; that I am a duly elected DIRECTOR of the New York City Audubon Society, Inc., a not-for-profit membership corporation organized and existing under the laws of the State of New York and hereinafter referred to as NYC Audubon; that I have authorized NYC Audubon to represent me and my interests in the above proceedings; and that I concurred with the unanimous resolution of the NYC Audubon Board of Directors to authorize NYC Audubon's Conservation Committee, its chairman, Geoffrey Cobb Ryan, and/or his assigns to represent the interests of the NYC Audubon and its members at the above proceedings.

Asher Fried

SWORN TO BEFORE ME  
THIS 10th Day of  
December, 1981

Richard A. Margulies

RICHARD A. MARGULIES  
Notary Public, State of New York  
No. 60-4505510  
Qualified in Westchester County  
Commission Expires March 30, 19-83

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

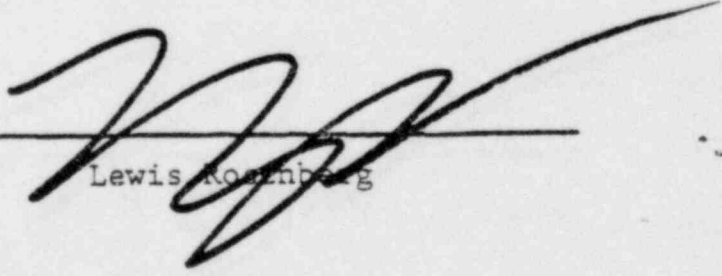
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'81 DEC 14 P2

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

AFFIDAVIT

Lewis Rosenberg being duly sworn deposes and says: that I reside at 235 East 22nd St. New York N.Y. 10010 within a fifty-mile radius of Indian Point Units 2 & 3; that operational safety of said plants is of utmost concern to me; that I am a duly elected Director of the New York City Audubon Society, Inc., a not-for-profit membership corporation organized and existing under the laws of the State of New York and hereinafter referred to as NYC Audubon; that I have authorized NYC Audubon to represent me and my interests in the above proceedings; and that I concurred with the unanimous resolution of the NYC Audubon Board of Directors to authorize NYC Audubon's Conservation Committee, its chairman, Geoffrey Cobb Ryan, and/or his assigns to represent the interests of the NYC Audubon and its members at the above proceedings.



Lewis Rosenberg

*Sworn to before me this  
4<sup>th</sup> day of December  
Paul Dratfield*  
PAUL DRATFIELD  
Notary Public, State of New York  
No. 31-4731578  
Qualified in New York County  
Commission Expires March 30, 1982

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

'81 DEC 14 P2:49

In the matter of )  
 )  
Consolidated Edison Company of New York )  
(Indian Point Unit 2) ) Docket Nos.  
 ) 50-247  
Power Authority of the State of New York )  
(Indian Point Unit 3) ) 50-286  
 )

CERTIFICATE OF SERVICE

I certify that I have served copies of the attached document on all parties of the official service list in this proceeding by first class mail, postage paid this 10<sup>th</sup> day of December, 1981.

Reaffrey Cobb Ryan

New York City Audubon Society, Inc  
71 West 23<sup>rd</sup> Street (Rm 1528)  
New York, NY 10010