

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

DOCKETED
USNRC

Docket Nos 82 OCT 20 P2:00

50-247-SP

50-286-SP

OFFICE OF SECRETARY
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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)

PARENTS CONCERNED ABOUT INDIAN POINT
Pre-Hearing Motion

PARENTS CONCERNED ABOUT INDIAN POINT respectfully submits the following comments in response to the Atomic Safety and Licensing Board Memorandum and Order dated October 1, 1982:

We move that:

- (1) The Board issue reformulated contentions on Commission questions 3 and 4 by November 15, 1982.
- (2) That the Hearings commence with testimony from Westchester County and other Interested States on matters relating to Commission questions 3 and 4 on December 7, 1982.
- (3) Contention 6.2, "The physical and psychological environment of children will be improved by permanently shutting down the Indian Point Nuclear Power Station," be restored to the proceedings, at least to the extent of "physical environment."

The decision to delay reformulation of contentions on Commission questions 3 and 4 is unsound. Emergency planning is the bottom line safety measure for people in the affected area. The probability of a serious accident at Indian Point involving a significant release of radiation is greater than zero. Therefore, the Nuclear Regulatory Commission requires a demonstrated emergency response capability from nuclear reactor licensees, and indirectly, the governments that

Parents Concerned About Indian Point 1

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October 15, 1982

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serve them. To date, such acceptable capability has not been shown.

If any emergency plan can be made to work, witnesses called by PARENTS and other intervenors are the ones who can do it. The changes, if any, of the testimony of our witnesses from the time it was submitted until the time they are called to the stand will be a true measure of the status of emergency planning, and the degree to which planning conforms to preparedness. These people should be heard before other issues in the hearings are addressed. Otherwise serious defects will go uncorrected.

The Board order of October 1 misses a crucial point regarding contention 6.2. If this contention is eliminated, PARENTS will be denied an opportunity to compare radiation releases at Indian Point with releases at other nuclear power plants, especially as a function of days in operation and population density. Radiation is THE issue for PARENTS .s certainly one of the most serious environmental effects of Indian Point. It may well be that radiation releases at Indian Point pose a greater health risk because of the greater number of children living near these plants.

I hereby certify that copies of PARENTS' motion have been mailed to the attached Service List on this day of October 15, 1982

Respectfully submitted,

Kathleen Toscani
Kathleen Toscani

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