

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
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Before Administrative Judges

James P. Gleason, Chairman
Dr. Oscar H. Paris
Frederick J. Shon

SERVED JAN 10 1983

In the Matter of
CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.

POWER AUTHORITY OF THE STATE
OF NEW YORK

(Indian Point, Unit No. 3)

Docket Nos. 50-247 SP
50-286 SP

ASLBP No. 81-466-03 SP

January 7, 1983

MEMORANDUM AND ORDER
(Modification of Hearing Schedule)

On December 3, 1982, a motion for modifying the evidentiary hearing schedule of this proceeding was filed on behalf of New York State by the New York State Energy Office. The motion requested a delay of two weeks in the hearing on Commission questions three (3) and four (4) which deal with issues of emergency planning. Supported by affidavit, the motion alleges that the State's witnesses on these questions will be involved in the emergency planning exercise scheduled for March 8, 1983. The motion further alleges that not only will key State witnesses

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be participating in activities connected with the exercise but County officials, who likely will be witnesses to the proceeding will participate, as well. As an alternative to delaying the schedule until March 15, 1983, on these issues, which would necessitate delaying the scheduled hearing time on Commission questions 5 and 6 as well, the motion requests additional hearing time for testimony from State, County and other persons involved in the exercise.

Responses with varying degrees of opposition or no position were received from the parties in the case but no purpose is served by our commenting on each response.

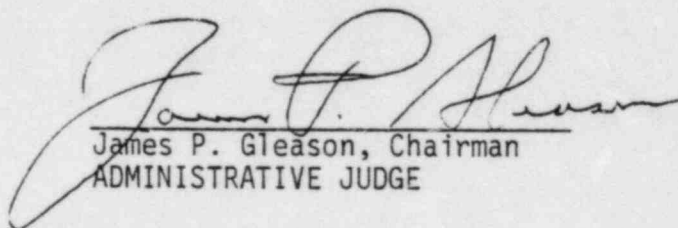
The Board is cognizant of the concerns and interest of all parties in the exercise that has been scheduled by FEMA as a test of the adequacy or radiological emergency response preparedness of State and local governments in the Indian Point area. We are also cognizant of the necessity of maintaining a responsible hearing schedule if we are to make our recommendations to the Commission within the time frame required. Accordingly, we will modify the hearing schedule to accommodate both objectives as follows. The emergency planning issues under Commission questions three (3) and four (4) will commence on March 1, 1983 as scheduled. There will be a recess in the hearing during the week of March 8-11. The hearing will begin again on March 15, 1983 and an additional week of hearings on these questions will be scheduled for the week of March 22-25, 1983. With this modification, the Board concludes that no party will be prejudiced thereby.

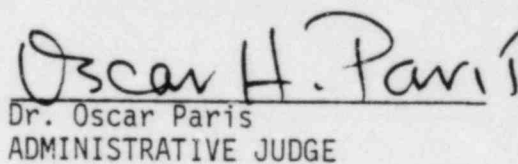
ORDER

The hearing schedule in this proceeding is modified for March, 1983
as follows:

1. No hearing will be held from March 8-11, 1983.
2. A hearing will be held on March 22-25, 1983.

BEFORE THE ATOMIC SAFETY AND
LICENSING BOARD


James P. Gleason, Chairman
ADMINISTRATIVE JUDGE


Dr. Oscar Paris
ADMINISTRATIVE JUDGE


Frederick J. Shon
ADMINISTRATIVE JUDGE

Issued at Bethesda, Maryland
this 7th day of January, 1983