



CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.
4 Irving Place
New York, NY 10003
and
POWER AUTHORITY OF THE
STATE OF NEW YORK
10 Columbus Circle
New York, NY 10019

June 7, 1983

Chairman Nunzio J. Palladino
Commissioner Victor Gilinsky
Commissioner John F. Ahearne
Commissioner Thomas M. Roberts
Commissioner James K. Asselstine
United States Nuclear Regulatory
Commission
1717 H Street, N.W.
Washington, D.C. 20005

Re: Consolidated Edison Company of New York, Inc.
(Indian Point, Unit No. 2); Power Authority of
the State of New York (Indian Point, Unit No.
3); Docket Nos. 50-247, 50-286

Dear Commissioners:

On May 26, 1983, Arthur Hauspurg, the Chairman of Consolidated Edison, and Leroy W. Sinclair, the Power Authority's President and Chief Operating Officer, appeared before the Commission in response to its May 5, 1983 Order Establishing Procedures for Decision on Enforcement Action. The licensees are writing now to respond to certain questions posed on May 26 by the Commission and to update certain other responses provided at that time.

On May 26, we advised the Commission that verbal commitments had been obtained from bus owners to provide up

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to 1000 buses for use in the event of a radiological emergency. Subsequent to our May 26 appearance, the bus owners associated with the Westchester County emergency plan delivered signed, written commitments to provide the 1,000 buses in the event of a radiological emergency. (Copies of those commitments are annexed hereto as Exhibit A.) Those commitments presently take the form of letters of intent; superseding contracts containing greater detail about such matters as compensation and coordination with the pending Westchester County transportation study will be executed shortly.

The signed, written commitments now in place are designed to provide the assurance requested by FEMA.

The Commission also inquired about the details of the revised State compensating plan for Rockland County. For the convenience of the Commission, a copy of the first draft of the revised plan is annexed hereto as Exhibit B. Some minor revisions are being made to satisfy recommendations made by FEMA at a meeting on June 3; the State of New York advises us that these revisions will be in place by June 9. The licensees have worked closely with the State in preparing the plan for implementation, and will provide up to 436 employees, if needed, to perform tasks such as traffic control and decontamination during an emergency.

In the course of the May 26 hearing, Commissioner Gilinsky inquired whether the Indian Point licensees were prepared to proceed with a "partial emergency test" in order to "check whether the deficiencies have in fact been rectified." (Tr. at 55.) Chairman Palladino returned to this subject at the conclusion of the meeting and we undertook to respond in writing. (Tr. at 197-98.)

As you know, both the State of New York, in Governor Cuomo's letter to Chairman Palladino dated May 25, 1983, and licensees in their May 20 submissions to the Commission are of the view that the two matters identified the April 14, 1983 FEMA Post-Exercise Assessment as significantly deficient may no longer be so considered. The licensees do not believe that, given the nature of the alleged significant deficiencies and the manner in which they have been overcome, field verification is necessary in order for FEMA and the NRC to

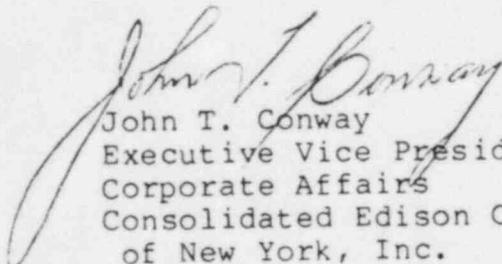
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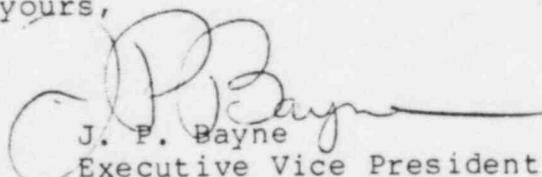
conclude that significant deficiencies no longer remain. Nonetheless, should verification for either or both of the areas cited by FEMA as significant be desired by the Commission after its June 9, 1983 deadline as a further basis for permitting continued operation of the plants, then the licensees will undertake to proceed with advance planning for such a partial exercise in conjunction with the State, FEMA and the Commission.

* * * *

The record before the Commission clearly justifies the continued operation of the Indian Point plants. As the Commission's Systematic Analysis of Licensee Performance recently noted, each Indian Point licensee has "committed significant resources to emergency planning" and "has been very cooperative in assisting the State of New York and local officials in upgrading offsite emergency preparedness." We can assure the Commission that those efforts will continue, and that it would be fully justified in determining not to take further enforcement action.

Very truly yours,


John T. Conway
Executive Vice President
Corporate Affairs
Consolidated Edison Company
of New York, Inc.


J. P. Bayne
Executive Vice President
Nuclear Generation
Power Authority of the
State of New York

cc: Mr. James Allan
Mr. Richard W. Krimm
Donald B. Davidoff, Esq.
Official Service List for
Indian Point Special Proceeding