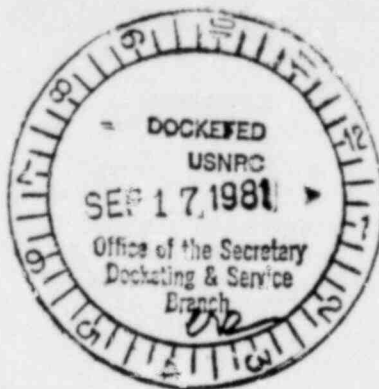


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September 3, 1981

Chairman Nunzio Palladino
Commissioner John Ahearne
Commissioner Victor Gilinsky
Commissioner Peter Bradford
Commissioner Thomas Roberts
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Union of Concerned
Scientists' Petition
To Shut Down
Indian Point;
Docket Nos. 50-247, 50-286

Gentlemen:

On May 30, 1980 the Commission ordered that an adjudicatory hearing be held before an Atomic Safety and Licensing Board to consider the safety issues raised by the Union of Concerned Scientists with respect to Units 2 and 3 of Indian Point. The order provided that the hearings be held in the vicinity of the Indian Point plants, and that the final, post-hearing decision be made by the Commission itself. The hearing is required, among other reasons, because the population surrounding the Indian Point plants is greater than the population surrounding any other nuclear plant in the country. A major accident at Indian Point could expose millions of people to risk, and a thorough hearing on the safety issues, therefore, is imperative.

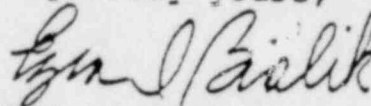
Nonetheless, the Commission has failed to proceed with the hearing on these important issues because of a claimed inability to agree on the members of the hearing board. A hearing of such magnitude should not be delayed for such a flimsy reason. We urge the Commission promptly to constitute the board and set up a timely schedule for commencement of the hearing in the vicinity of the plant.

One issue requiring special attention is the adequacy of emergency response plans for these plants. On April 24, 1981 Region I informed the operators of the plants that their plans were deficient in numerous respects, and that if the deficiencies were not corrected within 120 days (i.e.,

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by August 22, 1981) the NRC would determine whether to shut down the plants or take other enforcement action. We submit that a thorough, public review of the adequacy of those plans is necessary.

Very truly yours,



EZRA I. BIALIK
Assistant Attorney General

EIP:ra

cc: Ellyn Weiss, Esq.
Joan Holt
Consolidated Edison Company of New York, Inc.
Power Authority of the State of New York