

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

DOCKETED  
USNRC

Administrative Judges:

James Gleason; Chairman  
Dr. Oscar H. Paris  
Frederick J. Shon

\*82 OCT 15 AIO:40

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

In the Matter of

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

Docket Nos. 50-247-SP  
50-236-SP

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

October 11, 1982

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WEST BRANCH CONSERVATION ASSOCIATION'S REPLY TO MEMORAN-  
DUM AND ORDER OF OCTOBER 1, 1982, (received October 8)

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On page 23 of above listed Order, under Board question 2.2.1 it is stated that "Other parties are invited to address it as well." It is not clear to us what "address" means. How will we be expected to address it? As we read it the burden of lead intervenor is, in essence, being shifted. It appears that part of the 2.2(d) question could be addressed under new 2.2.1 but not all of it. And if WBCA would no longer be the lead intervenor will there be the same constraints as heretofore regarding the number of intervenors who will be cross examining? Is 2.2.1 a subpart of 2.2 as listed on page 39?

Question 5 of the Commission starts "Based on the foregoing..." which we assume means the first four questions, therefore, we disagree with your findings in the

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For WEST BRANCH CONSERVATION ASSOCIATION, INC.  
443 Buena Vista Road  
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914/634-2327

*Zipporah S. Fleisher*  
by Zipporah S. Fleisher  
Secretary  
*Zipporah S. Fleisher*

Order regarding the substance of 2.2(d). It is our contention, perhaps not stated well enough on December 2 but in prehearing conference, that it is necessary to make a complete recheck of the entire plants to remove - insofar as perceptible, the "hidden" defects. Those that are now corrected, which we observed in our inspection of unit #3 on July 2, 1982 such as the replacement of the fan cooler coils, etc. were late modifications, flaws in the original design. ConEd has been fined for using epoxy, add-ons to repair, wiring of pumps on the wrong side of fuses - all proof enough of a lack of quality control both during construction and during repairs. The Nuclear Regulatory Commission does not seem to have a strong enough policy and we see no reason based on past performance to now leave this important program to the NRC Staff. We are asking for a complete reinspection with appropriate tests of the piping systems, electrical systems and control systems. Any improvements will add to the safety and are not covered in the Director's Order, which only addressed specific problems.

Defects have caused a serious accident at unit #2, the flood of 1980, October. The NRC fined ConEd \$210,000 for doing something wrong which we contend indicates a need for improvement in construction quality and myopia on the part of past inspections. Examples are: sump pump float control - the float rod had no guide at the bottom

and jammed. It had hung up and jammed previously. Part of the trouble with leaks had to do with breaks in the cement lining of certain pipes, and which was known. The containment floor pitched the wrong way allowing the water to jump the curbs. Water level indicators were not properly calibrated. There were no external indicators of the pumping operation. The whole series of events led up to the flooding of the reactor vessel pit and is an indication of a low level of quality control and construction. When adding common mode failures they can add up to a calamity. Therefore, a program of quality control and inspection is needed.

We cannot read how the above fits under 5.1 or 2.2.1 but should still remain as 2.2 (d).

If 2.2 (d) remains and can encompass what we have asked above, we can bow out of 5.1. We haven't the time to offer new bases for 5.1 between now and October 15, a 7-day period since we received the Order on October 8, postmarked October 4.

Will the Staff mail us a copy of "Summary of July 29 meeting of SGOG Group..."? The White Plains Library PDR is not up-to-date. (Its last LER monthly report is dated Jan. 1982!)

We request that if possible the parties list be in some way shortened to those active in the case. We find it a burden to provide copies of everything to those who never attend hearings and who do not intend to take part in questions 1,2,5 and 6.

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POWER AUTHORITY OF THE STATE OF  
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Unit No. 3)

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Docket Nos. 50-247-SP

50-286-SP

October 11, 1982

CERTIFICATE OF SERVICE

This is to certify that I have this day placed in the first class U. S. mail a copy of the REPLY TO MEMORANDUM AND ORDER OF OCTOBER 1, 1982 to those parties listed below.

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