

Docket No. 50-247

MAY 6 1974

DISTRIBUTION:

AEC DR
 Local PDR
 Docket
 LWR 2-2
 MKarman, OGC
 RO (3)
 NDube
 MJinks (w/2 encl)
 VMoore
 CHEbron, F&M
 DFoster, F&M
 ABRaitman, OAI
 MService
 KKniel
 SKari
 RSchemel
 STEets
 WMiller EBrown, F&M
 DMuller, EP ACRS (16)
 MOestman, EP
 MSlater, EP

Consolidated Edison Company
 of New York, Inc.
 ATTN: Mr. William J. Cahill, Jr.
 Vice President
 4 Irving Place
 New York, New York 10003

Gentlemen:

Pursuant to a Decision of the Atomic Safety and Licensing Appeal Board dated April 4, 1974, the Commission has issued Amendment No. 6 to Facility Operating License DPR-26 to Consolidated Edison Company of New York, Inc. for operation of the Indian Point Nuclear Generating Unit No. 2. This amended license extends the interim operation from May 1, 1978 to May 1, 1979, subject to certain environmental conditions for operation of the plant imposed upon the licensee during such interim operation.

A copy of a related notice which has been forwarded to the Office of the Federal Register for filing and publication is enclosed together with the amended license.

Sincerely,

Original signed by
 K. Kniel

Karl Kniel, Chief
 Light Water Reactors Branch 2-2
 Directorate of Licensing

Enclosures:
 As stated

ccs:
 See page 2

8111060212 740506
 PDR ADOCK 05000247
 P PDR

C.P.

OFFICE →	LWR 2-2	OGC	EP	OR	AD: LWR	
SURNAME →	MSERVICE	KKniel	DMuller	KPG KGoller	VMoore	Rg
DATE →	4/23/74	4/24/74	4/25/74	4/26/74	4/30/74	

Consolidated Edison Company
of New York, Inc. - 2 -

CCS:

Leonard M. Trosten, Esq.
LeBoeuf, Lamb, Leiby & MacRae
1757 N Street, N. W.
Washington, D. C. 20036

J. Bruce MacDonald, Esq.
New York State Atomic Energy
Council
99 Washington Street
Albany, New York 12210

Angus Macbeth, Esq.
Natural Resources Defense
Council, Inc.
15 West 44th Street
New York, New York 10036

Anthony Z. Roisman, Esq.
Berlin, Roisman and Kessler
1712 N Street, N. W.
Washington, D. C. 20036

Paul S. Shemin, Esq.
Assistant Attorney General
State of New York
80 Centre Street
New York, New York 10013

Honorable George E. Segnit
Mayor, Village of Buchanan
188 Westchester Avenue
Buchanan, New York 10511

Dr. William E. Seymour
Staff Coordinator
New York State Atomic Energy
Council
99 Washington Street
Albany, New York 12210

Mr. Hans L. Hamester
Attn: Joan Sause
Office of Radiation Programs
Environmental Protection Agency
Room 647A East Tower
Waterside Mall
401 M Street, S. W.
Washington, D. C. 20460

Mr. Paul Arbesman
Environmental Protection Agency
26 Federal Plaza
New York, New York 10007

bcc:

J. Buchanan, NSIC
T. B. Abernathy, DTIE
A. Rosenthal, ASLAB
N. Goodrich, ASLBP

OFFICE →						
SURNAME →						
DATE →						

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Indian Point Nuclear Generating Unit No. 2

Docket No. 50-247

FACILITY OPERATING LICENSE

License No. DPR-26
Amendment No. 6

Pursuant to a Decision of the Atomic Safety and Licensing Appeal Board (ALAB-188) dated April 4, 1974, the Atomic Energy Commission has amended Paragraph 2.E of Amendment No. 4 dated September 28, 1973, and Amendment No. 5 dated February 13, 1974, to Facility Operating License DPR-26 to read as follows:

Paragraph 2.E:

- (1) Operation of Indian Point Unit No. 2 with the once-through cooling system will be permitted during an interim period, the reasonable termination date for which now appears to be May 1, 1979. Such interim operation is subject to the following conditions, none of which shall be interpreted to limit or to affect in any way such other conditions as are imposed by the Atomic Energy Commission or any other governmental body in accord with applicable law:
 - (a) Interim operation shall only be permitted to the extent that the requirements of this license to protect the aquatic biota of the Hudson River from any significant adverse impacts are satisfied; any necessary mitigating measure shall be promptly taken; such measures to include any authorized remedy deemed to be appropriate by the Atomic Energy Commission, including an advancement of the May 1, 1979 date to an earlier date which is deemed reasonable and warranted by the circumstances.
 - (b) The finality of the May 1, 1979 date also is grounded on a schedule under which the applicant, acting with due diligence, obtains all governmental approvals required to proceed with the construction of the closed-cycle cooling system by December 1, 1975. In the event all such governmental approvals are obtained a month or more prior to December 1, 1975, then the May 1, 1979 date shall be advanced accordingly. In the event the applicant has acted with due diligence in seeking all such governmental approvals, but has not obtained such approvals by December 1, 1975, then the May 1, 1979 date shall be postponed accordingly.

8111060219 740506
PDR ADOCK 05000247
P PDR

- (c) If the applicant believes that the empirical data collected during this interim operation justifies an extension of the interim operation period or such other relief as may be appropriate, it may make timely application to the Atomic Energy Commission. The filing of such application in and of itself shall not warrant an extension of the interim operation period.
 - (d) After the commencement of the construction of a closed-cycle cooling system, a request for an extension of the interim operation period will be considered by the Atomic Energy Commission on the basis of a showing of good cause by the applicant which also includes a showing that the aquatic biota of the Hudson River will continue to be protected from any significant adverse impacts during the period for which an extension is sought.
- (2) Evaluation of the economic and environmental impacts of an alternative closed-cycle cooling system shall be made by the licensee in order to determine a preferred system for installation. This evaluation shall be submitted to the Atomic Energy Commission by December 1, 1974, for review and approval prior to construction.
 - (3) A plan of action of operating procedures and design of the once-through cooling system for Indian Point Unit No. 2 will be developed by the licensee in order to minimize detrimental effects on aquatic biota in the Hudson River to a practicable minimum during the interim period prior to installation of a closed-cycle cooling system. The plan shall include means of reducing thermal shock; impingement on the intake structure; entrainment of fish eggs, larvae and plankton; reduction of chemical and thermal discharges and loss of dissolved oxygen below 4.5 parts per million; reduction of radioactive discharges, in accordance with 10 CFR Part 50; and other mitigating measures available. The plan shall be submitted to the Atomic Energy Commission by January 1, 1974, and, upon approval by the Commission, the plan shall be implemented so as to eliminate or substantially reduce such adverse effects as are revealed by the monitoring and surveillance study program presented in the Technical Specifications.
 - (4) In addition to the reporting requirements otherwise imposed by this license, the applicant is directed to file with the Commission and serve on the parties reports, under oath or affirmation, of its analysis of data collected during interim operation which bear on the

environmental effects of once-through cooling on the aquatic biota of the Hudson River. Such reports shall be made publicly available. The first such report shall be made as soon as is feasible after the end of the 1974 striped bass spawning season, and thereafter as significant new data become available.

This amendment is effective as of the date of issuance.

FOR THE ATOMIC ENERGY COMMISSION

A Giambusso
A. Giambusso, Deputy Director
for Reactor Projects
Directorate of Licensing

Date of Issuance:

MAY 6 1974

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-247

NOTICE OF AVAILABILITY OF DECISION OF THE ATOMIC SAFETY AND
LICENSING APPEAL BOARD FOR THE INDIAN POINT NUCLEAR
GENERATING UNIT 2 AND ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's Regulations in Appendix D, Section A.9 and A.11, to 10 CFR Part 50, notice is hereby given that a Decision dated April 4, 1974, by the Atomic Safety and Licensing Appeal Board in the above captioned proceeding authorizing issuance of an amended license to the Consolidated Edison Company of New York, Inc., for operation of the Indian Point Nuclear Generating Unit 2, located in Westchester County, New York, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, N. W., Washington, D. C., and in the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York 10548.

The Decision is also being made available at the New York State Office of Planning Services, 488 Broadway, Albany, New York 12207, and the Tri-State Regional Planning Commission, 100 Church Street, New York, New York 10007.

Based on the record developed in the public hearing in the above captioned matter, the Decision of the Atomic Safety and

8111060234 742506
PDR ADOCK 05000247
P PDR

Licensing Appeal Board modified in certain respects the Initial Decision of the Atomic Safety and Licensing Board dated September 25, 1973, and the contents of the Final Environmental Statement relating to the licensing for operation of the Indian Point Nuclear Generating Unit 2, prepared by the Commission's Directorate of Licensing. Pursuant to the provisions of 10 CFR Part 50, Appendix D, Section A.11, the Initial Decision of the Atomic Safety and Licensing Board and the Final Environmental Statement are deemed modified to the extent that condition 2.E extends the interim operation from May 1, 1978 to May 1, 1979, subject to certain environmental conditions for operation of the plant imposed upon the licensee during such interim operation. As required by Section A.11 of Appendix D, a copy of the Decision which modifies the Final Environmental Statement, has been transmitted to the Council on Environmental Quality and made available to the public as noted herein.

Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decision may be reviewed by the Commission.

Pursuant to the above mentioned Decision, the Atomic Energy Commission (the Commission) has issued Amendment No. 6 to

Facility Operating License DPR-26 to Consolidated Edison Company of New York, Inc., for operation of a pressurized water nuclear reactor known as the Indian Point Nuclear Generating Unit 2, at steady state reactor core power levels not in excess of 2758 megawatts thermal, in accordance with the provisions of the license and the Technical Specifications.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter 1, which are set forth in the license. The application for the license complies with the standards and requirements of the Act and the Commission's rules and regulations.

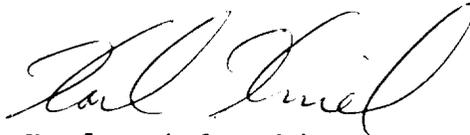
The amended license is effective as of its date of issuance and shall expire on October 14, 2006.

In addition to the Decision, copies of (1) the Initial Decision dated September 25, 1973; (2) Amendment No. 6 to Facility Operating License DPR-26; (3) the Report of the Advisory Committee on Reactor Safeguards dated September 23, 1970; (4) the Directorate of Licensing's Safety Evaluation dated November 16, 1970, and Supplements 1, 2, and 3 thereto, dated November 20, 1970, July 1971, and September 3, 1971, respectively; (5) the Final Facility Description and Safety

Analysis Report and amendments thereto; (6) the applicant's Environmental Report dated August 6, 1970, and supplements thereto; (7) the Draft Environmental Statement dated April 13, 1972; and (8) the Final Environmental Statement dated September 1972, are available for public inspection at the above designated locations in Washington, D. C., and New York. Single copies of the Decision by the Atomic Safety and Licensing Appeal Board, the Initial Decision by the Atomic Safety and Licensing Board, the license, the Final Environmental Statement, and the Safety Evaluation may be obtained upon request addressed to the U.S. Atomic Energy Commission, Washington, D. C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing, Regulation.

Dated at Bethesda, Maryland, this 6th day of May, 1974.

FOR THE ATOMIC ENERGY COMMISSION



Karl Kniel, Chief
Light Water Reactors Branch 2-2
Directorate of Licensing