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Docket No. 50-247

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

Gentlemen:

The Commission has issued Amendment No. 1 to Facility Operating License No. DPR-26 (copy enclosed) to the Consolidated Edison Company of New York, Inc. for operation of the Indian Point Nuclear Generating Unit No. 2. The reactor is designed for operation at approximately 2758 megawatts thermal, but in accordance with the provisions of Amendment No. 1 to Facility Operating License No. DPR-26 and the Technical Specifications appended thereto, it is restricted to operation for testing purposes at power levels not to exceed 551 megawatts thermal (20 percent of the rated power level of the facility). A related notice which has been forwarded to the Office of the Federal Register for filing and publication is enclosed for your information.

Sincerely,

R. C. DeYoung, Assistant Director
 for Pressurized Water Reactors
 Directorate of Licensing

Enclosures:

1. Amendment No. 1 to Facility Operating License DPR-26
2. Federal Register Notice

bcc: HJMcAlduff, ORO
 JRBuchanan, ORNL
 TBAbernathy, DTIE
 ARosenthal, ASLAB
 NHGoodrich, ASLBP

cc: Listed on page 2

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DATE ▶	4/16/73	4/16/73	4/19/73	4/20/73	4/19/73

Consolidated Edison Company
of New York, Inc.

- 2 -

CCS:

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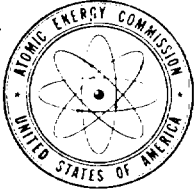
Mr. Carl Paul
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Edison, New Jersey 08817

Mr. William Holmberg
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UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

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. 1

The Atomic Energy Commission (the Commission) having found that:

- a. The application for license filed by Consolidated Edison Company of New York, Inc. (the licensee) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made; and
- b. Construction of the Indian Point Nuclear Generating Unit No. 2 (the facility) has been substantially completed in conformity with Provisional Construction Permit No. CPPR-21, as amended, the application, as amended, the provisions of the Act and the rules and regulations of the Commission; and
- c. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission; and
- d. There is reasonable assurance (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission; and
- e. The licensee is technically and financially qualified to engage in the activities authorized by the operating license in accordance with the rules and regulations of the Commission; and
- f. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements", of the Commission's regulations; and

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- g. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and is pursuant to an Initial Decision of the Atomic Safety and Licensing Board dated July 14, 1972, authorizing issuance of an amendment to Facility Operating License No. DPR-26 authorizing operation at power levels not to exceed 551 megawatts thermal, (for testing purposes) in accordance with Section 50.57(c) and Appendix D, Section D.2 of 10 CFR Part 50.
- h. The issuance of this amendment will not have a significant adverse impact on the quality of the environment.
- i. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40 and 70, including 10 CFR Sections 30.33, 40.32, 70.23, and 70.31.

Facility Operating License No. DPR-26 issued to Consolidated Edison Company of New York, Inc. (the licensee) on October 19, 1971, for fuel loading and subcritical testing of the Indian Point Nuclear Generating Unit No. 2, is hereby amended in its entirety to read as follows:

- 1. This amended license applies to the Indian Point Nuclear Generating Unit No. 2, a pressurized water reactor and associated equipment (the facility) which is owned by the Consolidated Edison Company of New York, Inc. The facility is located on the licensee's site located in Westchester County, near the town of Buchanan, New York and is described in the "Final Facility Description and Safety Analysis Report," as supplemented and amended.
- 2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Consolidated Edison Company of New York, Inc.:
 - A. Pursuant to Section 104b of the Atomic Energy Act of 1954, as amended (the Act), and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use and operate the facility as a utilization facility at the designated location on the Indian Point site in accordance with the procedures and limitations described in this license;
 - B. Pursuant to the Act and 10 CFR Part 70, "Special Nuclear Material," to receive, possess, and use at any one time up to 4200 kilograms of uranium-235 as reactor fuel assemblies,

one gram of uranium-235 contained in fission detectors and 20 grams of plutonium-238 and 3 grams of plutonium-239 contained in 4 plutonium-beryllium neutron sources, in connection with operation of the facility;

- C. Pursuant to the Act and 10 CFR Part 30, "Rules of General Applicability to Licensing of Byproduct Material," to receive, possess, and use in connection with operation of the facility: four sources of cesium-137, one source of 5 curies, one source of 100 millicuries, and one source of 10 millicuries, all as sealed sources, and one source of 1 millicurie without restriction as to chemical or physical form; seven sources of cobalt-60 one source of 10 millicuries, one source of 1 millicurie, two sources of 60 microcuries each, and two sources of 200 microcuries each, all as sealed sources, and one source not to exceed 200 microcuries without restriction as to chemical or physical form; four sources of strontium-90, three of 1 millicurie each as sealed sources, and one source not to exceed 200 microcuries without restriction as to chemical or physical form; one source of 200 microcuries each (without restriction as to chemical or physical form) of cobalt-58, zirconium-95, chromium-51, iodine-131, iron-59, manganese-54, silver-110; and one source of hafnium-181 of 300 microcuries and one source of krypton-85 of one curie without restriction as to chemical or physical form.
 - D. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.
3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Section 50.54 and 50.59 of 10 CFR Part 50 and Section 70.32 of 10 CFR Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

A. Maximum Power Level

The licensee is authorized to operate the facility for testing purposes at reactor core power levels not in excess of 551 megawatts thermal (20 percent of the rated power level of the facility).

B. Technical Specifications

The Technical Specifications contained in Appendix A attached hereto are hereby incorporated in this license together with Appendix B, the additional Technical Specification requirements compiled in accordance with the provisions of Appendix D to 10 CFR Part 50. Consolidated Edison shall operate the facility in accordance with the Technical Specifications, and may make changes therein only when authorized by the Commission in accordance with the provisions of Section 50.59 of 10 CFR Part 50.

4. This amendment is issued without prejudice to subsequent licensing action which may be taken by the Commission with regard to the environmental aspects of the facility. Issuance of this license shall not preclude subsequent adoption of alternatives in facility design or operations of the type that could result from the environmental review called for by 10 CFR Part 50, Appendix D.
5. Pursuant to Section 50.60 of 10 CFR Part 50, paragraph 4 of Provisional Construction Permit No. CPPR-21 allocating quantities of special nuclear material, together with the related estimated schedules contained in Appendix A attached to said provisional construction permit, shall remain in effect.
6. This license is effective as of the date of issuance, and shall expire nine months from the date of issuance, unless extended for good cause shown, or upon the earlier issuance of a subsequent licensing action.

FOR THE ATOMIC ENERGY COMMISSION

A. Giambusso

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

Attachments:

Appendix A - Technical Specifications
Appendix B - Environmental Technical
Specifications

Date of Issuance:

April 20, 1973

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-247

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

(Indian Point Nuclear Generating Unit No. 2)

NOTICE OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE

Notice is hereby given that the Atomic Energy Commission (the Commission) has issued Amendment No. 1 to Facility Operating License No. DPR-26 to Consolidated Edison Company of New York, Inc., (Consolidated Edison). The Amendment amends the license in its entirety. The Amendment authorizes Consolidated Edison to operate the Indian Point Nuclear Generating Unit No. 2 (facility), a pressurized water nuclear reactor located at Consolidated Edison's site near Buchanan in Westchester County, New York, at power levels not in excess of 551 megawatts thermal for testing purposes (20% of the rated power level of the facility). The facility is designed for operation at approximately 2758 megawatts thermal, but in accordance with the provisions of Amendment No. 1 to Facility Operating License No. DPR-26 and the Technical Specifications appended thereto, activities under the license are restricted to power levels not in excess of 551 megawatts thermal for testing purposes.

On October 6, 1970, Consolidated Edison requested a public hearing on its application for a license to operate the facility at full power. Pursuant to a Commission Order, a public hearing before an Atomic

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Safety and Licensing Board (Board) commenced on December 17, 1970, in Buchanan, New York. On June 18, 1971, Consolidated Edison requested the Board, pursuant to 10 CFR Section 50.57 of the Commission's regulations to issue an order authorizing the Director of Regulation to make the necessary findings and issue a license permitting fuel loading and subcritical testing. The Board issued such an order on July 20, 1971. On October 19, 1971, the Commission issued Facility Operating License No. DPR-26 to Consolidated Edison, permitting fuel loading and subcritical testing of the facility. On October 19, 1971, Consolidated Edison in a supplement to a motion of September 24, 1971, requested authority to conduct testing operations of the Indian Point Nuclear Generating Unit No. 2 up to 50% of rated power or 1379 megawatts thermal. The Board issued an Initial Decision on July 14, 1972, authorizing the Director of Regulation to issue an amendment to Operating License No. DPR-26 authorizing operation at power levels not to exceed 551 megawatts thermal, (for testing purposes) in accordance with Section 50.57(c) and Appendix D, Section D.2 of 10 CFR Part 50. On October 27, 1972, the Atomic Safety and Licensing Appeal Board affirmed the Initial Decision of July 14, 1972, with respect to testing at power levels up to 20% of maximum rated power, and held in abeyance a decision with respect to testing at power levels above 20%.

The Commission's regulatory staff has inspected the facility and has determined that, for testing purposes the facility has been

constructed in accordance with the application, as amended, and the provisions of Provisional Construction Permit No. CPPR-21, as amended.

The Director of Regulation has made the findings set forth in the Amendment, and has concluded that the application for construction permit and facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Chapter 1, that the issuance of the Amendment will not have a significant adverse impact on the quality of the environment, and will not be inimical to the common defense and security or to the health and safety of the public.

The license is effective as of the date of issuance and shall expire nine months from said date unless extended for good cause shown, or upon the earlier issuance of a subsequent licensing action.

A copy of (1) the Board's Initial Decision of July 14, 1972, and the Appeal Board's Decision of October 27, 1972, (2) Amendment No. 1 to Facility Operating License No. DPR-26, complete with Technical Specifications, (3) the Safety Evaluation for the Indian Point Nuclear Generating Unit No. 2, dated November 16, 1970, and Supplements 1, 2, and 3 thereto, dated November 20, 1970; July 1971; and September 3, 1971; respectively, (4) the report of the Advisory Committee on Reactor Safeguards on the Indian Point Nuclear Generating Unit No. 2, dated September 23, 1970, (5) "Discussion and Conclusions by the Division of Reactor Licensing, U.S. Atomic Energy Commission, Pursuant to

Appendix D of 10 CFR Part 50, Supporting the Issuance of a License to Consolidated Edison Company of New York, Inc., Authorizing the Loading of Fuel and Subcritical Testing of Indian Point Unit No. 2, Docket No. 50-247, dated October 6, 1971," and (6) "Discussion and Conclusions by the Division of Reactor Licensing, U.S. Atomic Energy Commission Pursuant to Appendix D of 10 CFR Part 50, Supporting the Issuance of a License to Consolidated Edison Company of New York, Inc., Authorizing Limited Operation of the Indian Point Unit No. 2, Docket No. 50-247, dated December 30, 1971," are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D. C. and at the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York 10548. Copies of the Amendment, complete with Technical Specifications, and items (3), (5), and (6) above 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.

Dated at Bethesda, Maryland, this ¹⁴30 day of April, 1973.

FOR THE ATOMIC ENERGY COMMISSION



Karl Kniel, Chief
Pressurized Water Reactors
Branch No. 2
Directorate of Licensing