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JUL 29 1977

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:

Docket File (ENVIRON)

ORTIC

NRC PDR

Local PDR

DSE Reading

EP-1 Reading

VStello

KGoller/TCarter

Ringram

PERickson

DBrowne, OELD (2)

I&E (5)

BJones (4)

BScharf (10)

JMcGough

DEisenhut

ACRS (16)

CMiles, OPA

DRoss

RGeckler

MSlater

NRR Reading

VMoore

HDenton

GKnighton

bcc: JBuchanan, NSIC

TBAbernathy

ARosenthal,

ASLABP (1)

JYore, ASLBP (5)

Pursuant to an Initial Decision of the Atomic Safety and Licensing Board dated June 17, 1977, the Commission has issued Amendment No. 32 to Facility Operating License DPR-26 to Consolidated Edison Company of New York, Inc., for operation of the Indian Point Nuclear Generating Station Unit No. 2. This license amendment establishes the final termination date of once-through cooling operation at Indian Point Unit No. 2 as May 1, 1982.

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 license amendment.

Sincerely,

Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Operating Reactors

Enclosures:

1. Amendment No. 32
2. Federal Register Notice

cc w/encl: see next page

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CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

INDIAN POINT NUCLEAR GENERATING STATION UNIT NO. 2

DOCKET NO. 50-247

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 32
License No. DPR-26

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Consolidated Edison Company of New York, Inc. (the licensee), dated June 6, 1975, as supplemented, 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;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. 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
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

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2. Accordingly, pursuant to an Initial Decision of the Atomic Safety and Licensing Board dated June 17, 1977, the Nuclear Regulatory Commission has amended 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, 1982. 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 Nuclear Regulatory Commission or any other governmental body in accord with applicable law.

Paragraph 2.E.(1)(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 Nuclear Regulatory Commission, including an advancement of the May 1, 1982 date to an earlier date which is deemed reasonable and warranted by the circumstances.

Paragraph 2.E.(1)(b):

The Nuclear Regulatory Commission previously determined that the finality of the May 1, 1979 date for termination of once-through cooling was grounded on a schedule under which the licensee, acting with due diligence, obtained all governmental approvals required to proceed with construction of the closed cycle system by December 1, 1975. In the event the licensee had acted with due diligence in seeking such governmental approvals but had not obtained such approvals by December 1, 1975, then the May 1, 1979 date should be postponed accordingly. The Commission has determined that the licensee, acting with due diligence, has obtained all governmental approvals required to proceed with construction of the closed cycle system as of December 1, 1976. Accordingly, the Commission has also determined that the reasonable date for termination of once-through cooling is now May 1, 1982.

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3. This amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Operating Reactors

Date of Issuance: JUL 29 1977

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UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-247

NOTICE OF AVAILABILITY OF INITIAL DECISION OF

THE ATOMIC SAFETY AND LICENSING BOARD FOR

THE INDIAN POINT NUCLEAR GENERATING STATION UNIT NO. 2

AND ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSE NO. DPR-26

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51, notice is hereby given that Initial Decision dated June 17, 1977 has been issued by the Atomic Safety and Licensing Board in the above captioned proceeding authorizing issuance of a license amendment to the Consolidated Edison Company of New York, Inc., for operation of Indian Point Nuclear Generating Station Unit No. 2, located in Westchester County, New York.

The Initial Decision 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 Initial Decision is also being made available at the New York State Division of the Budget, State Capitol, Albany, New York 12224, and the Tri-State Regional Planning Commission, One World Trade Center, 56 South Street, New York, New York 10048.

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

Pursuant to the above mentioned Initial Decision, the Nuclear Regulatory Commission (the Commission) has issued Amendment No. 32 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 Station Unit No. 2. The license is amended by a change which states that the final termination date of once-through cooling is May 1, 1982.

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 amendment. The application for the license amendment complies with the standards and requirements of the Act and the Commission's rules and regulations.

The license amendment is effective as of its date of issuance.

Copies of the (1) Initial Decision dated June 17, 1977, and (2) Amendment No. 32 to Facility Operating License DPR-26 are available for public inspection at the above designated locations in Washington, D.C. and New York. Single copies of both items may be obtained upon request addressed

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to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis.

Dated At Bethesda, Maryland, this ~~24~~ day of July 1977.

FOR THE NUCLEAR REGULATORY COMMISSION

Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Operating Reactors

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