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AUG 5 1981

Docket No. 50-247

Mr. John D. O'Toole  
Vice President  
Nuclear Engineering and Quality Assurance  
Consolidated Edison Company  
of New York, Inc.  
4 Irving Place  
New York, New York 10003



Dear Mr. O'Toole:

The Commission has issued the enclosed Amendment No. 71 to Facility Operating License No. DPR-26 for the Indian Point Nuclear Generating Unit No. 2. This amendment deletes Paragraph 2.E from your license and was effective on May 14, 1981.

Paragraph 2.E required termination of operation with once through cooling by 1982. On May 12, 1981 the Commission issued an Order which granted your motion to delete this license condition, and directed the staff to take any ministerial actions necessary to conform the license with the Commission Order. The enclosed amendment satisfies this direction.

We have concluded, that since this is a ministerial action required by Commission Order, no environmental assessment need be prepared as a condition precedent to taking the action.

The amendment does not involve significant new safety information of a type not considered by a previous Commission safety review of the facility. It does not involve a significant increase in the probability or consequences of an accident, does not involve a significant decrease in a safety margin, and therefore does not involve a significant hazards consideration. We have also concluded that there is reasonable assurance that the health and safety of the public will not be endangered by this action.

A copy of the Notice of Issuance is also enclosed.

Sincerely,

Original Signed By:

Steven A. Varga, Chief  
Operating Reactors Branch No. 1  
Division of Licensing

*Concur subject to changes sent back for rewrite JVA 7/27/81*

Enclosures:

- 1. Amendment No. 71 to DPR-26
- 2. Notice of Issuance

*cp 8/5/81  
CP 8/16/81  
7/10/81*

cc w/enclosures:  
See next page

OFFICE	ORB 1	ORB 1	ORB 1	AD:OR	OELD
SURNAME	CParrish	LOlsan	SVarga	INovak	J.Moore
DATE	6/24/81	6/24/81	6/25/81	6/24/81	7/27/81

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PDR

OFFICIAL RECORD COPY

Mr. Louis O. DelGeorge  
Commonwealth Edison Company

cc: Robert J. Vollen, Esquire  
109 North Dearborn Street  
Chicago, Illinois 60602

Dr. Cecil Lue-Hing  
Director of Research and Development  
Metropolitan Sanitary District  
of Greater Chicago  
100 East Erie Street  
Chicago, Illinois 60611

Zion-Benton Public Library District  
2600 Emmaus Avenue  
Zion, Illinois 60099

Mr. Phillip P. Steptoe  
Isham, Lincoln and Beale  
Counselors at Law  
One First National Plaza  
42nd Floor  
Chicago, Illinois 60603

Susan N. Sekuler, Esquire  
Assistant Attorney General  
Environmental Control Division  
188 West Randolph Street, Suite 2315  
Chicago, Illinois 60601

Mayor of Zion  
Zion, Illinois 60099

Department of Public Health  
ATTN: Chief, Division of Nuclear Safety  
535 West Jefferson  
Springfield, Illinois 62761

U. S. Nuclear Regulatory Commission  
Resident Inspectors Office  
105 Shiloh Blvd.  
Zion, Illinois 60099

Regional Radiation Representative  
EPA Region V  
230 South Dearborn Street  
Chicago, Illinois 60604



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

DOCKET NO. 50-247

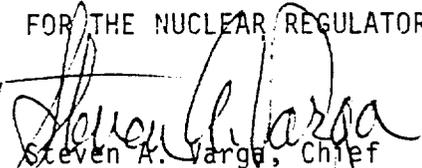
INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 71  
License No. DPR-26

- 1: The Nuclear Regulatory Commission (the Commission) has found that:
  - A. This amendment is issued in accordance with the Commission's Order dated May 12, 1981;
  - B. The facility will operate in conformity with the Commission's Order, 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.
2. This amendment deletes paragraph 2.E from the license.
3. This license amendment became effective May 14, 1981.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Steven A. Varga, Chief  
Operating Reactors Branch No. 1  
Division of Licensing

Date of Issuance: **AUG 5 1981**

8108310198 810805  
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PDR

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NO. 50-247CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.NOTICE OF ISSUANCE OF AMENDMENT TO FACILITY  
OPERATING LICENSE

The U. S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 71 to Facility Operating License No. DPR-26, issued to the Consolidated Edison Company of New York, Inc. (the licensee) for operation of the Indian Point Nuclear Generating Unit No. 2 (the facility) located in Buchanan, Westchester County, New York. The amendment deletes Paragraph 2.E from your license and became effective on May 14, 1981.

The amendment deletes the license condition that required termination of operation with once-through cooling.

On November 15, 1978 the Commission issued an Order announcing its intent to review ALAB-487. The purpose of the review was to clarify the status of the aforementioned license condition in light of the pendency of the adjudicatory proceeding before the Environmental Protection Agency (EPA) to determine the type of cooling system required for Indian Point, Unit Nos. 2 and 3 and two fossil-fired generating plants located along the Hudson River. A settlement agreement, which went into effect on May 14, 1981, terminated the EPA proceeding, permitting continued use of open-cycle cooling at the Indian Point Units, coupled with a variety of compensating measures.

On February 27, 1981, Consolidated Edison Company of New York filed a motion requesting that the Commission issue an Order deleting the license condition that requires termination of operation with once-through cooling.

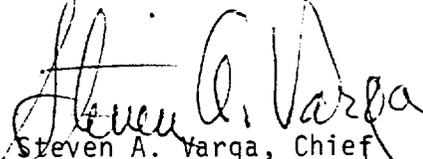
- 2 -

On May 12, 1981, the Commission issued an Order to delete the license condition from the Unit No. 2 and No. 3 licenses, and directed the NRC Staff to take the necessary ministerial action.

For further details with respect to this action, see (1) the Commission's Order dated May 12, 1981, (2) Amendment No. 71 to License No. DPR-26, and (3) the Commission's related letter dated August 5, 1981. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the White Plains Public Library, 100 Martine Avenue, White Plains, New York. A copy of items (1), (2) and (3) may be obtained upon request addressed to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 5th day of August, 1981.

FOR THE NUCLEAR REGULATORY COMMISSION



Steven A. Varga, Chief  
Operating Reactors Branch No. 1  
Division of Licensing