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SEP 28 1973

Docket No. 50-333

Power Authority of the State
 of New York
 ATTN: Mr. George T. Berry
 General Manager and
 Chief Engineer
 10 Columbus Circle
 New York, New York 10019

Gentlemen:

In response to your request of August 17, 1973, the Atomic Energy Commission has issued the enclosed order extending the completion date specified in Provisional Construction Permit No. CPPR-71 for construction of the James A. FitzPatrick Nuclear Power Plant. The latest completion date has been extended to July 31, 1974. The earliest completion date is January 1, 1974. A copy of my memorandum to A. Giambusso setting forth the bases for this action is enclosed for your information.

The order will be published in the Federal Register.

Sincerely,
 Original signed by
 Voss A. Moore

Voss A. Moore, Assistant Director
 for Boiling Water Reactors
 Directorate of Licensing

Enclosures:

1. Order Extending Completion Date
2. Memorandum from V. A. Moore to A. Giambusso

cc: Scott B. Lilly
 General Counsel
 Power Authority of the State
 of New York
 10 Columbus Circle
 New York, New York 10019

Arvin E. Upton, Esq.

~~LeBoeuf, Lamb, Leiby and MacRae~~

OFFICE ▶ 1821 Jefferson Place, N.W.
 Washington, D.C. 20036

SURNAME ▶ (see next page)

DATE ▶

L: BWR-2

JCSnell:vy

9/13/73

L: BWR-2

JFStolz

9/13/73

L: BWR/AD

VAMoore

9/19/73

OGG

9/19/73

SEP 28 1973

cc: J. Bruce MacDonald, Deputy
 Commissioner and Counsel
 New York State Department of
 Commerce and Counsel to the
 Atomic Energy Council
 99 Washington Avenue
 Albany, New York 12210

Ecology Action
 c/o Richard Goldsmith
 Syracuse University
 College of Law
 E.I. White Hall Campus
 Syracuse, New York 13210

Ms. Suzanne Webber
 78 West Seneca Street
 Oswego, New York 13126

Mr. Donald Hurst, President
 Atomic Energy Control Board
 P. O. Box 1046
 Ottawa, Ontario
 Canada

Dr. William E. Seymour
 Staff Coordinator
 New York State Atomic Energy Council
 New York State Department
 of Commerce
 112 State Street
 Albany, New York 12207

Mr. Donald I. Gleason
 Chairman, County Legislature
 County Office Building
 46 East Bridge Street
 Oswego, New York 13126

Mr. Robert P. Jones, Supervisor
 Town of Scriba, R.D. #4
 Oswego, New York 13126

Mr. Hans L. Hamester (2)
 ATTN: Joan Sause
 Office of Radiation Programs

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

Mr. Thomas J. Brosnan
 Vice President and Chief Engineer
 Niagara Mohawk Power Corporation
 300 Erie Boulevard West
 Syracuse, New York 13202

OFFICE ▶	Environmental Protection Agency Room 647A East Tower Waterside Mall			
SURNAME ▶	401 M Street, S.W.			
DATE ▶	Washington, D. C. 20460			

Distribution:
 Docket File (Central)
 BWR-2 File
 RP Reading
 E. Beckett
 W. Gammill
 V. Moore
 R. Boyd

Project No. 499

OCT 9 1973

Mr. Eugene Koffmann
 Nuclear Project Manager
 Department of Water and Power
 City of Los Angeles
 Box 111
 Los Angeles, California 90051

Dear Mr. Koffmann:

This letter confirms the telephone discussion between your office and Mr. E. F. Beckett of our staff on October 4, 1973 regarding your submittal of special reports on "Geophysical Logging Procedures and Capabilities," "Paleomagnetic Dating," and "Subsidence Potential From Subsurface Withdrawal of Oil, Gas, and Water," in advance of your expected filing in February 1974 of early and limited issues on your proposed site for Regulatory staff and Advisory Committee on Reactor Safeguards review.

We will require twenty copies of each report for review by the staff and its consultants at the U. S. Geological Survey.

As we indicated in our meeting with you on August 16, 1973, we plan to make every reasonable effort within the higher priority workload of formal applications to review your submittal before the February filing.

Sincerely,

Original signed by
 Voss A. Moore

Voss A. Moore, Assistant Director
 for Boiling Water Reactors
 Directorate of Licensing

OFFICE ▶	L: BWR-2	L: BWR-2	L: SS/SA	L: BWR	
SURNAME ▶	EBeckett:ew	JFStolz	RBM for WGammill	VAMOORE	
DATE ▶	10/4/73	10/11/73	10/5/73	10/9/73	

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 W. Gammill
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 R. Boyd

Mr. Eugene Koffmann
 Nuclear Project Manager
 Department of Water and Power
 City of Los Angeles
 Box 111
 Los Angeles, California 90051

Dear Mr. Koffmann:

This is in reply to your letter of September 20, 1973, relative to your request to submit three topical reports on geophysical methods.

The summaries of the three proposed reports do not provide sufficient information on the scope and content of the reports to permit us to evaluate their suitability for review or develop review schedules. The general subject matter of the reports on "Geophysical Logging Procedures and Capabilities" and "Paleomagnetic Dating" are of potential general interest, however, your summaries do not outline the content of the proposed reports. The summary of "Subsidence Potential From Subsurface Withdrawal of Oil, Gas, and Water" does not provide sufficient information to make a judgement on acceptability.

In view of the early dates scheduled for the first two reports (October 12 and 19, 1973), it is suggested that you provide 10 copies of the completed reports. We will then evaluate the completed reports for acceptability for review and, if acceptable, develop a review schedule. If accepted for review, we will require 50 copies.

At this time, we do not plan on accepting the topical report, "Subsidence Potential From Subsurface Withdrawal of Oil, Gas, and Water" as described in your summary.

Sincerely,

Roger S. Boyd
 Assistant Deputy Director
 for Reactor Projects
 Directorate of Licensing

(SEE PREVIOUS YELLOW FOR PREVIOUS CONCURRENCES)

OFFICE ▶	L:BWR-2	L:DD/RP			
SURNAME ▶	EFBeckett:ew	RSBoyd			
DATE ▶	10/3/73	10/ /73			

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Mr. Eugene Koffmann
 Nuclear Project Manager
 Department of Water and Power
 City of Los Angeles
 Box 111
 Los Angeles, California 90051

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Sincerely,

Roger S. Boyd
 Assistant Deputy Director
 for Reactor Projects
 Directorate of Licensing

OFFICE ▶	L: BWR-2	L: BWR-2	L: SS/SA	L: BWR	L: DD/RP
SURNAME ▶	EFBeckett:ew	JFSto	WGammill	VAMoore	RSBoyd
DATE ▶	10/1/73	10/2/73	10/2/73	10/3/73	10/ /73

POWER AUTHORITY OF THE STATE OF NEW YORK

DOCKET NO. 50-333

ORDER EXTENDING COMPLETION DATE

Power Authority of the State of New York (the applicant) is the holder of Provisional Construction Permit No. CPPR-71 issued by the Commission on May 20, 1970, for construction of the James A. FitzPatrick Nuclear Power Plant, a 2436 thermal megawatt boiling water nuclear reactor presently under construction on the southeast shore of Lake Ontario in the town of Scriba, Oswego County, New York, approximately 3000 ft. east of the Nine Mile Point Nuclear Station, Unit 1 of the Niagara Mohawk Power Corporation.

On August 17, 1973, the applicant filed a request for an extension of the completion date because construction has been delayed. The original letter has been supplemented by additional information contained in letters from the applicant dated September 10 and September 25, 1973. It has been determined that construction of the facility could not be completed on schedule principally because of (1) the need for additional design effort, delay in procurement, and difficulty of installation of required piping restraints in the containment drywell; (2) late delivery of the turbine-generator owing to a strike at the supplier's manufacturing plant; (3) a shortage of qualified welders and electricians at the FitzPatrick site; and (4) labor strikes at the plant site. The Director of Regulation having determined that this action involves no significant hazards consideration, and good cause having been shown, the bases for which are set forth in a memorandum dated September 28, 1973, from V. A. Moore to A. Giambusso.

IT IS HEREBY ORDERED that the latest completion date for Construction Permit No. CPPR-71 is extended from September 30, 1973 to July 31, 1974, with the earliest completion date being January 1, 1974.

FOR THE ATOMIC ENERGY COMMISSION

A. Giambusso

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

Date of Issuance: OCT 9 1973

SEP 28 1973

Docket No. 50-333

A. Giambusso, Deputy Director for Reactor Projects, L

EXTENSION OF CONSTRUCTION COMPLETION DATE FOR THE JAMES A. FITZPATRICK NUCLEAR POWER PLANT

On August 17, 1973, the Power Authority of the State of New York filed a request for an extension of the completion date for the construction of the James A. FitzPatrick Nuclear Power Plant. Additional information relating to this request was supplied by PASNY by letters dated September 10 and September 25, 1973. The only modification proposed to the existing construction permit is an extension of the construction completion date to permit completion of the work presently authorized by the existing construction permit. The staff finds that this action does not involve any significant hazards considerations. Although PASNY, in the September 10 letter, has cited innumerable factors that it maintains contributed to the construction delay, further analysis, presented in the September 25 letter, indicates that most of the items initially cited were not on the critical construction path and should not be considered as factors justifying the need for an extension of the construction completion date. Based on the staff evaluation of the information submitted by PASNY it has been determined that construction of the facility could not be completed on schedule principally because of (1) the need for additional design effort, delay in procurement, and difficulty of installation of required piping restraints in the containment drywell; (2) late delivery of the turbine-generator owing to a strike at the supplier's manufacturing plant; (3) a shortage of qualified welders and electricians at the FitzPatrick site; and (4) labor strikes at the plant site. It should be noted that item (1) is not, as maintained by PASNY, a new AEC requirement. The need for piping restraints to protect against pipe whip forces in the event of a postulated loss-of-coolant accident was considered during the construction permit review of the FitzPatrick application, and PASNY committed to provide such protection.

The Regulatory staff finds that prior public notice of an order authorizing the requested extension is not required since the action does not involve significant hazards considerations, and that good cause exists for the issuance of an order extending the completion date.

OFFICE ▶						
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DATE ▶						

SEP 28 1973

A. Giambusso

- 2 -

Accordingly, issuance of an order extending the latest completion date for the construction of the James A. FitzPatrick Nuclear Power Plant as presently set forth in Provisional Construction Permit No. CPPR-71, to July 31, 1974, should be authorized. The order is to be effective on the date of issuance.

Original signed by
Voss A. Moore

Voss A. Moore, Assistant Director
for Boiling Water Reactors
Directorate of Licensing

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- J. Snell
- J. Stolz
- H. Smith
- V. A. Moore
- R. S. Boyd
- D. Eisenhut

OFFICE ▶	L: BWR-2	L: BWR-2	L: BWR			
SURNAME ▶	JSnell:ev	JFStolz	VAMoore			
DATE ▶	9/27/73	9/28/73	10/1/73			