

JAN 30 1970

Mr. William S. Chapin
General Manager
Power Authority of the State
of New York
10 Columbus Circle
New York, New York 10019

Dear Mr. Chapin:

This is in reply to your request dated June 20, 1969, for an exemption, pursuant to Section 50.12, from the provisions of Section 50.10(b) which would permit the performance of certain work at the site of the James A. FitzPatrick Nuclear Power Plant prior to the issuance of a construction permit by the Commission.

Our letter of September 5, 1969, advised you that we had limited our review to that part of the exemption request involving the placement of concrete and that you were authorized to form the drywell and torus supports, the base slab, and portions of the external walls of the reactor building.

In the intervening time we have continued our review of your proposed facility, and the Commission's Advisory Committee on Reactor Safeguards has reported favorably on your application by letter dated January 27, 1970. We have again considered your request for the remaining portion of an exemption which would authorize installation of the steel which constitutes the torus, vent lines and lower section of the drywell. We have reviewed your request under the provisions of Section 50.12 and the reasons set forth in the support thereof, and have concluded that the granting of the exemption is authorized by law, will not endanger life or property or the common defense and security and is otherwise in the public interest. Accordingly, the Commission hereby authorizes you, at this time, to proceed with installation of the steel which constitutes the torus, vent lines and lower section of the drywell as described and requested in your letter of June 20, 1969, prior to the issuance of a construction permit.



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SURNAME ▶						
DATE ▶						

Mr. William S. Chapin

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I wish to emphasize that the granting of this exemption shall have no bearing upon the subsequent granting or denial of a construction permit or of any further exemption for the proposed James A. FitzPatrick Nuclear Power Plant, and any work performed pursuant to this exemption shall be performed entirely at the risk of the Power Authority of the State of New York. Furthermore, the granting of this exemption does not constitute an approval of the type or adequacy of the method of installation.

Sincerely,

(signed) Harold L. Price

Harold L. Price
Director of Regulation

cc: Thomas F. Moore, Jr., Esq.
General Counsel
Power Authority of the State of New York
10 Columbus Circle
New York, New York 10019

Messrs. LeBoeuf, Lamb, Leiby & MacRae
Attention: Arvin E. Upton, Esq.
1821 Jefferson Place, N.W.
Washington, D. C. 20036

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SURNAME ▶	<i>D.B.V.</i> Vassallo:lm	<i>R.S.L.</i> Miller	<i>N.M.B.</i> Boyd	<i>P.A.M.</i> Morris		<i>H.L.P.</i> Price
DATE ▶	1/29/70	1/29/70	1/29/70	1/29/70	1/ 170	1/30/70

Mr. William S. Chapin
General Manager
Power Authority of the State
of New York
10 Columbus Circle
New York, New York 10019

Dear Mr. Chapin:

This is in reply to your request dated June 20, 1969, for an exemption, pursuant to Section 50.12, from the provisions of Section 50.10(b) which would permit the performance of certain work at the site of the James A. FitzPatrick Nuclear Power Plant prior to the issuance of a construction permit by the Commission.

Our letter of September 5, 1969, advised you that we had limited our review to that part of the exemption request involving the placement of concrete and that you were authorized to form the drywell and torus supports, the base slab, and portions of the external walls of the reactor building.

In the intervening time we have continued our review of your proposed facility, and have again considered your request for the remaining portion of an exemption which would authorize installation of the steel which constitutes the torus, vent lines and lower section of the drywell. We have reviewed your request under the provisions of Section 50.12 and the reasons set forth in the support thereof, and have concluded that the granting of the exemption is authorized by law, will not endanger life or property or the common defense and security and is otherwise in the public interest. Accordingly, the Commission hereby authorizes you, at this time, to proceed with installation of the steel which constitutes the torus, vent lines and lower section of the drywell as described and requested in your letter of June 20, 1969, prior to the issuance of a construction permit.

OFFICE ▶						
SURNAME ▶						
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Mr. William S. Chapin

-2-

I wish to emphasize that the granting of this exemption shall have no bearing upon the subsequent granting or denial of a construction permit or of any further exemption for the proposed James A. FitzPatrick Nuclear Power Plant, and any work performed pursuant to this exemption shall be performed entirely at the risk of the Power Authority of the State of New York. Furthermore, the granting of this exemption does not constitute an approval of the type or adequacy of the method of installation.

Sincerely,

Peter A. Morris, Director
Division of Reactor Licensing

cc: Thomas F. Moore, Jr., Esq.
General Counsel
Power Authority of the State of New York
10 Columbus Circle
New York, New York 10019

Messrs. LaBoeuf, Lamb, Leiby & MacRae
Attention: Arvin E. Upton, Esq.
1821 Jefferson Place, N.W.
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SURNAME ▶	Vassallo:lm	Muller	Boyd	Morris		
DATE ▶	12/29/69	12/30/69	1/1/69	12/31	1/1	

Mr. W. S. Chapin
General Manager
Power Authority of the State
of New York
10 Columbus Circle
New York, New York 10019

Dear Mr. Chapin:

This is in reply to your request dated June 20, 1969, for an exemption, pursuant to Section 50.12, from the provisions of Section 50.10(b) which would permit the performance of certain work at the site of the James A. FitzPatrick Nuclear Power Plant prior to the issuance of a construction permit by the Commission.

Our letter of September 5, 1969, advised you that we had limited our review to that part of the exemption request involving the placement of concrete and that you were authorized to form the drywell and torus supports, the base slab, and portions of the external walls of the reactor building.

In the intervening time we have completed our review of the remaining portion of your proposed facility, and have again considered your request for an exemption which would authorize installation of the steel which constitutes the torus, vent lines and lower section of the drywell.

It is our conclusion that the proposed construction exceeds that which is contemplated in the proposed amendment to Section 50.12 of the Commission's Regulation, and thus your request to install the steel portion of your containment structure which constitutes the torus, vent lines, and lower section of the drywell, is denied.

Sincerely,

Peter A. Morris, Director
Division of Reactor Licensing

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Mr. W. S. Chapin

-2-

cc: Thomas F. Moore, Jr., Esq.
General Counsel
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