

OCT 25 1973

Docket No. 50-277

Philadelphia Electric Company
ATTN: Edward G. Bauer, Jr.
Vice President and General Counsel
2301 Market Street
Philadelphia, Pennsylvania 19101

Gentlemen:

Pursuant to an Initial Decision issued by the Atomic Safety and Licensing Board, dated September 14, 1973, the Atomic Energy Commission has issued Amendment No. 1 to Facility Operating License, DPR-44. The licensees are Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company. A copy of Amendment No. 1 to DPR-44 is enclosed. This Amendment authorizes operation of Unit 2 of the Peach Bottom Atomic Power Station at steady state reactor core power levels not to exceed 3293 megawatts thermal, (100% of rated power) in accordance with the Technical Specifications attached as Appendices A & B thereto.

The above cited Initial Decision identifies conditions for the protection of the environment. These conditions are contained in either the license or the Technical Specifications. They are identified as follows:

- Condition 1 & 2 - are contained in Amendment No. 1 to DPR-44 as 3(a) and (b), respectively
- Condition 2 - Technical Specifications "B" 6.4 & Table 6.4-1
- Condition 3(a) - Technical Specification "B" 6.3a
- Condition 3(b) - Technical Specification "B" 3.2.1 & 6.2.b
- Condition 3(c) - Technical Specification "B" 6.1, 6.1.b & 6.1.c
- Condition 4 - Technical Specifications "B" 2.1, 3.1 & 6.3a
- Condition 5 - Technical Specifications "B" 3.1
- Condition 6 - Technical Specification "B" 2.2.1
- Condition 7 - Technical Specification "B" 7.2.5

The license also contains the requirement for a report on operation of Unit 2 with one and two cooling towers, imposed by the water quality certification issued to you on June 12, 1973 by the Commonwealth of Pennsylvania.

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SURNAME ▶						
DATE ▶						

OCT 25 1973

A related notice, which has been forwarded to the Office of the Federal Register for filing and publication, is enclosed for your information.

Sincerely,

Original Signed by
John F. Stolz

for

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

Enclosures:

- 1. Initial Decision, dtd September 14, 1973
- 2. Amendment No. 1 to DPR-44 w/Tech Specs
- 3. Federal Register Notice

(IN HEARING JACKET)

cc: Eugene J. Bradley, Esq.
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Philadelphia, Pennsylvania 19101

Raymond L. Hovis, Esq.
35 South Duke Street
York, Pennsylvania 17401

W. W. Anderson, Esq.
Deputy Attorney General
Department of Justice
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Harrisburg, Pennsylvania 17120

The Honorable Francis B. Burch
Attorney General
State Law Department
Attorney General's Office
One South Calvert Street
Baltimore, Maryland 21202

John B. Griffith, Esq.
Special Assistant Attorney
General, Maryland
Annapolis, Maryland 21401

Warren Rich, Esq.
Special Assistant Attorney
General, Maryland
Annapolis, Maryland 21401

OFFICE ▶						
SURNAME ▶						
DATE ▶						

cc: Frank R. Clokey, Esq.
 Special Assistant Attorney General
 Room 219, Towne House Apartments
 Harrisburg, Pennsylvania 17105

Troy B. Conner, Jr., Esq.
 Conner, Hadlock & Knotts
 1747 Pennsylvania Avenue, N. W.
 Washington, D. C. 20006

Mr. John Long, Chairman
 Board of Supervisors
 Drumore Township
 R. D. No. 1
 Holtwood, Pennsylvania 17532

Mr. A. R. Steele, Chairman
 Board of Supervisors
 Fulton Township
 Peach Bottom, Pennsylvania 17563

Honorable Russel W. Peterson
 Governor of Delaware
 Dover, Delaware 19901

Edward F. Gliwa, M.D., Acting
 Director
 Division of Physical Health
 Department of Health & Social
 Services
 State Health Building
 Dover, Delaware 19901

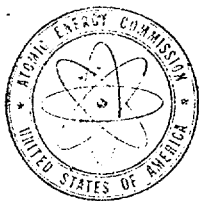
Mr. James M. Rosbrow, Secretary
 Department of Labor
 618 North Union Street
 Wilmington, Delaware 19805

Mr. Warren D. Hodges, Director
 Department of State Planning
 301 West Preston Street
 Baltimore, Maryland 21201

Distribution:
 Docket 50-277
 AEC PDR
 L PDR
 L Reading (w/o tech specs)
 RP Reading (w/o tech specs)
 J. Scinto, OGC
 RO (3)
 N. Dube (w/o tech specs)
 M. Jinks (w/4 encls)
 V. A. Moore
 R. Vollmer
 C. Hebron, F&M (Lic. only)
 D. Foster, F&M (Lic. only)
 R. Chitwood, F&M
 A. Braitman, OA&I (w/o tech specs)
 R. Powell
 M. Maigret
 C. Miles, OIS
 S. Kari (w/o tech specs)
 D. Muller, EP
 J. Cusak
 R. Wade, EP-2
 BWR Br. Chiefs
 ACRS (16)

bcc: H. J. McAlduff, ORO (w/o Tech Specs)
 J. R. Buchanan, ORNL
 T. B. Abernathy, DTIE
 A. Rosenthal, ASLAB
 N. H. Goodrich, ASLBP

OFFICE ▶	BWR-1:L	BWR-1:L	AD:EP	OGC	AD:BWR	DD:L
SURNAME ▶	M Maigret	R Powell W Butler	D Muller	J Scinto	V Moore	A Ambuss
DATE ▶	10/25/73	10/25/73	10/25/73	10/25/73	10/25/73	10/25/73



UNITED STATES
ATOMIC ENERGY COMMISSION

WASHINGTON, D.C. 20545

PHILADELPHIA ELECTRIC COMPANY
PUBLIC SERVICE ELECTRIC AND GAS COMPANY
DELMARVA POWER AND LIGHT COMPANY
ATLANTIC CITY ELECTRIC COMPANY
DOCKET NO. 50-277
PEACH BOTTOM ATOMIC POWER STATION, UNIT 2
FACILITY OPERATING LICENSE

License No. DPR-44

Amendment No. 1

1. The Atomic Energy Commission (the Commission) having found that:
 - A. The application for license filed by Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company (the licensees) 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;
 - B. Construction of the Peach Bottom Atomic Power Station, Unit 2 (the facility) has been substantially completed in conformity with Construction Permit No. CPPR-37 and the application, as amended, the provisions of the Act and the rules and regulations of the Commission;
 - 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;
 - D. There is reasonable assurance: (i) that the activities authorized by this amended 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;

- (1) Philadelphia Electric Company, pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility and PSE&G, DP&LC, and ACEC to possess the facility at the designated location in Peach Bottom, York County, Pennsylvania in accordance with the procedures and limitations set forth in this license;
 - (2) PECO, pursuant to the Act and 10 CFR Part 70, "Special Nuclear Material," to receive, possess, and use at any time up to 6000 kilograms of U-235 in connection with operation of the facility;
 - (3) PECO, pursuant to the Act and 10 CFR Part 30, "Rules of General Applicability to Licensing of By-Product Material," to receive, possess, and use in connection with operation of the facility:
 - a. Any by-product material with Atomic Numbers between 1 and 83, inclusive, in any form not to exceed 10 millicuries;
 - b. Antimony 124, in sealed sources, not to exceed 14 sources of 700 curies each;
 - c. Krypton 85, in any form, not to exceed 1 curie;
 - d. Xenon 133, in any form, not to exceed 1 curie;
 - e. Americium 241, in sealed neutron sources, not to exceed 1 source of 5 curies, 1 source of 1 curie, and 1 source of 6 curies;
 - f. Cesium 137, in sealed sources, not to exceed 2 sources of 10 curies each, 2 sources of 300 millicuries each and 3 sources of 35 millicuries each;
 - g. Hydrogen 3, in any form, not to exceed 100 millicuries.
 - (5) PECO, pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not to separate, such by-product and special nuclear material as may be produced by operation of the facility.
- C. This amended license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act

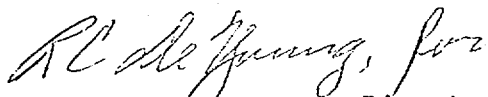
- E. Philadelphia Electric Company is technically qualified and the licensees are financially qualified to engage in the activities authorized by this amended operating license in accordance with the rules and regulations of the Commission;
 - F. The licensees have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
 - G. The issuance of this amended operating license will not be inimical to the common defense and security or to the health and safety of the public;
 - H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental costs and considering available alternatives, the issuance of Amendment No. 1 to Facility Operating License No. DPR-44 is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied; and
 - I. The receipt, possession, and use of by-product and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30 and 70, including 10 CFR Section 30.33, and 70.23 and 70.31.
2. Amendment No. 1 to Facility Operating License No. DPR-44 issued to the Philadelphia Electric Company (PECO), Public Service Electric and Gas Company (PSE&G), Delmarva Power and Light Company (DP&LC), and Atlantic City Electric Company (ACEC), is hereby amended in its entirety to read as follows:
- A. This amended license applies to the Peach Bottom Atomic Power Station, Unit 2, a single cycle, forced circulation, boiling water nuclear reactor and associated equipment (the facility), owned by the licensees and operated by PECO. The facility is located in Peach Bottom, York County, Pennsylvania and is described in the "Final Safety Analysis Report" as supplemented and amended (Amendments 1 through 29) and the Environmental Report as supplemented and amended (Supplements 1 through 6).
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:

Unit 2 and 3, that exceeds 15 mrem/year, licensees shall install for operation no later than the next refueling cycle for each unit the necessary equipment to reduce the projected dose to such levels.

(c) In accordance with the certification pursuant to Section 401 of the Federal Water Pollution Control Act issued by the Commonwealth of Pennsylvania, on June 12, 1973, the licensees, before placing Unit 3 in operation, shall submit to the Pennsylvania Department of Environmental Resources a report on the operation of Unit No. 2 with one and two cooling towers.

4. This license is effective as of the date of issuance and shall expire at midnight on January 31, 2008.

FOR THE ATOMIC ENERGY COMMISSION



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

Attachments:
Appendices A & B -
Technical Specifications

Date of Issuance: OCT 25 1973

and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:

(1) Maximum Power Level

PECO is authorized to operate the Peach Bottom Atomic Power Station, Unit 2 at steady state reactor core power levels not to exceed 3293 megawatts thermal.

(2) Technical Specifications

The Technical Specifications contained in Appendices A & B attached hereto are hereby incorporated in this amended license. PECO shall operate the facility in accordance with the Technical Specifications.

3. This amended license is subject to the following conditions for the protection of the environment:

- (a) Upon completion of the licensees' "smoke tests," the licensees' shall release all procedures, data, and analysis bearing on the calculation of χ/Q to the Regulatory Staff as soon as possible but no later than initial fuel loading for Peach Bottom Unit 3. Using the "smoke test" results to re-calculate χ/Q and using the other assumptions previously used by the Regulatory Staff (or realistic refinements thereof), the Regulatory Staff shall re-calculate the potential radioiodine thyroid dose to a child via the milk pathway at the points of maximum concentration at or beyond the site boundary where dairy cows are present or could be pastured. If this calculated dose based on the combined operation of Peach Bottom Units 2 and 3 exceeds 15 mrem/year, then the licensees' shall install for operation no later than the next refueling cycle for each unit the necessary equipment to reduce the projected dose to such levels.
- (b) If the actual milk sample measurements taken at the nearby farms in accordance with the technical specifications, predict a dose to a child's thyroid, based on actual combined operation of

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-277

NOTICE OF AVAILABILITY OF INITIAL DECISION OF THE
ATOMIC SAFETY AND LICENSING BOARD FOR THE PEACH BOTTOM
ATOMIC POWER STATION, UNIT 2
AND ISSUANCE OF OPERATING LICENSE

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulation in Appendix D, Section A.9 and A.11, to 10 CFR Part 50, notice is hereby given that an Initial Decision dated September 14, 1973, by the Atomic Safety and Licensing Board in the above captioned proceeding authorizing issuance of an operating license to Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company (licensees) for authorization to operate the Peach Bottom Unit 2 facility located in York County, Pennsylvania, 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 Martin Memorial Library, 159 E. Market Street, York, Pennsylvania 17401.

The Initial Decision is also being made available at the Office of State Planning and Development, 510c Finance Building, Harrisburg, Pennsylvania 17120, and at the York County Planning Commission, 1320 West Market Street, York, Pennsylvania 17404.

The Decision of the Atomic Safety and Licensing Board modified in certain respects the contents of the Final Environmental Statement prepared by the Commission's Directorate of Licensing relating to the construction of the Peach Bottom Atomic Power Station. A copy of this Final Environmental Statement is also available for public inspection at the above designated locations.

Pursuant to the provisions of 10 CFR, Part 50, Appendix D, Section A.11, the Final Environmental Statement is deemed modified to the extent that the findings and conclusions relating to environmental matters contained in the Initial Decision are different from those contained in the Final Environmental Statement dated April 1973. As required by Section A.11 of Appendix D, copies of the Initial Decision by the Atomic Safety and Licensing Board and the Final Environmental Statement have been transmitted to the Council on Environmental Quality and made available to the public as noted herein.

Pursuant to the above mentioned Initial Decision, the Atomic Energy Commission (the Commission) has issued Amendment No. 1 to DPR-44 Facility Operating License to Philadelphia Electric Company, et al for operation of the Peach Bottom Atomic Power Station, Unit 2, a boiling water reactor, at steady state reactor core levels not to exceed 3293 megawatts thermal.

In addition to the Initial Decision, copies of (1) Amendment No. 1 to DPR-44, Facility Operating License, (2) Order, dated May 11, 1973, (3) Facility Operating License DPR-44, (4) the report of the Advisory Committee on Reactor Safeguards, dated September 21, 1972, (5) the Directorate of Licensing's Safety Evaluation, dated August 11, 1972, (6) Supplement No. 1

to the Safety Evaluation, dated December 11, 1972, (7) Supplement No. 2 to the Safety Evaluation, dated May 23, 1973, (8) Supplement No. 3 to the Safety Evaluation, dated October, 1973, (9) the Final Safety Analysis Report and amendments thereto, (10) the applicant's Environmental Report, dated June 4, 1971 and supplements thereto, (11) the Draft Environmental Statement dated October, 1972, and (12) the Final Environmental Statement, dated April, 1973, are also available for public inspection at the above-designated locations in Washington, D. C. and York, Pennsylvania. Single copies of the Initial Decision and Order by the Atomic Safety and Licensing Board, Facility Operating License DPR-44 and Amendment No. 1 thereto, the Final Environmental Statement, and the Safety Evaluation and amendments 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, Regulation.

Dated at Bethesda, Maryland this 25th day of *October* 1973.

For the Atomic Energy Commission.

Walter A. Paulson
Walter A. Paulson, Acting Chief
Boiling Water Reactors Branch No. 1
Directorate of Licensing