

AUG 1 6 1972

Docket Nos. 50-348
and 50-364

Mr. Alan R. Barton
Senior Vice President
Alabama Power Company
600 North 18th Street
Birmingham, Alabama 35203

Dear Mr. Barton:

The Atomic Energy Commission has issued Construction Permits Nos. CPPR-85 and CPPR-86 to the Alabama Power Company authorizing construction of two pressurized water nuclear reactors, designated as the Joseph M. Farley Nuclear Plant, Units 1 and 2.

Copies of the Construction Permits are enclosed, together with a related notice which has been transmitted to the Office of the Federal Register for filing and publication.

The Permits have been issued pursuant to the Initial Decision of the Atomic Safety and Licensing Board. A copy of the Decision is enclosed.

Sincerely,

Original Signed By
R. C. DeYoung

R. C. DeYoung, Assistant Director
for Pressurized Water Reactors
Directorate of Licensing

Enclosures:

1. Construction Permits Nos. CPPR-85 and CPPR-86
2. Federal Register Notice
3. Initial Decision

cc: See Attached

SEE DOCKET NO. 50-348 FOR CONCURRENCES

OFFICE ▶	L:AD/PWRs	L:PWR-2	L:PWR-2	L:AD/PWRs		LB
SURNAME ▶	MService:emp	LKintner	KKniel	RCDeYoung		
DATE ▶	/ /72	/ /72	/ /72	/ /72		

Mr. Alan R. Barton

cc w/encls:

George F. Trowbridge, Esq.
Shaw, Pittman, Pitts, Trowbridge,
and Madden
910 17th Street
Washington, D. C. 20006

Mr. Ruble A. Thomas
Vice President
Southern Services, Inc.
P. O. Box 2641
Birmingham, Alabama 35202

Ira L. Myers, M.D.
State Health Officer
State Department of Public Health
State Office Building
Montgomery, Alabama 36104

Honorable A. A. Middleton
Chairman
Houston County Commission
Dothan, Alabama 36301

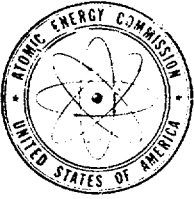
bcc w/encl:

H. J. McAlduff, ORO
H. Mueller, GMR/H
J. A. Harris, IS
J. R. Buchanan, ORNL
T. W. Laughlin, DTIE
ASLAB
N. H. Goodrich, ASLBP
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UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

ALABAMA POWER COMPANY

JOSEPH M. FARLEY NUCLEAR PLANT UNIT 2

DOCKET NO. 50-364

CONSTRUCTION PERMIT

Construction Permit No. CPPR-86

1. Pursuant to §103 of the Atomic Energy Act of 1954, as amended (the Act), and Title 10, Chapter 1, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," and pursuant to the Initial Decision of the Atomic Safety and Licensing Board, the Atomic Energy Commission (the Commission) hereby issues a construction permit to the Alabama Power Company (the applicant) for a utilization facility (the facility), designed to operate at 2652 megawatts (thermal) described in the application and amendments thereto (the application) filed in this matter by the applicant and as more fully described in the evidence received at the public hearing upon that application. The facility, known as the Joseph M. Farley Nuclear Plant, Unit 2, will be located in Houston County, Alabama, about 15 miles north of Jackson County, Florida, and across the river from Early County, Georgia.
2. This permit shall be deemed to contain and be subject to the conditions specified in §§50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act, and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the conditions specified or incorporated below:
 - A. The earliest date for the completion of Unit No. 2 of the facility is July 1, 1976, and the latest date for completion is July 1, 1977.
 - B. The facility shall be constructed and located at the site as described in the application, in Houston County, Alabama.
 - C. This construction permit authorizes the applicant to construct the facility described in the application and the hearing record in accordance with the principal architectural and engineering criteria set forth therein.

D. This construction permit is subject to the following conditions for the protection of the environment.

- (1) The applicant will define a comprehensive environmental monitoring program (chemical, biological, thermal, and radiological), extending for at least one year of plant operation, and considered by the Regulatory staff to be adequate to determine changes which may occur in land and water ecosystems as a result of plant operations. If adverse effects are detected, the applicant will analyze the effects and provide a course of action to alleviate those attributed to plant operation. Data collected during the monitoring activities will be made available to the public through the Commission's local repository in Dothan, Alabama.
- (2) The applicant will develop and maintain a program for collecting comprehensive weather data from the site meteorological tower for a minimum of one year prior to the commencement of facility operations for the purpose of determining the frequency of natural occurring fogging conditions; and by using analytical methods, calculate the extent of cooling tower plumes and determine the probability of incremental fogging over those sectors that can be attributed to plant facility operation. The information collected and the calculations will be made available to the public through the Commission's local repository in Dothan, Alabama. Although it appears unlikely, if significant adverse effects such as icing or fogging conditions which create a hazard to traffic are observed, the applicant will set up a system to warn the public about such hazards.

- (3) The applicant will obtain necessary specifications from the manufacturers of the cooling towers and the turbine generators and make a detailed calculation of the noise level at the site boundary paralleling Highway 95.
- (4) The applicant will install gaging equipment in the Chattahoochee River in the vicinity of the facility so that continuous flow conditions of the river can be recorded. Since the impact of entrainment of aquatic life depends upon the proportion of the total volume of river water that is diverted through the facility, the applicant will also make a further assessment of the impact of entrainment during minimum and average flow conditions.

E. Pursuant to §105c(8) of the Act, the Commission has consulted with the Attorney General regarding the issuance of this construction permit. After said consultation, the Commission has determined that the issuance of this permit, subject to the conditions set forth in this subparagraph E., in advance of consideration of and findings with respect to matters covered in §105c. of the Act, is necessary in the public interest to avoid unnecessary delay in construction of the plant. At the time this construction permit is being issued an antitrust proceeding has been Noticed for hearing but not completed. The Commission, accordingly, has made no determination with respect to matters covered in §105c. of the Act including conditions, if any, which may be appropriate as a result of the outcome of the antitrust proceeding. On the basis of its findings made as a result of such antitrust proceeding, the Commission may continue this permit as issued, rescind this permit or amend this permit to include such conditions as the Commission deems appropriate. This construction permit therefore shall be subject to the outcome of an antitrust proceeding to be held pursuant to a notice of hearing dated June 28, 1972, for the purpose of determining "whether the activities under the permit[s] in question would create or maintain a situation inconsistent with the antitrust laws." Applicant and others who may be affected

hereby are on notice that the granting of this permit is without prejudice to any subsequent licensing action, including the imposition of appropriate conditions,* which may be taken by the Commission as a result of the outcome of this antitrust proceeding. In the course of its planning and other activities, applicant will be expected to conduct itself accordingly.

3. This permit is subject to the limitation that a license authorizing operation of the facility will not be issued by the Commission unless (a) the applicant submits to the Commission, by amendment to the application, the complete final safety analysis report, portions of which may be submitted and evaluated from time to time; (b) the Commission finds that the final design provides reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility in accordance with procedures approved by it in connection with the issuance of said license; and (c) the applicant submits proof of financial protection and the execution of an indemnity agreement as required by §170 of the Act.

Dated at Bethesda, Maryland, this 16th day of August, 1972.

FOR THE ATOMIC ENERGY COMMISSION

Original Signed By

R. C. DeYoung

for

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

* In the consultation with the Department of Justice, the Department has informed the Commission that in the course of the antitrust proceeding conditions may be sought to be attached to the permit which would require applicant among other things, to:

- 1) grant access to the Farley units to other electric utilities
- 2) provide transmission service to other electric utilities
- 3) interconnect and engage in the interchange and sale of electric bulk power supply to other electric utilities; and
- 4) engage in coordinated planning and operation of bulk power supply facilities with other electric utilities in connection with the foregoing.