

Docket No. 50-389

MAY 2 1977

Florida Power & Light Company
ATTN: Dr. Robert E. Uhrig
Vice President of Nuclear and
General Engineering
P. O. Box 3100
Miami, Florida 33101

Gentlemen:

SUBJECT: ISSUANCE OF CONSTRUCTION PERMIT - ST. LUCIE PLANT UNIT NO. 2

Construction Permit No. CPPR-144 is enclosed, together with a copy of a related notice, which has been forwarded to the Office of the Federal Register for publication.

The construction permit authorizes Florida Power and Light Company to construct a pressurized water nuclear reactor, designated as St. Lucie Plant Unit No. 2, at Florida Power and Light Company's site on Hutchinson Island in St. Lucie County, Florida.

Construction Permit No. CPPR-144 includes antitrust conditions which have been agreed to by Florida Power and Light Company in a letter to the Nuclear Regulatory Commission dated March 18, 1977. This construction permit, however, is issued subject to such further action as may be deemed appropriate by the Commission as a result of an antitrust proceeding involving this facility now pending before an Atomic Safety and Licensing Board initiated by a group of Florida cities.

Sincerely,

Original signed by
K. Kniel

Karl Kniel, Chief
Light Water Reactors
Branch No. 2
Division of Project Management

Enclosures:

1. Construction Permit No. CPPR-144
2. Federal Register Notice

cc w/encls:
See page 2

SEE PREVIOUS YELLOW FOR PREVIOUS CONCURRENCES
RETYPE TO CORRECT ERROR.

Const. 4
GD

OFFICE →	DPM:LWR #2	DPM:LWR #2				
SURNAME →	JL [signature]	KKniel				
DATE →	5/2/77	5/2/77				

Docket No. 50-389

Florida Power & Light Company
ATTN: Dr. Robert E. Uhrig
Vice President of Nuclear and
General Engineering
P. O. Box 3100
Miami, Florida 33101

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Karl Kniel, Chief
Light Water Reactors
Branch No. 2
Division of Project Management

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cc w/encls:
See page 2

OFFICE >	DPM: LWR #2	DPM: LWR #2	EP	WARR	OELD	DPM: LWR #2
SURNAME >	J Lee:mt	RA Birkel	Lynch	WRegan	K. K. K.	KKniel
DATE >	4/28/77	4/28/77	4/28/77	4/28/77	5/2/77	5/2/77

JRutberg
4/28/77
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FLORIDA POWER & LIGHT COMPANY

ST. LUCIE PLANT UNIT NO. 2

DOCKET NO. 50-389

CONSTRUCTION PERMIT

Construction Permit No. CPPR-144

I. The Nuclear Regulatory Commission (the Commission) having found that:

- A. The application for construction permit complies with the requirements of the Atomic Energy Act of 1954, as amended, and the rules and regulations of the Commission, there is reasonable assurance that the activities authorized by the permit will be conducted in compliance with the rules and regulations of the Commission, and all required notifications to other agencies or bodies have been duly made;
- B. The Florida Power & Light Company (the Applicant) has described the proposed design of the St. Lucie Plant Unit No. 2 (the facility), including, but not limited to, the principal architectural and engineering criteria for the design and has identified the major features or components incorporated therein for the protection of the health and safety of the public;
- C. Such further technical or design information as may be required to complete the safety analysis, and which can reasonably be left for later consideration, will be supplied in the Final Safety Analysis Report;
- D. Safety features or components, if any, which require research and development have been described by the Applicant and the Applicant has identified, and there will be conducted, a research and development program reasonably designed to resolve any safety questions associated with such features or components;
- E. On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facility and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facility can be constructed and operated at the proposed location without undue risk to the health and safety of the public;
- F. The Applicant is technically qualified to design and construct the proposed facility;

~~G. The Applicant is financially qualified to design and construct the proposed facility;~~

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Florida Power & Light
Company

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MAY 2 1977

cc w/encl:

Jack R. Newman, Esq.
Lowenstein, Newman, Reis & Axelrad
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Washington, D. C. 20036

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McCarthy, Steel, Hector & Davis
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Martin H. Hodder
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Miami, Florida 33138

Mr. John L. McQuigg
P. O. Box 1408
Stuart, Florida 33494

Bureau of Intergovernmental Relations
660 Apalachee Parkway
Tallahassee, Florida 32304

Mr. Weldon B. Lewis
County Administrator
St. Lucie County
P. O. Box 700
Ft. Pierce, Florida 33450

Chief, Energy Systems
Analysis Branch (AW-459)
Office of Radiation Programs
U. S. Environmental Protection Agency
Room 645 East Tower
Waterside Mall (Mail Stop AW 459)
401 M Street, S. W.
Washington, D. C. 20460

U. S. Environmental Protection Agency
ATTN: EIS COORDINATOR
Region IV Office
345 Courtland Street, N. E.
Atlanta, Georgia 30308

Mr. Bruce Blanchard, Director
Environmental Projects Review
U. S. Department of the Interior
Room 5321
18th and C Streets, N. W.
Washington, D. C. 20240

Defense Mapping Agency
Aerospace Center (ADL)
St. Louis Air Force Station
Missouri 63118
(Enclosure 2 only)

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H. The issuance of a permit for the construction of the facility will not be inimical to the common defense and security or to the health and safety of the public; and

I. After weighing the environmental, economic, technical and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of a construction permit subject to the conditions for protection of the environment set forth herein is in accordance with Appendix D of 10 CFR Part 50 (now 10 CFR Part 51) of the Commission's regulations and all applicable requirements have been satisfied.

2. Pursuant to Section 103 of the Atomic Energy Act of 1954, as amended (the Act), and Title 10, Chapter I, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," and pursuant to the Atomic Safety and Licensing Board's Partial Initial Decision, Supplement to the Partial Initial Decision, and Initial Decision, dated February 28, 1975, April 25, 1975, and April 19, 1977, respectively, the Nuclear Regulatory Commission hereby issues a construction permit to the Applicant for a utilization facility designed to operate at 2570 megawatts thermal as 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 St. Lucie Plant Unit No. 2 will be located on the Applicant's site in St. Lucie County, Florida.

3. This permit shall be deemed to contain and be subject to the conditions specified in Sections 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 the facility is August 1, 1982 and the latest date for completion is February 28, 1984.

B. The facility shall be constructed and located at the site as described in the application on the east coast of Florida on Hutchinson Island in St. Lucie County, approximately midway between the cities of Ft. Pierce and Stuart, Florida.

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 and environmental protection commitments set forth therein.

D. The Applicant shall provide erosion protection for the nose of the discharge canal, the design of which must be submitted to the Commission's staff for review and approval prior to construction.

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E. The Applicant shall provide erosion protection for the Ultimate Heat Sink barrier wall in the form of sheetpile bulkheads and groins as discussed in Paragraph 48 of the Atomic Safety and Licensing Board's Initial Decision, dated April 19, 1977.

F. (1) With regard to Clay County Electric Cooperative, Inc., Florida Keys Electric Cooperative, Inc., Glades Electric Cooperative, Inc., Lee County Electric Cooperative, Inc., Okefenokee Rural Electric Membership Cooperative, Inc., Peace River Electric Cooperative, Inc., and Suwannee Valley Electric Cooperative, Inc. 1/ and the municipalities of New Smyrna Beach and Homestead:

(a) Applicant will offer each the opportunity to purchase, at Applicant's costs, a reasonable ownership share (hereafter, "Participant's Share") of the St. Lucie Plant Unit No. 2 (the facility).

"Applicant's costs" will include all costs associated with development, construction and operation of the facility, determined in accordance with the Federal Power Commission's Uniform System of Accounts.

"Purchase" means payment, within a reasonable time, of participant's share of Applicant's costs incurred through date of acceptance of the offer, and, thereafter, regular payments of the participant's share of all costs incurred during development, construction and operation of the facility.

(b) Participant will notify Applicant of its acceptance to participate in St. Lucie Plant Unit No. 2 within a reasonable time after receipt of the offer.

(c) Applicant may retain complete control and act for the other participants with respect to the design, engineering, construction, operation and maintenance of St. Lucie Plant Unit No. 2, and may make all decisions relevant thereto, insofar as they deal with the relationship between the

1/Two or more of the referred-to cooperatives may determine to aggregate their entitlements from the St. Lucie Plant Unit No. 2 through a single representative. In such event, the Applicant shall allocate the delivery of said entitlements as designated by the representative to one or more existing or mutually agreeable Florida Power & Light Company delivery points on the combined system provided that such delivery is technically feasible.

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Applicant and the other participants, including, but not limited to, decisions regarding adherence to the Commission's health, safety and environmental regulations, changes in construction schedule, modification or cancellation of the project, and operation at such time and at such capacity levels as it deems proper, all without the consent of any participant.

- (2) Applicant shall facilitate the delivery of each participant's share of the output of the facility to that participant, on terms which are reasonable and will fully compensate it for the use of its facilities, to the extent that subject arrangements reasonably can be accommodated from a functional and technical standpoint.
- (3) Applicant shall not refuse to operate in parallel to the extent that it is technically feasible to do so with the participants and shall provide emergency and maintenance power to participants as required when such power is or can be made available without jeopardizing power supply to Applicant's customers or its other power supply commitments. A separate rate schedule(s) shall be established for such emergency and maintenance power exchanges.
- (4) At a time when Applicant plans for the next nuclear generating unit to be constructed after St. Lucie Plant Unit No. 2 has reached the stage of serious planning, but before firm decisions have been made as to the size and desired completion date of the proposed nuclear unit, Applicant will notify all non-affiliated utility systems with peak loads smaller than Applicant's which serve either at wholesale or at retail adjacent to areas served by Applicant that Applicant plans to construct such nuclear facility.
- (5) It is recognized that the foregoing conditions are to be implemented in a manner consistent with the provisions of the Federal Power Act and all rates, charges or practices in connection therewith are to be subject to the approval of regulatory agencies having jurisdiction over them.

G. This facility is subject to the following conditions for the protection of the environment:

- (1) The Applicant shall take the necessary mitigating actions, including those summarized in Section 4.5 of the Final Environmental Statement, during construction of the facility and associated transmission lines to avoid unnecessary adverse environmental impacts from construction activities.

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- (2) A control program shall be established by the Applicant to provide for a periodic review of all construction activities to assure that those activities conform to the environmental conditions set forth in this permit.
- (3) Before engaging in a construction activity which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the Final Environmental Statement, the Applicant shall provide written notification to the Commission's Director, Division of Site Safety and Environmental Analysis.
- (4) If unexpected harmful effects or evidence of irreversible damage is detected during facility construction, the Applicant shall provide an acceptable analysis of the problem and a plan of action to eliminate or significantly reduce the harmful effects or damage.
- (5) If any portion of the light screen of Australian pine or other suitable plants installed behind the beach dune for St. Lucie Plant Unit No. 1 is disturbed for St. Lucie Plant Unit No. 2 construction, the Applicant will replace these plantings at the earliest feasible time. Furthermore, the Applicant will shield plant lighting added for St. Lucie Plant Unit No. 2 to minimize sky shine.
- (6) In restoring the ocean dune to its original condition after installation of the St. Lucie Plant Unit No. 2 discharge line, the Applicant will replant the dune at the earliest feasible time with dune stabilizing plants indigenous to the area as discussed in Section 4.1 of the Final Environmental Statement. These plantings will be in addition to the Applicant's commitment to replant the Australian pine or other suitable plants light screen if disturbed.
- (7) The Applicant shall monitor the actual location of domesticated cows and goats during plant operation, at time intervals to be specified by the Commission's staff, for the purpose of continuing appraisal of population doses.

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- (8) The Applicant will undertake the additional engineered safety features (ESF) required to reduce offsite doses to values below the guidelines of 10 CFR Part 100 at a distance of one (1) mile as specified in paragraph 83 of the Partial Initial Decision.
- (9) The Applicant shall improve the in-situ soils as recommended by the Commission's staff so that the canal barrier and the slopes between the canal barrier and the plant will not fail.
- (10) The Applicant shall monitor actual fish entrapment in the intake canal and otherwise comply with the recommendation as set forth in paragraph 4.5.2(2) of the Final Environmental Statement.
- (11) The Applicant shall comply with the Commission's staff recommendation regarding the operation of discharge lines as set forth in paragraph 102 of the Partial Initial Decision, including that the St. Lucie Plant Unit No. 2 multipoint discharge line be used as soon as it becomes available, and that when only one unit is operating, the multipoint discharge line be utilized.
- (12) The Applicant shall not draw more than four (4) million gallons of water per year from Big Mud Creek for routine testing.
- (13) The Applicant shall monitor chlorine and chlorine residuals as recommended by the Commission's staff and set forth in paragraph 5.2.3 of the Final Environmental Statement.
- (14) The Applicant shall monitor the thermal field after St. Lucie Plant Unit No. 1 is operational as set forth in paragraph 110 of the Partial Initial Decision.
- (15) The Applicant shall continue the turtle nest surveys and studies to determine any plant impact thereon. The Applicant shall deliver such studies and survey data to the Commission's staff and shall undertake to promptly publish the data and conclusions therefrom.
- (16) The Applicant shall undertake the preoperational and operational monitoring program as approved with conditions and recommendations by the Commission's staff as set forth in Section 6.1 of the Final Environmental Statement.

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4. 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 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; (c) the Commission finds that operation of the facility will be in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements were satisfied; and (d) the Applicant submits proof of financial protection and executes an indemnity agreement as required by Section 170 of the Act.

5. In accordance with the requirements imposed by the October 3, 1976 order of the United States Court of Appeals for the District of Columbia Circuit in Natural Resources Defense Council v. Nuclear Regulatory Commission, Nos. 74-1385 and 74-1586, cert. granted sub nom Vt. Yankee Nuclear Power Corporation v. Natural Resources Defense Council Inc., February 22, 1977) that the Nuclear Regulatory Commission "shall make any licenses granted between July 21, 1976 and such time when the mandate is issued subject to the outcome of the proceedings herein," the construction permit issued herein shall be subject to the outcome of such proceedings.


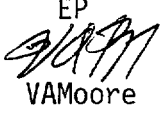


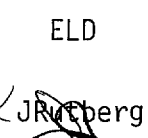
6. This permit is effective as of its date of issuance and shall expire on the latest completion date indicated in paragraph 3.A above.

FOR THE NUCLEAR REGULATORY COMMISSION

**Original signed by
Roger S. Boyd**

Roger S. Boyd, Director
Division of Project Management
Office of Nuclear Reactor Regulation

Date of Issuance: May 2, 1977

EP  Lynch/WRegan 4/28/77	EP  VAMoore 4/28/77	AIG  JSplitzman 4/28/77	ELD  Ketchen 5/12/77	ELD  JRutberg 5/12/77
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OFFICE	DPM:LWR #2	DPM:LWR #2	DPM:AD/LWR	DSE	DD:DPM	DPM
SURNAME	Lee/RAB:kel	KKniel	DBVassallo	Henton	RCDeYoung	RSBoyd
DATE	4/28/77	5/12/77	5/12/77	5/12/77	5/12/77	5/12/77



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

FLORIDA POWER & LIGHT COMPANY

ST. LUCIE PLANT UNIT NO. 2

DOCKET NO. 50-389

CONSTRUCTION PERMIT

Construction Permit No. CPPR-144

- I. The Nuclear Regulatory Commission (the Commission) having found that:
- A. The application for construction permit complies with the requirements of the Atomic Energy Act of 1954, as amended, and the rules and regulations of the Commission, there is reasonable assurance that the activities authorized by the permit will be conducted in compliance with the rules and regulations of the Commission, and all required notifications to other agencies or bodies have been duly made;
 - B. The Florida Power & Light Company (the Applicant) has described the proposed design of the St. Lucie Plant Unit No. 2 (the facility), including, but not limited to, the principal architectural and engineering criteria for the design and has identified the major features or components incorporated therein for the protection of the health and safety of the public;
 - C. Such further technical or design information as may be required to complete the safety analysis, and which can reasonably be left for later consideration, will be supplied in the Final Safety Analysis Report;
 - D. Safety features or components, if any, which require research and development have been described by the Applicant and the Applicant has identified, and there will be conducted, a research and development program reasonably designed to resolve any safety questions associated with such features or components;
 - E. On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facility and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facility can be constructed and operated at the proposed location without undue risk to the health and safety of the public;
 - F. The Applicant is technically qualified to design and construct the proposed facility;
 - G. The Applicant is financially qualified to design and construct the proposed facility;

- H. The issuance of a permit for the construction of the facility will not be inimical to the common defense and security or to the health and safety of the public; and
 - I. After weighing the environmental, economic, technical and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of a construction permit subject to the conditions for protection of the environment set forth herein is in accordance with Appendix D of 10 CFR Part 50 (now 10 CFR Part 51) of the Commission's regulations and all applicable requirements have been satisfied.
2. Pursuant to Section 103 of the Atomic Energy Act of 1954, as amended (the Act), and Title 10, Chapter I, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," and pursuant to the Atomic Safety and Licensing Board's Partial Initial Decision, Supplement to the Partial Initial Decision, and Initial Decision, dated February 28, 1975, April 25, 1975, and April 19, 1977, respectively, the Nuclear Regulatory Commission hereby issues a construction permit to the Applicant for a utilization facility designed to operate at 2570 megawatts thermal as 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 St. Lucie Plant Unit No. 2 will be located on the Applicant's site in St. Lucie County, Florida.
3. This permit shall be deemed to contain and be subject to the conditions specified in Sections 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 the facility is August 1, 1982 and the latest date for completion is February 28, 1984.
 - B. The facility shall be constructed and located at the site as described in the application on the east coast of Florida on Hutchinson Island in St. Lucie County, approximately midway between the cities of Ft. Pierce and Stuart, Florida.
 - 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 and environmental protection commitments set forth therein.
 - D. The Applicant shall provide erosion protection for the nose of the discharge canal, the design of which must be submitted to the Commission's staff for review and approval prior to construction.

- E. The Applicant shall provide erosion protection for the Ultimate Heat Sink barrier wall in the form of sheetpile bulkheads and groins as discussed in Paragraph 48 of the Atomic Safety and Licensing Board's Initial Decision, dated April 19, 1977.
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- (a) Applicant will offer each the opportunity to purchase, at Applicant's costs, a reasonable ownership share (hereafter, "Participant's Share") of the St. Lucie Plant Unit No. 2 (the facility).
- "Applicant's costs" will include all costs associated with development, construction and operation of the facility, determined in accordance with the Federal Power Commission's Uniform System of Accounts.
- "Purchase" means payment, within a reasonable time, of participant's share of Applicant's costs incurred through date of acceptance of the offer, and, thereafter, regular payments of the participant's share of all costs incurred during development, construction and operation of the facility.
- (b) Participant will notify Applicant of its acceptance to participate in St. Lucie Plant Unit No. 2 within a reasonable time after receipt of the offer.
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- (3) Applicant shall not refuse to operate in parallel to the extent that it is technically feasible to do so with the participants and shall provide emergency and maintenance power to participants as required when such power is or can be made available without jeopardizing power supply to Applicant's customers or its other power supply commitments. A separate rate schedule(s) shall be established for such emergency and maintenance power exchanges.
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- (5) It is recognized that the foregoing conditions are to be implemented in a manner consistent with the provisions of the Federal Power Act and all rates, charges or practices in connection therewith are to be subject to the approval of regulatory agencies having jurisdiction over them.

G. This facility is subject to the following conditions for the protection of the environment:

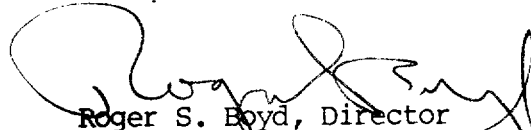
- (1) The Applicant shall take the necessary mitigating actions, including those summarized in Section 4.5 of the Final Environmental Statement, during construction of the facility and associated transmission lines to avoid unnecessary adverse environmental impacts from construction activities.

- (2) A control program shall be established by the Applicant to provide for a periodic review of all construction activities to assure that those activities conform to the environmental conditions set forth in this permit.
- (3) Before engaging in a construction activity which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the Final Environmental Statement, the Applicant shall provide written notification to the Commission's Director, Division of Site Safety and Environmental Analysis.
- (4) If unexpected harmful effects or evidence of irreversible damage is detected during facility construction, the Applicant shall provide an acceptable analysis of the problem and a plan of action to eliminate or significantly reduce the harmful effects or damage.
- (5) If any portion of the light screen of Australian pine or other suitable plants installed behind the beach dune for St. Lucie Plant Unit No. 1 is disturbed for St. Lucie Plant Unit No. 2 construction, the Applicant will replace these plantings at the earliest feasible time. Furthermore, the Applicant will shield plant lighting added for St. Lucie Plant Unit No. 2 to minimize sky shine.
- (6) In restoring the ocean dune to its original condition after installation of the St. Lucie Plant Unit No. 2 discharge line, the Applicant will replant the dune at the earliest feasible time with dune stabilizing plants indigeneous to the area as discussed in Section 4.1 of the Final Environmental Statement. These plantings will be in addition to the Applicant's commitment to replant the Australian pine or other suitable plants light screen if disturbed.
- (7) The Applicant shall monitor the actual location of domesticated cows and goats during plant operation, at time intervals to be specified by the Commission's staff, for the purpose of continuing appraisal of population doses.

- (8) The Applicant will undertake the additional engineered safety features (ESF) required to reduce offsite doses to values below the guidelines of 10 CFR Part 100 at a distance of one (1) mile as specified in paragraph 83 of the Partial Initial Decision.
- (9) The Applicant shall improve the in-situ soils as recommended by the Commission's staff so that the canal barrier and the slopes between the canal barrier and the plant will not fail.
- (10) The Applicant shall monitor actual fish entrapment in the intake canal and otherwise comply with the recommendation as set forth in paragraph 4.5.2(2) of the Final Environmental Statement.
- (11) The Applicant shall comply with the Commission's staff recommendation regarding the operation of discharge lines as set forth in paragraph 102 of the Partial Initial Decision, including that the St. Lucie Plant Unit No. 2 multipoint discharge line be used as soon as it becomes available, and that when only one unit is operating, the multipoint discharge line be utilized.
- (12) The Applicant shall not draw more than four (4) million gallons of water per year from Big Mud Creek for routine testing.
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- (14) The Applicant shall monitor the thermal field after St. Lucie Plant Unit No. 1 is operational as set forth in paragraph 110 of the Partial Initial Decision.
- (15) The Applicant shall continue the turtle nest surveys and studies to determine any plant impact thereon. The Applicant shall deliver such studies and survey data to the Commission's staff and shall undertake to promptly publish the data and conclusions therefrom.
- (16) The Applicant shall undertake the preoperational and operational monitoring program as approved with conditions and recommendations by the Commission's staff as set forth in Section 6.1 of the Final Environmental Statement.

4. 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 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; (c) the Commission finds that operation of the facility will be in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements were satisfied; and (d) the Applicant submits proof of financial protection and executes an indemnity agreement as required by Section 170 of the Act.
5. In accordance with the requirements imposed by the October 8, 1976 order of the United States Court of Appeals for the District of Columbia Circuit in Natural Resources Defense Council v. Nuclear Regulatory Commission, Nos. 74-1385 and 74-1586, cert. granted sub nom Vt. Yankee Nuclear Power Corporation v. Natural Resources Defense Council Inc., February 22, 1977) that the Nuclear Regulatory Commission "shall make any licenses granted between July 21, 1976 and such time when the mandate is issued subject to the outcome of the proceedings herein," the construction permit issued herein shall be subject to the outcome of such proceedings.
6. This permit is effective as of its date of issuance and shall expire on the latest completion date indicated in paragraph 3.A above.

FOR THE NUCLEAR REGULATORY COMMISSION



Roger S. Boyd, Director
Division of Project Management
Office of Nuclear Reactor Regulation

Date of Issuance: May 2, 1977

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-389

FLORIDA POWER AND LIGHT COMPANY

ST. LUCIE PLANT UNIT NO. 2

NOTICE OF ISSUANCE OF CONSTRUCTION PERMIT

Notice is hereby given that, pursuant to the Atomic Safety and Licensing Board's Partial Initial Decision, Supplement to the Partial Initial Decision, and Initial Decision dated February 28, 1975, April 25, 1975, and April 19, 1977, respectively, the Nuclear Regulatory Commission (the Commission) has issued Construction Permit No. CPPR-144 to the Florida Power and Light Company (the Applicant) for construction of a pressurized water nuclear reactor at the applicant's site on Hutchinson Island in St. Lucie County, Florida. The proposed reactor, known as the St. Lucie Plant Unit No. 2 (the facility) is designed for a rated power of 2570 megawatts thermal with a net electrical output of 810 megawatts.

The Initial Decision dated April 19, 1977 is subject to review by an Atomic Safety and Licensing Appeal Board prior to its becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decision may be reviewed by the Commission.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the construction permit. The application for the construction permit complies with the standards and requirements of the Act and the Commission's rules and regulations.

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Construction Permit No. CPPR-144 includes the condition that the permit is subject to the outcome of the proceedings in Natural Resources Defense Council v. NRC (D. C. Circuit, July 21, 1976) Nos. 74-1385 and 74-1586. In addition, the construction permit includes antitrust conditions which have been agreed to by Florida Power and Light Company in a letter to the Commission dated March 18, 1977. This construction permit, however, is issued subject to further action as may be deemed appropriate by the Commission as a result of an antitrust proceeding involving this facility now pending before an Atomic Safety and Licensing Board initiated by a group of Florida cities.

The construction permit is effective as of its date of issuance. The earliest date for the completion of the facility is August 1, 1982, and the latest date for completion is February 28, 1984. The permit shall expire on the latest date for completion of the facility.

A copy of (1) the Partial Initial Decision, dated February 28, 1975; (2) the Supplement to the Partial Initial Decision, dated April 25, 1975; (3) the Initial Decision, dated April 19, 1977; (4) Construction Permit No. CPPR-144; (5) the report of the Advisory Committee on Reactor Safeguards, dated December 12, 1974; (6) the Office of Nuclear Reactor Regulation's Safety Evaluation Report dated November 7, 1974; and (7) Supplements 1 and 2, thereto, dated March 3, 1976 and April 27, 1976, respectively; (8) the Applicant's Environmental Report dated August 1973 and supplements thereto; (9) the Draft Environmental Statement dated February 1974; and (10) the Final Environmental Statement dated May 1974 are available for public inspection at the Commission's Public Document Room at 1717 H Street, N. W., Washington, D. C. and the Indian River Junior

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College Library, 3209 Virginia Avenue, Ft. Pierce, Florida. Single copies of items (4), (6), (7) and (10) may be obtained upon request addressed to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Project Management.

Dated at Bethesda, Maryland, this 2nd day of May, 1977.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by
K. Kniel
Karl Kniel, Chief
Light Water Reactors
Branch No. 2
Division of Project Management

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DATE >	4/28/77	4/28/77	5/2/77	5/2/77		

DISTRIBUTION FOR CONSTRUCTION PERMIT NO. CPPR-144 - ST. LUCIE PLANT,
UNIT NO. 2, DATED MAY 2, 1977

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