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 BWR Branch Chiefs
 ACRS (16)

Docket Nos. 50-373 ✓
 and 50-374

SEP 10 1973

Commonwealth Edison Company
 ATTN: Mr. Byron Lee, Jr.
 Vice President
 P. O. Box 767
 Chicago, Illinois 60690

Gentlemen:

Pursuant to an Initial Decision by the Atomic Safety and Licensing Board, the Atomic Energy Commission has issued Construction Permits Nos. CPPR-99 and CPPR-100 to the Commonwealth Edison Company authorizing construction of the LaSalle County Nuclear Power Station, Units 1 and 2. The permits are enclosed.

A copy of a related notice, which has been sent to the Office of the Federal Register for filing and publication, is also enclosed. A copy of the Board's Initial Decision has already been sent to you.

Sincerely,

Original signed by
 Voss A. Moore

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

Enclosures:

1. Construction Permit
 No. CPPR-99
2. Construction Permit
 No. CPPR-100
3. Federal Register Notice

bcc: H. J. McAlduff, ORO
 J. R. Buchanan, ORNL
 T. B. Abernathy, DTIE
 A. Rosenthal, ASLAB
 N. H. Goodrich, ASLBP

cc's: See next page

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| OFFICE | L:GCR <i>H. Gearin</i> | L:GCR <i>RAClark</i> | OGC <i>L. Powell</i> | L:BWR <i>V Moore</i> | | <i>de</i> |
| SURNAME | HGearin | RAClark | L. Powell | V Moore | | |
| DATE | 8/13/73 | 8/16/73 | 8/17/73 | 8/17/73 | | |

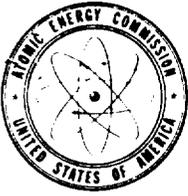
Commonwealth Edison Company

- 2 -

cc: Richard E. Powell, Esq.
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Suite 4200
Chicago, Illinois 60670

Joseph V. Karaganis, Esq.
Martin & Karaganis
33 North LaSalle Street
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Chicago, Illinois 60602

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UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

COMMONWEALTH EDISON COMPANY

DOCKET NO. 50-373

(LASALLE COUNTY NUCLEAR POWER STATION, UNIT 1)

CONSTRUCTION PERMIT

Construction Permit No. CPPR-99

1. The Atomic Energy 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 Commonwealth Edison Company (the Applicant) has described the proposed design of the LaSalle County Nuclear Power Station, Unit 1 (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 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 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D 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 Initial Decision of the Atomic Safety and Licensing Board, dated September 5, 1973, the Atomic Energy Commission hereby issues a construction permit to the Applicant for a utilization facility designed to operate at 3293 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 LaSalle County Nuclear Power Station, Unit 1, will be located on the Applicant's site in Brookfield Township, LaSalle County, Illinois, approximately five miles southwest of Seneca, Illinois, and four miles south of the Illinois River.
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 December 1, 1977, and the latest date for completion is June 1, 1978.
- B. The facility shall be constructed and located at the site as described in the application, in Brookfield Township, LaSalle County, Illinois.
- 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. Pursuant to Section 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 paragraph, in advance of consideration of and findings with respect to matters covered in Section 105c of the Act, is necessary in the public interest to avoid unnecessary delay in construction of the facility. At the time this construction permit is being issued an antitrust hearing, if one is to be held, has not been scheduled. The Commission, accordingly, has made no determination with respect to matters covered in Section 105c of the Act, including conditions, if any, which may be appropriate as a result of the outcome of an 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 shall be subject to the outcome of any antitrust proceeding held 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." The Applicant and all other interested or affected parties 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 an antitrust hearing. In the course of its planning and other activities, Applicant will be expected to conduct itself accordingly.

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

- (1) The Applicant shall conduct transmission line construction, cleanup and restoration, and maintenance in accordance with criteria set forth in the U. S. Department of Interior's publication "Environmental Criteria for Electric Transmission Systems." (1970). To minimize erosion during other construction related to the facility, the Applicant shall provide early planting, cover, ditches, and control structures.
- (2) The Applicant shall implement a monitoring program to determine environmental effects which may occur as a result of site preparation and facility construction and operation. If harmful effects or evidence of irreversible damage not considered in the Final Environmental Statement are detected by the monitoring program, the Applicant will provide to the staff an analysis of the problem and a plan of action to be taken to eliminate or significantly reduce the detrimental effects or damage.

* The Department of Justice has informed the Commission that if certain commitments offered by the Applicant in a letter dated October 6, 1972, were imposed as license conditions the Department would not recommend an antitrust hearing. The purpose of these commitments is to modify a number of contract and rate schedule provisions which could impede the Applicant's wholesale customers from developing alternative bulk power supplies or which could restrain retail competition between the Applicant and its wholesale customers. It should be recognized that certain municipal systems in Illinois have petitioned to intervene and have indicated an intention to seek antitrust relief beyond that afforded by the proposed conditions. Therefore, if an antitrust hearing is held, additional license conditions may be imposed on the basis of the findings of such hearing.

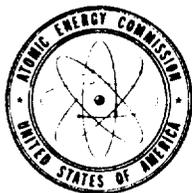
- (3) The Applicant shall implement a monitoring program to determine the quality of the lake water after filling commences and during facility operation. Adequate steps must be taken to insure that the lake does not become a public nuisance or health hazard. Before filling of the lake commences, the Applicant must obtain staff approval of a management program which assures the lake does not become a public nuisance or health hazard.
- F. This permit is subject to all appropriate provisions of the Illinois Environmental Protection Act and of Chapter 3, Water Pollution, of the Rules and Regulations of the Illinois Pollution Control Board which may be determined to be applicable to discharges from this facility.
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 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D were satisfied; and (d) the Applicant submits proof of financial protection and the execution of an indemnity agreement as required by Section 170 of the Act.
5. 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 ATOMIC ENERGY COMMISSION

A. Giambusso

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

Date of Issuance: SEP 1 1973



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

COMMONWEALTH EDISON COMPANY

DOCKET NO. 50-374

(LASALLE COUNTY NUCLEAR POWER STATION, UNIT 2)

CONSTRUCTION PERMIT

Construction Permit No. CPPR-100

1. The Atomic Energy 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 Commonwealth Edison Company (the Applicant) has described the proposed design of the LaSalle County Nuclear Power Station, Unit 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 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 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D 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 Initial Decision of the Atomic Safety and Licensing Board, dated September 5, 1973, the Atomic Energy Commission hereby issues a construction permit to the Applicant for a utilization facility designed to operate at 3293 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 LaSalle County Nuclear Power Station, Unit 2, will be located on the Applicant's site in Brookfield Township, LaSalle County, Illinois, approximately five miles southwest of Seneca, Illinois, and four miles south of the Illinois River.
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 December 1, 1978, and the latest date for completion is June 1, 1979.
- B. The facility shall be constructed and located at the site as described in the application, in Brookfield Township, LaSalle County, Illinois.
- 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. Pursuant to Section 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 paragraph, in advance of consideration of and findings with respect to matters covered in Section 105c of the Act, is necessary in the public interest to avoid unnecessary delay in construction of the facility. At the time this construction permit is being issued an antitrust hearing, if one is to be held, has not been scheduled. The Commission, accordingly, has made no determination with respect to matters covered in Section 105c of the Act, including conditions, if any, which may be appropriate as a result of the outcome of an 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 shall be subject to the outcome of any antitrust proceeding held 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." The Applicant and all other interested or affected parties 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 an antitrust hearing. In the course of its planning and other activities, Applicant will be expected to conduct itself accordingly.

- E. This facility is subject to the following conditions for the protection of the environment:
- (1) The Applicant shall conduct transmission line construction, cleanup and restoration, and maintenance in accordance with criteria set forth in the U. S. Department of Interior's publication "Environmental Criteria for Electric Transmission Systems." (1970). To minimize erosion during other construction related to the facility, the Applicant shall provide early planting, cover, ditches, and control structures.
 - (2) The Applicant shall implement a monitoring program to determine environmental effects which may occur as a result of site preparation and facility construction and operation. If harmful effects or evidence of irreversible damage not considered in the Final Environmental Statement are detected by the monitoring program, the Applicant will provide to the staff an analysis of the problem and a plan of action to be taken to eliminate or significantly reduce the detrimental effects or damage.

* The Department of Justice has informed the Commission that if certain commitments offered by the Applicant in a letter dated October 6, 1972, were imposed as license conditions the Department would not recommend an antitrust hearing. The purpose of these commitments is to modify a number of contract and rate schedule provisions which could impede the Applicant's wholesale customers from developing alternative bulk power supplies or which could restrain retail competition between the Applicant and its wholesale customers. It should be recognized that certain municipal systems in Illinois have petitioned to intervene and have indicated an intention to seek antitrust relief beyond that afforded by the proposed conditions. Therefore, if an antitrust hearing is held, additional license conditions may be imposed on the basis of the findings of such hearing.

- (3) The Applicant shall implement a monitoring program to determine the quality of the lake water after filling commences and during facility operation. Adequate steps must be taken to insure that the lake does not become a public nuisance or health hazard. Before filling of the lake commences, the Applicant must obtain staff approval of a management program which assures the lake does not become a public nuisance or health hazard.
- F. This permit is subject to all appropriate provisions of the Illinois Environmental Protection Act and of Chapter 3, Water Pollution, of the Rules and Regulations of the Illinois Pollution Control Board which may be determined to be applicable to discharges from this facility.
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 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D were satisfied; and (d) the Applicant submits proof of financial protection and the execution of an indemnity agreement as required by Section 170 of the Act.
5. 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 ATOMIC ENERGY COMMISSION

A Giambusso

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

Date of Issuance: SEP 10 1973

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NOS. 50-373 AND 50-374

COMMONWEALTH EDISON COMPANY

NOTICE OF AVAILABILITY OF INITIAL DECISION OF THE ATOMIC SAFETY
AND LICENSING BOARD FOR THE LASALLE COUNTY NUCLEAR POWER STATION
AND ISSUANCE OF CONSTRUCTION PERMITS

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 5, 1973, by the Atomic Safety and Licensing Board in the above captioned proceeding authorizing issuance of construction permits to the Commonwealth Edison Company for construction of the LaSalle County Nuclear Power Station, Units 1 and 2, located in Brookfield Township, LaSalle County, Illinois, 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 Reddicks Public Library, 100 West Lafayette Street, Ottawa, Illinois 61350.

The Initial Decision is also being made available at the Office of Planning and Analysis, Executive Office of the Governor, Room 614, State Office Building, Springfield, Illinois 62706 and at the Northeastern Illinois Planning Commission, 400 West Madison Street, Chicago, Illinois 60607.

Based upon the record developed in the public hearing in the above captioned matter, the Initial Decision modified in certain respects the contents of the Final Environmental Statement relating to the construction of the LaSalle County Nuclear Power Station, prepared by the Commission's Directorate of Licensing. 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 February 1973. As required by Section A.11 of Appendix D, a copy of the Initial Decision, which modifies the Final Environmental Statement, has 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 Construction Permits Nos. CPPR-99 and CPPR-100 to the Commonwealth Edison Company for construction of two boiling water nuclear reactors, known as the LaSalle County Nuclear Power Station, Units 1 and 2, each designed for a rated power of approximately 3293 megawatts thermal with a net electrical output of approximately 1078 megawatts.

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 permits. The application for the construction permits complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permits are effective as of their date of issuance. The earliest date for the completion of Unit 1 is December 1, 1977, and the latest date for completion is June 1, 1978. The earliest date for the completion of Unit 2 is December 1, 1978, and the latest date for

completion is June 1, 1979. Each permit shall expire on the latest date for completion of the facility.

In addition to the Initial Decision, copies of (1) Construction Permits Nos. CPPR-99 and CPPR-100; (2) the report of the Advisory Committee on Reactor Safeguards dated December 17, 1971; (3) the Directorate of Licensing's Safety Evaluation dated August 15, 1972; (4) the Preliminary Safety Analysis Report and amendments thereto; (5) the applicant's Environmental Report dated November 4, 1971 and supplements thereto; (6) the Draft Environmental Statement dated July 1972; and (7) the Final Environmental Statement dated February 1973, are also available for public inspection at the above-designated locations in Washington, D. C. and Ottawa, Illinois. Single copies of the Initial Decision by the Atomic Safety and Licensing Board, the construction permits, the Final Environmental Statement, and the Safety Evaluation 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 10th day of September 1973.

FOR THE ATOMIC ENERGY COMMISSION



Robert A. Clark, Chief
Gas Cooled Reactors Branch
Directorate of Licensing