

Docket No. 50-346

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JDeLaney, F&M
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bcc: HJMcAlduff, ORO
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TAbernathy, DTIE
NHGoodrich, ASLBP
FWKaras, Secy
ARosenthal, ASLAB

SEP 28 1973

Peltier
MJinks (W 2/encls)
NDube
RO (3)
EIGoulbourne (2)
JSaltzman
DMuller, EP
SKari
WRagan, EP
SSheppard
RChitwood, R&M
WMiller, DR:Adm
ACRS (16)

The Toledo Edison Company
ATTN: Mr. Glenn J. Sampson
Vice President - Power
300 Edison Plaza
Toledo, Ohio 43652

Gentlemen:

The Atomic Energy Commission has issued Amendment No. 2 to Construction Permit No. CPPR-80 issued to the Toledo Edison Company and the Cleveland Electric Illuminating Company for the Davis-Besse Nuclear Power Station.

The construction permit has been amended pursuant to the Initial Decision of the Atomic Safety and Licensing Board dated September 13, 1973, a copy of which has been sent to you. This amendment incorporates conditions to which the facility is subjected for protection of the environment.

A copy of Amendment No. 2 and a related notice, which has been forwarded to the Office of the Federal Register for publication, are enclosed.

Sincerely,

Original Signed by
Robert L. Ferguson

A. Schwencer, Chief
Pressurized Water Reactors
Branch No. 4
Directorate of Licensing

Enclosures:

1. Amendment No. 2 to CPPR-80
2. Federal Register Notice

cc: See next page

OFFICE	PWR-4	PWR-4	PWR-4	OGC	EP
SURNAME	EIGoulbourne:knf	IAPeltier	ASchwencer	FDavis	DMuller
DATE	9/24/73	9/24/73	9/27/73	9/26/73	9/26/73

LB

cc w/encls:

Leslie Henry, Esq.
Fuller, Seney, Henry & Hodge
800 Owens-Illinois Building
405 Madison Avenue
Toledo, Ohio 43604

Gerald Charnoff, Esq.
Shaw, Pittman, Potts, Trowbridge & Madden
910 17th Street, N.W.
Washington, D.C. 20006

Donald H. Hauser, Esq.
The Cleveland Electric Illuminating Company
P.O. Box 5000, Room 610
Cleveland, Ohio 44101

Mr. Roger B. Williams
Atomic Energy Coordinator
State of Ohio
Development Department
65 South Front Street
P.O. Box 1001
Columbus, Ohio 43215

Mr. William O. Walker, Director
Department of Industrial Relations
851 Ohio Department Building
Columbus, Ohio 43215

E. W. Arnold, M.D.
Director of Health
Ohio Department of Health
450 East Town Street
Columbus, Ohio 43216

Mr. Harry R. Johnson
Ottawa County Courthouse
Port Clinton, Ohio 43452

Mr. D. G. Hurst, President
Atomic Energy Control Board
P.O. Box 1046
Ottawa, Ontario, Canada

Mr. Glenn H. Lau
Rt. 1, Box 126
Oak Harbor, Ohio 43449

Jerome S. Kalur, Esq.
Jamison, Ulrich, Burkhalter & Hesser
1425 National City Bank Building
Cleveland, Ohio 44114

Beatric K. Bleicher, Esq.
Coburn, Smith, Rohrbacher & Gibson
7th Floor, Toledo Trust Building
Toledo, Ohio 43604

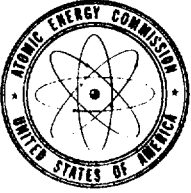
Professor Irwin I. Oster
Professor of Biology and Anatomy
Bowling Green State University
Bowling Green, Ohio 43403

Russell Z. Baron, Esq.
Brannon, Ticktin, Baron & Mancini
930 Keith Building
Cleveland, Ohio 44115

James L. Knight, Esq.
633 National Bank Building
Toledo, Ohio 43604

Mrs. Evelyn Stebbins, Chairman
Coalition for Safe Nuclear Power
1956 Union Commerce Building
Cleveland, Ohio 44115

Miss Vicki Evans
LIFE
Box 15, University Hall
Bowling Green State University
Bowling Green, Ohio 43403



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

SEP 28 1973

THE TOLEDO EDISON COMPANY
AND
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY

(Davis-Besse Nuclear Power Station)

DOCKET NO. 50-346

CONSTRUCTION PERMIT

Construction Permit No. CPPR-80
Amendment No. 2

Pursuant to an Initial Decision by the Atomic Safety and Licensing Board dated September 13, 1973, the Atomic Energy Commission has issued Amendment No. 2 to Construction Permit No. CPPR-80 by adding paragraph 2.D. to read as follows:

- D. This permit is subject to the following conditions for the protection of the environment:
- (1) A comprehensive, preoperational environmental monitoring program shall be established to provide an adequate baseline for measuring the operational impact of the Davis-Besse facility.
 - (2) The Applicants shall submit, during the time of the operating license review, proposed environmental Technical Specifications governing the operation of the Davis-Besse facility which assure that the environmental impacts are not significantly different from those described in the Final Environmental Statement.
 - (3) A monitoring program shall be established to record any kills due to birds hitting the cooling tower and other facility structures, placing emphasis on observations during adverse weather conditions and during the spring and fall migratory seasons.

- (4) The objective of the design of the Davis-Besse facility shall be such that by careful operation, the total residual chlorine concentration in the effluent will be 0.1 ppm or less, not to exceed two (2) hours/day.
- (5) If harmful effects or evidence of irreversible damage are detected by the monitoring programs, the Applicants will provide to the Commission an analysis of the problem and plan of action to be taken to eliminate or significantly reduce the detrimental effects or damage.

FOR THE ATOMIC ENERGY COMMISSION

Original signed by:

Roger S. Boyd

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

Date of Issuance: SEP 28 1973

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-346

THE TOLEDO EDISON COMPANY AND

THE CLEVELAND ELECTRIC ILLUMINATING COMPANY
(Davis-Besse Nuclear Power Station)

NOTICE OF AVAILABILITY OF INITIAL DECISION OF THE ATOMIC SAFETY
AND LICENSING BOARD AND NOTICE OF ISSUANCE OF AMENDMENT NO. 2 TO CONSTRUCTION
PERMIT NO. CPPR-80 FOR THE DAVIS-BESSE NUCLEAR POWER STATION

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulation in Appendix D, Sections A.9 and A.11, to 10 CFR Part 50, notice is hereby given that an Initial Decision, dated September 13, 1973, was issued by the Atomic Safety and Licensing Board in the above captioned proceeding which authorized issuance of an amendment to Construction Permit No. CPPR-80 to The Toledo Edison Company and The Cleveland Electric Illuminating Company (Applicants). The construction permit is for the Davis-Besse Nuclear Power Station, a pressurized water reactor facility which is designed for initial operation at approximately 2633 megawatts (thermal), which is located in Ottawa County, Ohio. The Initial Decision is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW, Washington, D. C. and in the Ida Rupp Public Library, Port Clinton, Ohio 43452. The Initial Decision is also being made available at the Office of the Governor, State Clearinghouse, 62 East Broad Street - 2nd Floor, Columbus, Ohio 43215.

Based upon the record developed in the above captioned matter, the Initial Decision modified in certain respect the contents of the Final Environmental Statement relating to the construction of the Davis-Besse

Nuclear Power Station prepared by the Commission's Directorate of Licensing. 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, notice is hereby given that 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. 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 is being made available to the public as noted herein.

In accordance with the Commission's regulations in 10 CFR Part 2, notice is hereby given that pursuant to the Initial Decision, Amendment No. 2 to the construction permit has been issued by the Commission's Directorate of Licensing. The amendment adds conditions to the permit for the protection of the environment which include: (1) establishment of an environmental monitoring program; (2) a requirement that, if harmful effects or evidence of irreversible damage are detected, a plan of action be provided by the Applicants to the Commission's staff to eliminate or significantly reduce those effects; (3) a requirement that the Applicants shall, during the time of operating license review, submit proposed environmental Technical Specifications which assure that the environmental impact of operation are not significantly different from those described in the Final Environmental Statement; (4) a requirement

that the design of the facility will be such that, by careful operation, the total residual chlorine concentration in the effluent will be 0.1 ppm or less, not to exceed two (2) hours/day.

The Commission has found that the provisions of the amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations published in 10 CFR Chapter I and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Single copies of the Initial Decision, Amendment No. 2 to CPPR-80, and of the Final Environmental Statement may be obtained by writing the U. S. Atomic Energy Commission, Washington, D. C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Maryland this *28th* day of *September* 1973.

FOR THE ATOMIC ENERGY COMMISSION

Original Signed by
Robert L. Ferguson

Robert L. Ferguson, Acting Chief
Pressurized Water Reactors
Branch No. 4
Directorate of Licensing