

107

NUCLEAR

PORT CLINTON, OHIO (A)-THE ATOMIC ENERGY COMMISSION HAS AUTHORIZED CONSTRUCTION OF THE CONTROVERSIAL DAVIS-BESSE NUCLEAR POWER PLANT ON LAKE ERIE WEST OF HERE.

THE AEC IN WASHINGTON CONFIRMED TODAY THAT A CONSTRUCTION PERMIT HAD BEEN ISSUED FOR THE \$270-MILLION PLANT ON NAVARRE MARSH.

INITIAL BELOW-GROUND CONSTRUCTION ALREADY HAS BEEN STARTED ON THE PLANT BY THE CLEVELAND ELECTRIC ILLUMINATING CO. AND AND THE TOLEDO EDISON CO., WHICH ARE BUILDING THE PLANT JOINTLY. THE BUILDERS HAD HAD RECEIVED AUTHORIZATION FOR PRELIMINARY CONSTRUCTION PENDING THE OUTCOME OF PUBLIC HEARINGS CONDUCTED BY THE ATOMIC SAFETY AND LICENSING BOARD.

KB345-ES MAR 24

*H. Price*  
*Beth-008*

*M. Shaw*  
*H. Price*

*File*  
*50-346*

*3/25/77*  
*12:00*

*C.P.*

Docket No. 50-346

MAR 24 1971

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The Toledo Edison Company  
ATTN: Mr. Glenn J. Sampson  
Vice President - Power  
420 Madison Avenue  
Toledo, Ohio 43601

Gentlemen:

Construction Permit No. CPPR-80 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 The Toledo Edison Company and The Cleveland Electric Illuminating Company to construct a pressurized water nuclear reactor, designated as the Davis-Besse Nuclear Power Station, on the applicants' site in Ottawa County, Ohio.

This construction permit has been issued pursuant to the Initial Decision of the Atomic Safety and Licensing Board. You have already been furnished a copy of the decision.

Sincerely,

ORIGINAL SIGNED BY  
Peter A. Morris

Peter A. Morris, Director  
Division of Reactor Licensing

**Enclosures:**

1. Construction Permit No. CPPR-80
2. Federal Register Notice

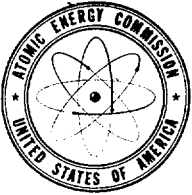
cc: Leslie Henry, Esquire  
Fuller, Saney, Henry & Hodge

George F. Trowbridge, Esquire  
Shaw, Pittman, Potts, Trowbridge & Madden

bcc: H.J. McAlduff, ORO D. Nussbaumer, DML  
E.E. Hall S. Robinson, SECY  
J.A. Harris, PI J. Saltzman, SLR  
R. Leith, OC  
E.B. Tremmel, IP  
J.R. Buchanan, ORNL  
T.W. Laughlin, DTIE  
A.A. Wells, ASLB  
J. Verne, SMM

*PD 9  
of sent  
3-26-71*

|           |   |           |         |         |          |  |
|-----------|---|-----------|---------|---------|----------|--|
| OFFICE ▶  | Donald H. Houser, Esquire                   |           |         |         | DRL:DIR  |  |
|           | The Cleveland Electric Illuminating Company |           |         |         |          |  |
| SURNAME ▶ | DRL:BWR-2                                   | DRL:BWR-2 | OGC     | DRL:BWR | PAMorris |  |
|           | HSteele                                     | RLTedesco |         | RSBoyd  |          |  |
| DATE ▶    | 3/9/71                                      | 3/24/71   | 3/24/71 | 3/24/71 | 3/24/71  |  |



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

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

1. Pursuant to Section 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 order of the Atomic Safety and Licensing Board, the Atomic Energy Commission (the Commission) hereby issues a construction permit to The Toledo Edison Company and The Cleveland Electric Illuminating Company (the applicants) for a utilization facility (the facility), designed to operate at 2633 megawatts (thermal), described in the application and amendments thereto (the application) filed in this matter by the applicants and as more fully described in the evidence received at the public hearing upon that application. The facility, known as Davis-Besse Nuclear Power Station, will be located at the applicants' site on the southwestern shore of Lake Erie in Ottawa County, Ohio, approximately 21 miles east of Toledo, Ohio.
2. 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 April 1, 1974, and the latest date for completion of the facility is April 1, 1975.
  - B. The facility shall be constructed and located at the site, as described in the application, in Ottawa County, Ohio.
  - C. This construction permit authorizes the applicants 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. The applicants shall observe such standards and requirements for the protection of the environment as are validly imposed pursuant to authority established under Federal and State law and as are determined by the Commission to be applicable to the facility. This condition does not apply to radiological effects, which are dealt with in other provisions of this license, nor to matters of water quality covered by Section 21b. of the Federal Water Pollution Control Act.
- E. The applicants shall comply with all applicable requirements of Section 21b. of the Federal Water Pollution Control Act.
3. This permit shall be subject to an antitrust review by the Attorney General pursuant to Section 105c. of the Act. The applicants shall furnish to the Commission such information as the Attorney General determines to be appropriate for the conduct of this review and the rendering of his advice with respect to this permit. The Commission may hold a hearing on antitrust matters on the recommendation of the Attorney General or at the request of any person whose interest may be affected by the proceeding, and, on the basis of its findings made after such hearing, the Commission will continue, rescind, or amend this permit to include such conditions as the Commission deems appropriate. The applicants shall comply with any order or license condition made by the Commission pursuant to Section 105c. of the Act with respect to the licensed activities.
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 applicants submit 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 applicants submit proof of financial protection and the execution of an indemnity agreement as required by Section 170 of the Act.

FOR THE ATOMIC ENERGY COMMISSION

*Peter A. Morris*

Peter A. Morris, Director  
Division of Reactor Licensing

Date of Issuance: MAR 24 1971

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-346

THE TOLEDO EDISON COMPANY

AND

THE CLEVELAND ELECTRIC ILLUMINATING COMPANY

NOTICE OF ISSUANCE OF CONSTRUCTION PERMIT

Notice is hereby given that, pursuant to the Initial Decision of the Atomic Safety and Licensing Board, dated March 23, 1971, the Director of the Division of Reactor Licensing has issued Construction Permit No. CPPR-80 to The Toledo Edison Company and The Cleveland Electric Illuminating Company for the construction of a pressurized water nuclear reactor, known as the Davis-Besse Nuclear Power Station, on the applicants' site on the southwestern shore of Lake Erie, in Ottawa County, Ohio, approximately 21 miles east of Toledo, Ohio. The reactor is designed for initial operation at approximately 2633 megawatts (thermal).

A copy of the Initial Decision is on file in the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. A copy of Construction Permit No. CPPR-80 is also on file in the Commission's Public Document Room, or may be obtained upon request addressed to the Director, Division of Reactor Licensing, U. S. Atomic Energy Commission, Washington, D. C. 20545.

Dated at Bethesda, Maryland, this 24<sup>th</sup> day of March, 1971.

FOR THE ATOMIC ENERGY COMMISSION

*Peter A. Morris*

Peter A. Morris, Director  
Division of Reactor Licensing