

Docket No. 50-301

JUL 28 1972

Wisconsin Electric Power Company  
Wisconsin Michigan Power Company  
ATTN: Mr. John G. Quale  
President  
231 West Michigan Street  
Milwaukee, Wisconsin

Gentlemen:

Pursuant to a Memorandum and Order of the Atomic Safety and Licensing Board, the Atomic Energy Commission has issued Amendment No. 2 to Facility Operating License No. DPR-27 (copy enclosed) to Wisconsin Electric Power Company and Wisconsin Michigan Power Company. The Amendment permits operation of the Point Beach Nuclear Plant Unit No. 2 for power levels not to exceed 300 megawatts thermal (slightly less than 20% of the rated power level of the facility). The reactor is designed for operation at approximately 1518 megawatts thermal, but in accordance with the provisions of Amendment No. 2 to Facility Operating License No. DPR-27 and Technical Specifications appended to Amendment No. 1, dated May 25, 1972, Wisconsin Electric Power Company and Wisconsin Michigan Power Company are authorized to operate the facility at 300 megawatts thermal. A copy of a related notice which has been forwarded to the Office of the Federal Register for filing and publication is enclosed for your information.

A copy of the Memorandum and Order of the Atomic Safety and Licensing Board is also enclosed.

Sincerely,

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

Enclosures:

1. Amendment No. 2 to Facility Operating License DPR-27
2. Federal Register Notice
3. Memorandum and Order

cc: See next page

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JUL 28 1972

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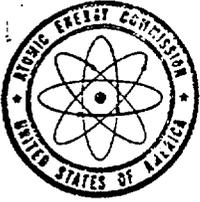
Mr. Arthur L. Padrutt  
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Commission of Wisconsin  
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Madison, Wisconsin 53701

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

WISCONSIN ELECTRIC POWER COMPANY

WISCONSIN MICHIGAN POWER COMPANY

DOCKET NO. 50-301

License No. DPR-27  
Amendment No. 2

The Atomic Energy Commission (the Commission) having found that:

- a. Construction of the Point Beach Nuclear Plant Unit No. 2 (the facility) has been substantially completed, in conformity with Provisional Construction Permit No. CPPR-47, the application as amended, the provisions of the Act, and the rules and regulations of the Commission; and
- b. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission; and
- c. There is reasonable assurance (i) that the activities authorized by the operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission; and
- d. The applicants are technically and financially qualified to engage in the activities authorized by this operating license, in accordance with the rules and regulations of the Commission; and
- e. The applicants have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements" of the Commission's regulations; and
- f. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and is pursuant to a Memorandum and Order of the Atomic Safety and Licensing Board dated June 12, 1972, authorizing issuance of Amendment No. 2 to Facility Operating License No. DPR-27, authorizing operation of the Point Beach Nuclear Plant Unit No. 2 at power levels not to exceed 300 megawatts thermal (slightly less than 20% of the rated power level of the facility) in accordance with Section 50.57 (c) and Appendix D, Section D.2, of 10 CFR Part 50.

Paragraphs 1.-8. of Facility Operating License No. DPR-27 issued to Wisconsin Electric Power Company and Wisconsin Michigan Power Company (the applicants) for fuel loading and subcritical testing of the Point Beach Nuclear Plant Unit No. 2, on November 16, 1971, are hereby amended in their entirety to read as follows:

1. This license applies to the Point Beach Nuclear Plant Unit No. 2 facility, a closed cycle, pressurized, light water moderated and cooled reactor, and associated steam generators and electric generating equipment (the facility). The facility is located on the applicants' Point Beach site, in the Town of Two Creeks, Manitowoc County, Wisconsin, and is described in the "Final Safety Analysis Report," as supplemented and amended (Amendments Nos. 1 through 12).
2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses the applicants:
  - A. Pursuant to Section 104b of the Atomic Energy Act of 1954, as amended (the Act), and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility as a utilization facility at the designated location on the Point Beach Nuclear Plant Unit No. 2 site; and
  - B. Pursuant to the Act and 10 CFR Part 70, "Special Nuclear Material," to receive, possess, and use at any one time up to 1600 kilograms of U-235 contained in reactor fuel assemblies, 40 milligrams of U-235 contained in fission detectors, and 16 grams of encapsulated plutonium contained in two Pu-Be-Neutron primary source assemblies all in connection with operation of the facility.
  - C. Pursuant to the Act and 10 CFR Part 30, "Rules of General Applicability to Licensing of Byproduct Material," to receive, possess, and use in connection with operation of the facility 6 sealed sources of Neptunium 237 in dosimeter blocks not to exceed 12.5 microcuries each; and
3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Sections 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below

A. Maximum Power Level

The applicants are authorized to operate the facility at steady state power levels not in excess of 300 megawatts thermal (slightly less than 20% of the rated power level of the facility).

B. Technical Specifications

The Technical Specifications were attached to Amendment No. 1 to the license and incorporated and made a part thereby. The applicants shall operate the facility at steady state power levels not in excess of 300 megawatts thermal (slightly less than 20% of the rated power level of the facility) in accordance with the Technical Specifications, and may make changes therein only when authorized by the Commission in accordance with the provisions of Section 50.59 of 10 CFR Part 50.

C. Reports

The applicants shall make certain reports in accordance with the requirements of the Technical Specifications.

D. Records

The applicants shall keep facility operating records in accordance with the requirements of the Technical Specifications.

4. This license is issued without prejudice to subsequent licensing action which may be taken by the Commission with regard to the environmental aspects of the facility. Issuance of this license shall not preclude subsequent adoption of alternatives in the facility design or operations of the type that could result from the environmental review called for by 10 CFR Part 50, Appendix D.
5. There shall be no chlorine injection into the condenser circulating water system during the conduct of activities authorized by this license.
6. During the period of this license the licensees shall continue environmental monitoring activities substantially in accordance with the program described in the licensees' Environmental Report,

including Supplements thereto as of this date. If and when any proposed modified environmental monitoring program designed to allow discovery of trends and effects on all major components of the aquatic community resulting from operation of the facility and to improve the capability of the licensees to assess any environmental impact of operation and to provide procedures that will permit early discovery of any adverse impacts is found to be acceptable to the regulatory staff, then the licensees shall, to the maximum extent possible, conduct such a modified program during the remainder of the license term.

Until the modified environmental monitoring program is implemented the reports submitted pursuant to 15.6.6.B.7 of the Technical Specifications shall include a narrative summary of environmental monitoring activities and a summary of such survey results. In addition, the licensees shall notify the Commission within 24 hours of any evidence that operation of the facility has caused any significant impact on the environment.

7. Pursuant to the Atomic Safety and Licensing Board's Memorandum and Order, dated June 12, 1972, authorizing this action, the issuance of this license is without prejudice to subsequent licensing action which may be taken by the Commission with regard to the ongoing rule making hearing on the interim acceptance criteria for emergency core cooling system (Docket No. RM 50-1) and the environmental aspects of this facility.
8. Pursuant to the Atomic Safety and Licensing Board's Memorandum and Order, dated June 12, 1972, this license is effective as of the date of issuance, and shall expire at midnight, July 28, 1973, unless superseded by a subsequent licensing action.

FOR THE ATOMIC ENERGY COMMISSION

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

Date of Issuance: July 28, 1972

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-301

WISCONSIN ELECTRIC POWER COMPANY

WISCONSIN MICHIGAN POWER COMPANY

NOTICE OF ISSUANCE OF AMENDMENT 2 TO FACILITY OPERATING LICENSE

Notice is hereby given that the Atomic Energy Commission (the Commission) has issued Amendment No. 2 to Facility Operating License No. DPR-27 to Wisconsin Electric Power Company and Wisconsin Michigan Power Company (the applicants) which authorizes the applicants to operate the Point Beach Nuclear Plant Unit No. 2 (facility), a pressurized water reactor, at power levels not to exceed 300 megawatts thermal (slightly less than 20% of the rated power level of 1518 megawatts thermal). The facility is located in the Town of Two Creeks, Manitowoc County, Wisconsin. The facility is designed for operation at approximately 1518 megawatts thermal, but in accordance with the provisions of Amendment No. 2 to Facility Operating License No. DPR-27 and the Technical Specifications which were appended to Amendment No. 1 to the license and incorporated and made a part thereby, the applicants are authorized to operate the facility at power levels not to exceed 300 megawatts thermal (slightly less than 20% of the rated power level of the facility).

A notice of proposed issuance of a facility operating license for the facility was issued by the Commission on March 6, 1971 (36 F.R. 4518). The notice provided that within 30 days from the date of publication, any person whose interest might be affected by the issuance of the license could file a petition for leave to intervene in accordance with the

requirements of 10 CFR Part 2, "Rules of Practice." On April 5, 1971, a petition for leave to intervene and request for a hearing was jointly filed by Businessmen for the Public Interest, an Illinois not-for-profit corporation; the Sierra Club, a not-for-profit California corporation; and Protect our Wisconsin Environment Resources, an unincorporated association of residents of Two Creeks, Wisconsin. By Commission Memorandum and Order dated May 6, 1971, the petition for leave to intervene and request for a hearing was granted and a presiding Atomic Safety and Licensing Board was appointed. As of this date the matter of issuance of a full term, full power license is still pending before the Atomic Safety and Licensing Board.

On December 10, 1971, the applicants filed a motion requesting that the Atomic Safety and Licensing Board issue an order authorizing the Director of Regulation of the Commission to issue an amendment to Operating License DPR-27 authorizing operation of Point Beach Nuclear Plant Unit No. 2 at power levels not to exceed 300 MWt (slightly less than 20% of the facility's rated power level of 1518 MWt). Under the Commission's regulations such a license amendment may be issued pending the completion of an ongoing NEPA environmental review of the full term, full power license, upon a showing that such licensing action will not have a significant adverse impact on the quality of the environment or after considering and balancing the factors described in Section D.2 of Appendix D of 10 CFR Part 50 and upon satisfaction of the requirements of

10 CFR Section 50.57(c). Subsequently, the applicants and the Commission's staff presented information to the Board as to the environmental impact of such limited operation. On May 17, 1972, the Atomic Safety and Licensing Board issued an order authorizing the Director of Regulation to issue an amendment to Facility Operating License No. DPR-27 authorizing operation at steady state power levels not to exceed 300 megawatts thermal (slightly less than 20% of the rated power level of 1518 Mwt). This action was subsequently modified by the Atomic Safety and Licensing Appeal Board which in a Memorandum and Order dated May 25, 1972, only authorized issuance of a license amendment for operation at steady state power levels not to exceed 15 megawatts thermal (approximately 1% of rated power), and remanded the proceeding back to the Licensing Board for further hearings on the matter of issuance of a license to operate at 20% of power. This action by the Appeal Board was eventually affirmed by the Commission in a Memorandum and Order dated May 26, 1972.

Further hearings on the matter of issuance of a license for 20% of power were held on June 1-6, 1972.

On June 12, 1972, the Board in this proceeding issued a Memorandum and Order authorizing operation of the Point Beach Nuclear Plant, Unit No. 2, at power levels not to exceed 300 megawatts thermal (slightly less than 20% of the rated power level of the facility).

The Commission's regulatory staff has inspected the facility and has determined that, for proposed operation at 300 Mwt, the facility has been

constructed in accordance with the application, as amended, and the provisions of Provisional Construction Permit No. CPPR-47. The applicants have satisfied the requests of 10 CFR Part 140.

The Commission's Director of Regulation has made the findings set forth in the license, and has concluded for the purposes of operation at 300 Mwt that the application for construction permit and facility license, as amended, complies with the Atomic Energy Act, as amended, and the Commission's regulations in 10 CFR Chapter 1, that the issuance of the license will not be inimical to the common defense and security or to the health and safety of the public, and that in accordance with the requirements of Appendix D to 10 CFR Part 50, the operating license should be issued.

The license amendment is effective as of the date of issuance and shall expire on July 28, 1973 unless extended or superseded by a subsequent licensing action.

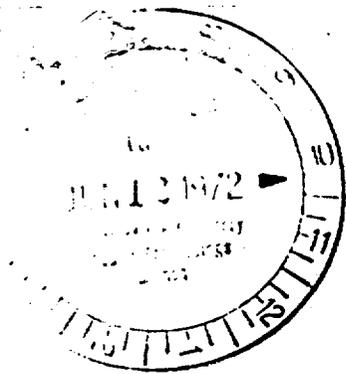
Copies of (1) the Memorandum and Order of the Atomic Safety and Licensing Board dated June 12, 1972, (2) Amendment No. 1 to Facility Operating License No. DPR-27, complete with Technical Specifications, (3) Facility Operating License No. DPR-27, complete with Technical Specifications, (4) the Safety Evaluation for the Point Beach Nuclear Plant Unit No. 1 and No. 2, dated July 15, 1970, and Addenda 1, 2, 3, and 4 thereto, dated March 24, 1971, May 1971, May 24, 1971 and November 2, 1971 respectively, (5) the report of the Advisory Committee on Reactor Safeguards on the Point Beach Nuclear Plant Units 1 and 2, dated April 16, 1970,

(6) "Discussion and Conclusions by the Division of Reactor Licensing, U.S. Atomic Energy Commission, Pursuant to Appendix D of 10 CFR Part 50 Supporting the Issuance of a License to Wisconsin Electric Power Company and Wisconsin Michigan Power Company Authorizing Limited Operation of the Point Beach Nuclear Plant, Unit 2, at Power Levels 300 MWt or Less, Docket No. 50-301, dated February 4, 1972," are available for public inspection in the Commission's Public Document Room, 1717 H Street, NW, Washington, D. C. Copies of the License Amendment, and items (2), (3), (5), and (6) may be obtained upon request addressed to the Atomic Energy Commission, Washington, D. C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

Dated at Bethesda, Maryland this 28th day of July, 1972.

FOR THE ATOMIC ENERGY COMMISSION

A. Schwencer, Acting Assistant Director  
for Pressurized Water Reactors  
Directorate of Licensing



UNITED STATES OF AMERICA  
ATOMIC ENERGY COMMISSION

Before the Atomic Safety and Licensing Board

.....  
In the Matter of

WISCONSIN ELECTRIC POWER COMPANY

and

WISCONSIN-MICHIGAN POWER COMPANY

(Point Beach Nuclear Plant, Unit 2)  
.....

Docket No. 50-301

MEMORANDUM AND ORDER WITH RESPECT TO  
ENVIRONMENTAL EFFECTS RELEVANT TO  
APPLICANTS' MOTION FOR INTERIM,  
LOW-POWER OPERATION

I. INTRODUCTION

1. On May 17, 1972, the Licensing Board authorized issuance of an amendment of Operating License DPR-27 authorizing Applicants to operate Point Beach Nuclear Plant, Unit 2, at power levels not in excess of 300 MWt for a period not to exceed one year. Subsequently, on May 26, 1972, the Commission approved issuance of the authorized amendment, limited however to 15 MWt, and remanded the proceeding to the Licensing Board to obtain Intervenors' cross-examination "strictly limited to the contentions which the Licensing Board has already tentatively accepted as contested issues for hearing" in its Order of May 8, 1972."

2. The remand hearing with respect to whether the proposed operation at 300 Mwt for one year will have a significant adverse impact on the quality of the environment was held continuously from June 1-6, 1972, in Milwaukee, Wisconsin. Testimony on the Applicants' December 10, 1971, motion requesting authorization to operate Unit 2 at power levels up to 300 Mwt, which is slightly less than 20% of the full power rating of Unit 2, was also received into evidence at public hearings on March 22 and 23, 1972. At this time there was extensive questioning of witnesses for applicants and staff by the Board. (Tr. 2465-2594). The session of the hearing on June 1-6, 1972, provided for cross-examination of this testimony by intervenors and related redirect, as well as direct testimony by intervenors along with cross-examination by the other parties and related redirect by intervenors. In addition there was some questioning by the State of Wisconsin and further questioning by the Board.

3. Early in the hearing the applicants stipulated that any operating license for Point Beach Unit 2 for 20% power for one year that may be issued as a result of this proceeding shall contain the existing condition in license DPR-27 that there shall be no chlorine injection into the condenser circulating water system during the conduct of activities under the license (Tr. 2910). Consequently, environmental effects

of discharges of chlorine into the aquatic environment are not at issue in this proceeding.

## II. FINDING OF FACT

4. Applicants' testimony on environmental impact was based in substantial part upon a study conducted by Dr. Ralph Grunewald, an Associate Professor of Botany at the University of Wisconsin at Milwaukee (Tr. 2467, 2497, 2805, 2812-2814). This study is set forth in Exhibits 113, 126 and 127 (Tr. 3552-3557).

5. There was extensive cross-examination of Dr. Grunewald by intervenors (Tr. 2822-3159). In addition, intervenors presented three witnesses, Drs. Neess, Carlson and Brungs, who severely criticized Dr. Grunewald's work. (Tr. 3232-3378, 3428-3468). They testified that Dr. Grunewald's monitoring program was inadequate in many respects: (1) the design was faulty in that the location of the monitoring station and the reference station were poorly chosen; (2) the equipment for taking samples of plankton was not reliable; (3) no account was taken of the movement of masses of water during the time that samples were being collected; (4) replicate samples were not taken so that statistical estimates of the error could not be made; (5) the data were not subjected to a statistical analysis; (6) injured zooplankton surviving

for periods of over an hour were not included in mortality studies; (7) the individual species of plankton were not identified, only the genus; and (8) there really was no serious attempt to monitor for fish.

6. The applicants did not attempt any rebuttal of the criticisms of the Grunewald study and hence the Board believes that the conclusions drawn from such study should be accorded little weight. Indeed the Board is convinced that the applicants' monitoring program is inadequate and is disturbed by the failure of the AEC Staff to point out the inadequacies.

7. However, the Staff conducted an independent evaluation of environmental impact from the plant which took the Grunewald study into account but did not depend upon it for its conclusions (Tr. 2577-2578, 3178-3179). The Staff evaluation involved a very large multi-disciplinary approach at Battelle Northwest Laboratories, including the efforts of Staff witnesses Dr. Mark Schneider and Mr. Robert Jaske (Tr. 3561). Dr. Schneider has impressive credentials in the fields of Zoology and Biology (2573-2574). His doctoral thesis dealt with the physiology of thermal effects (2574) and he has conducted field studies in lakes of water similar to Lake Michigan (3191-3192). Mr. Jaske's special field of expertise is thermal hydrodynamics and his credentials

in this field are outstanding (Tr. 3646-3647). He has been working on computer models for predicting the behavior of various bodies of water since 1962 and has published some 60 articles and reports in that field since 1964 (Tr. 3646-3647). Dr. Schneider testified that he would still maintain his opinion of no significant environmental impact if Dr. Grunewald's study was totally discredited and that in fact he could reach such an opinion without regard to Dr. Grunewald's study (Tr. 3178, 3573).

8. The Staff study involved an analysis of field data collected by Argonne National Laboratory and the State of Wisconsin Department of Natural Resources (Tr. 3175-3176, 3179) as well as Dr. Grunewald's results. The study also involved an extensive literature survey of information available on the species found on Lake Michigan and areas near Point Beach (Tr. 3562) and a visit to the Point Beach site (Tr. 2578), and of course reflected the wide experience of the participants (Tr. 3562).

9. The Staff analysis concluded that operation of Point Beach Unit 2 at 20% power for one year will not give rise to a significant adverse impact on the environment provided that no chlorine is used for condenser surface cleaning (see paragraph 3 above) (Staff testimony following Tr. 2576).

10. A careful analysis of Intervenors' direct testimony indicates that the criticisms of Drs. Neess, Carlson and Brungs were not directed against the Staff analysis (Tr. 3232-3378, 3516). Furthermore, Intervenors produced no affirmative evidence of environmental impact. Dr. Carlson in his direct testimony discussed several impacts that could theoretically occur (Tr. 3241-3243, 3245-3250). However, Dr. Carlson offered no testimony on what impacts could actually be expected at Point Beach since he had made no actual investigation of the area (Tr. 3246, 3394).

11. During the hearing June 1-6, 1972, no additional evidence was elicited, whether by cross-examination or otherwise, on chemical and radiological effects. Thus, the conclusions of the Board on these matters on pages 9-10 of its earlier "Memorandum and Order", dated May 17, 1972, still stand.

12. The applicants testified that the number of fishermen, and presumably fish, were observed in greater numbers after Point Beach Unit 1 was put into operation. However, as Dr. Brungs and Dr. Carlson testified, this could not be taken as an indication of a beneficial effect on the fish population, that indeed the attraction of fish to the warm effluent stream could result in a significant adverse effect. The Board is of the opinion that much more

data are required before drawing any positive conclusions on the effect of 20% power operation of Point Beach Unit 2 on fish. The most convincing evidence that there will not be a significant irreversible effect on the fish population during the proposed limited period of operation of Point Beach Unit 2 is the observation made during the past year on Point Beach Unit 1. Operating experience with Unit 1 during the past year, including a substantial period of operation under full flow conditions with the pumps of both units running, confirms that fish are not normally entrained in the system. (Tr. 2513, 2516-2518)<sup>1/</sup> Fish density is not great in the Point Beach vicinity, and there is no history of fish migrating past the areas in which the intake structure is located. (Tr. 2513, 2517) If fish should be entrained in the intake structure, they would reach the forebay, a large area of much lesser velocities, where they can be removed unharmed (Tr. 2518-2519, 2517). Environmental studies indicate that no spawning takes place in the Point Beach area and there have been no indications of fry or

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<sup>1/</sup> This appears to be based upon routine surveillance during plant operations and not to be dependent on Dr. Grunewald's study (Tr. 2517).

fish eggs passing through the intake system (Tr. 2520-2521, 2517)<sup>2/</sup>

13. Considering the exposure temperatures and the exposure times, mortality to small aquatic organisms such as zooplankton and phytoplankton as a result of passage through the circulating water system should not be significant. (Tr. 3564-3565, 3583).

14. Cooling water is taken directly from Lake Michigan, run through the condenser where it is used to cool and condense the steam produced by operation of the unit, and discharged in the lake. At 20% power level operation, the cooling water will be raised by 5°F. to 8°F., depending on the season, before it is returned to the lake. The warm water tends to float and spread out across the surface of the lake water where much of the heat is dissipated to the atmosphere (Staff prepared testimony following Tr. 2576, at 5; Applicants' prepared testimony following Tr. 2465, at 4).

15. The Staff concluded that there will be no significant impact from operation of Unit 2 at 20% power

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<sup>2/</sup> This is based upon observations by the State of Wisconsin Department of Natural Resources (Tr. 2521). Even Dr. Carlson agreed that "the evidence seems to support the conclusion that there are very few eggs and larvae being taken in and killed by passage through the condenser circuit" (Tr. 3373)

for one year from the discharge of heated cooling water (Staff prepared testimony following Tr. 2576, at 5; Tr. 2582-2583). As indicated above (paragraph 12) studies indicate that no spawning takes place in the Point Beach area and there is no history of fish migrations in the area. One of Intervenor's witnesses, Dr. Carlson, stated that it is possible that there could be some fish eggs of the demersal type (eggs which attach themselves to substrates) that would not be detected by the Department of Natural Resources study (Tr. 3373-3374). However, the currents and sediments in the Point Beach area would probably destroy demersal eggs if they were spawned in the area and the thermal plume would float over the eggs (Tr. 3587-3588). The temperatures are not sufficiently high to support a significant growth of blue green algae (Tr. 3570-3571).

16. Since the thermal plume floats over the surface of the lake, benthic or bottom dwelling organisms are not going to be exposed to it (Tr. 3612). While fish may be attracted to the thermal plume, they will be able to swim away from it if they so choose (Tr. 3598-3599, 3608). If disease organisms are present, such artificial concentrations of fish may result in higher exposure to fish disease organisms (Tr. 3609-3610). However, even assuming the disease organisms are present at Point Beach, the phenomenon would only be a

local one and would occur only during certain seasons of the year, and no irreparable damage would result (Tr. 3610-3611).

### III. CONCLUSION OF LAW

17. The Board concludes that there has been a showing on the record including the uncontradicted evaluation by the Regulatory Staff and the scientists from Battelle Northwest Laboratory that operation of Point Beach Unit 2 at 20% power for one year will not have a significant, adverse impact on the quality of the environment. The Board has previously concluded in its "Memorandum and Order", dated May 17, 1972, that the requirements of 10 CFR § 50.57(c) have been satisfied.

### IV. ORDER

18. In accordance with the Atomic Energy Act of 1954, as amended, and the Commission's regulations, the Director of Regulation shall issue within 10 days of the date of issuance of this decision to Wisconsin Electric Power Company and Wisconsin-Michigan Power Company an amendment to operating license DPR-27 authorizing said companies to operate Point Beach Unit 2 at steady state power levels not in excess of 300 MWT thermal for a period not to

exceed one year. The conditions in paragraphs 4, 5 and 6 of DPR-27, Amendment No. 1, shall continue in effect in the license to be issued.

19. It is further ordered that prior to operation of Point Beach Unit 2 at steady state power levels in excess of 300 Mwt thermal as a result of any future proceedings in this matter, applicants shall submit a proposed modified ecological and monitoring program acceptable to the AEC Regulatory Staff, which will allow discovery of trends and effects on all major components of the aquatic community resulting from operation of the once-through cooling system and which will improve the capability of the applicants to assess any environmental impact of operation of the Units 1 and 2 plants and to adopt procedures that will permit early discovery of any adverse impacts.

20. It is further ordered that in accordance with 10 CFR § 2.764, this initial decision shall be effective immediately upon issuance, no good cause having been shown why the decision should not become immediately effective, subject to the review thereof and further decision by the Appeal Board or Commission. Pursuant to 10 CFR §2.762, exceptions to this decision may be filed by any party within 20 days after service.

IT IS SO ORDERED.

ATOMIC SAFETY AND LICENSING BOARD

By \_\_\_\_\_

Robert M. Lazo, Chairman

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Walter H. Jordan

\_\_\_\_\_  
Clarke Williams

Issued:

June 12, 1972

Washington, D. C.