

AUG 14 1974

Docket No. 50-323

Pacific Gas and Electric Company
ATTN: Mr. Frederick T. Searls
Vice President and General Counsel
77 Beale Street
San Francisco, California 94106

Gentlemen:

The Atomic Energy Commission has issued Amendment No. 3 to Provisional Construction Permit No. CPPR-69 which was issued to you for the construction of the Diablo Canyon Nuclear Power Plant, Unit 2. The amendment has been issued pursuant to the Initial Decision, dated August 2, 1974, by the Atomic Safety and Licensing Board, a copy of which has already been sent to you. Pursuant to that decision the suspension imposed on the construction of the second Diablo-Midway transmission line, known as the Diablo-Midway No. 3, is lifted. This amendment requires you to comply with certain conditions for protection of the environment.

A copy of the related notice, which has been forwarded to the Office of the Federal Register for publication, is enclosed.

Sincerely,

Original Signed by
O. D. Parr

Olan D. Parr, Chief
Light Water Reactors
Project Branch 1-3
Directorate of Licensing

Enclosures:

1. Amendment No. 3 to CPPR-69
2. Federal Register Notice

cc: See page 2

OFFICE	L:LWR 1-3 <i>Wu</i>	L:LWR 1-3 <i>Throns</i>	L:LWR 1-3 <i>ODParr</i>	EP <i>G. Dickerson</i>	OGC <i>L. CHANDLER</i>
SURNAME	VWilson:sjh	THrons	ODParr	<i>G. Dickerson</i>	<i>L. CHANDLER</i>
DATE	8/8/74	8/9/74	8/13/74	8/12/74	8/14/74

8-12
with changes CB

cc w/enclosures 1 and 2:
 Philip Crane, Jr., Esquire
 Pacific Gas and Electric Company
 77 Beale Street
 San Francisco, California 94106

Andrew J. Skaff, Esquire
 California Public Utilities Commission
 350 McAllister Street
 San Francisco, California 94102

Mr. Frederick Eissler, President
 Scenic Shoreline Preservation
 Conference, Inc.
 4623 More Mesa Drive
 Santa Barbara, California 93105

Dr. Simon Kinsman, Chief
 Radiological Health Section
 722 Capitol Mall, Room 2077
 Sacramento, California 95814

cc w/enclosures and Initial Decision:
 Mr. Howard D. Mankins, Chairman
 Board of Supervisors
 San Luis Obispo County
 Room 220, Courthouse Annex
 San Luis Obispo, California 93401

Mr. Tom Jones
 Environmental Protection Agency
 100 California Street
 San Francisco, California 94111

Ms. Elizabeth E. Apfelberg
 1415 Cazadero
 San Luis Obispo, California 94301

Ms. Sandra A. Silver
 1315 Cecelia Court
 San Luis Obispo, California 93401

Mr. John Forster
 503 Mitchell Drive
 San Luis Obispo, California 93401

Mr. Lonnie Valentine
 4580 San Jacinto
 Atascadero, California 93422

Mr. William P. Cornwell
 P. O. Box 453
 Morro Bay, California 93442

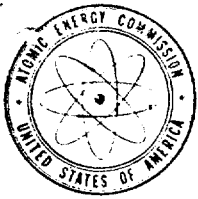
Mr. Gordon Silver
 1315 Cecelia Court
 San Luis Obispo, California 93401

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- DRMuller
- RCushman
- THirons
- SKari
- ACRS (16)

bcc: J. R. Buchanan, ORNL
 T. A. Abernathy, DTIE
 A. Rosenthal, ASLAP
 N. H. Goodrich, ASLAB

OFFICE ➤						
SURNAME ➤						
DATE ➤						



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

PACIFIC GAS AND ELECTRIC COMPANY

(Diablo Canyon Nuclear Power Plant, Unit 2)

DOCKET NO. 50-323

PROVISIONAL CONSTRUCTION PERMIT

Construction Permit No. CPPR-69
Amendment No. 3

Pursuant to an Initial Decision by the Atomic Safety and Licensing Board dated August 2, 1974, the suspension imposed on the construction of the second Diablo-Midway transmission line, known as the Diablo-Midway No. 3, is lifted. This action supersedes the prior conditional lifting of the suspension by the Director of Regulation (39 F.R. 15153). The Atomic Energy Commission has issued Amendment No. 3 to Provisional Construction Permit No. CPPR-69 by adding the following environmental conditions after 2.D.(1) to read as follows:

2.D.

- (2) The Applicant shall continue the ecological and radiological base line monitoring program as specified in Section 6 of the Final Environmental Statement. In addition, the Applicant shall develop a monitoring program for operation in accordance with the requirements of Section 6.
- (3) The Applicant shall implement a program, which is acceptable to the Staff, to determine the potential for entrainment and impingement of egg, larva, and juvenile stages of fish, and of other important marine organisms which are expected to be present in the intake area during plant operation, and to determine the mortality resulting from such impacts (entrainments or impingements).
- (4) The Applicant shall develop and be prepared to implement a program which will confirm that the total available chlorine in the plant discharge does not exceed 0.1 ppm even during heat treatment for organism removal. The Applicant will be required to

conduct additional onsite chlorine studies to determine the acute and chronic impacts on both entrained and receiving water marine life. These studies shall start prior to operation of the first unit and continue for at least one year after operation of both units. If there are adverse effects in Diablo Cove from chlorine in the station effluent, the Applicant shall modify the station or procedures to eliminate the adverse effects.

- (5) The Applicant will be required to operate the defouling treatment in such a manner that the thermal alteration of the ocean is no more than that for the treatment of one unit with the other unit in full operation.
- (6) The Applicant shall implement a program, which is acceptable to the Regulatory Staff, for redress of the areas affected by transmission line construction.
- (7) If harmful effects which, if continued, could lead to irreversible or an unacceptable degree of damage not previously assessed in the Final Environmental Statement are detected by the monitoring programs, the Applicant shall provide to the Regulatory Staff an analysis of the problem and implement a program of remedial action to be taken promptly to eliminate or significantly reduce the detrimental effects or damage.
- (8) The Applicant will be required to initiate additional ocean current studies starting at least one year before operation of the first unit and continuing for one year after full-power operation of both units.
- (9) The Applicant shall begin immediately to plan and carry out extensive physical modeling of their present proposed discharge system, including, but not limited to, a realistic simulation of the intake and the discharge system, the Diablo Cove geometry, and various types of tidal, wind and oceanic currents, including temperature and flow variations. Modeling of alternative systems, e.g., a diffuser system or a channel adjacent to or on the south shore of Diablo Cove, should also be carried out.

(10) As soon as construction status and operating capability permit, the Applicant shall carry out a test program with the actually constructed discharge system to investigate temperature and entrainment effects with the discharge plume in Diablo Cove and the adjacent ocean areas. These should be carried out in the following sequence:


- (a) Use dye tests with 1 and 2 units running with no heat input;
- (b) Use dye and thermal measurements with one unit operating at power and with flow but no heat input from the second unit. Do this for several power levels, including full power for unit 1; and
- (c) Use dye and thermal measurements with one unit operating and the second unit shutdown. Operate with full flow and at varying power levels.

Defouling treatment of the operating unit should be carried out during (b) and (c). The details of the modeling and testing program shall be supplied to the Regulatory Staff for approval.

(11) The results of the tests conducted pursuant to (8) and (9) above are to be submitted to the Regulatory Staff for review. If the results of these tests coupled with other available information indicate that significant damage to the ocean area outside of the Diablo Cove can reasonably be expected to occur, then the Applicant is to immediately present to the Regulatory Staff plans to implement a suitable alternative discharge system.

FOR THE ATOMIC ENERGY COMMISSION

Original signed by
D. B. Vassallo

 R. C. DeYoung, Assistant Director
for Light Water Reactors, Group 1
Directorate of Licensing

Date of Issuance:

AUG 14 1974

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-323

NOTICE OF AVAILABILITY OF INITIAL DECISION OF THE ATOMIC SAFETY
AND LICENSING BOARD FOR THE DIABLO CANYON NUCLEAR POWER PLANT,
UNIT 2, AND ISSUANCE OF AMENDMENT TO CONSTRUCTION PERMIT

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 August 2, 1974, by the Atomic Safety and Licensing Board in the above captioned proceeding which authorized issuance of an amendment to the construction permit issued to Pacific Gas and Electric Company for construction of the Diablo Canyon Nuclear Power Plant, Unit 2, located in San Luis Obispo, California, is available for public inspection in the Commission's Public Document Room at 1717 H Street, N. W., Washington, D. C., and in the San Luis Obispo City-County Library, 888 Morro Street, San Luis Obispo, California.

The Initial Decision 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 Initial Decision is also being made available at the State of California Office of Intergovernmental Management, 1400 Tenth Street, Room 121, Sacramento, California 95814.

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 Diablo Canyon Nuclear Power Plant, Unit 2, 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 (38 F.R. 14183). 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 Amendment No. 3 to Construction Permit No. CPPR-69 to Pacific Gas and Electric Company for construction of a pressurized water nuclear reactor known as the Diablo Canyon Nuclear Power Plant, Unit 2, which is designed for a rated power of approximately 3411 megawatts thermal with a net electrical output of approximately 1060 megawatts. This amendment adds conditions to the permit for protection of the environment and lifts the suspension imposed on the construction of the second Diablo Midway transmission line.

The Commission has found that the provisions of the amendment comply 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.

Copies of the Initial Decision dated August 2, 1974, Amendment No. 3 to Construction Permit No. CPPR-69, and the Final Environmental Statement dated May 1973, are available for public inspection at the above-designated locations in Washington, D. C. and San Luis Obispo, California. Single copies of the Initial Decision by the Atomic Safety and Licensing Board, the amended construction permit and the Final Environmental Statement 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 14 day of August 1974.

FOR THE ATOMIC ENERGY COMMISSION

Original Signed by
O. D. Parr

Olan D. Parr, Chief
Light Water Reactors Project
Branch 1-3
Directorate of Licensing