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Note to Fred Gray, Assistant Chief Hearing Counsel

PROPOSED AMENDMENT TO APPEND IP-3 ETS TO IP1/2

The present IP-3 App. B Tech. Specs were prepared for Units 1, 2 and 3. The Consolidated Edison Company has submitted a proposed amendment (12/5/75) to replace the ETS's issued for IP 1 and IP 2 with the ETS developed for IP-3.

With regard to this proposed action, we have contacted the following TR staff members: R. Ballard (ESB), C. Billups (ESB), J. Boegli (ETSB) and M. Parsont (RAB). These TR members were closely associated with the development of the ETS for the three IP units and have concurred without reservation in the use of a single all inclusive set of ETS's for the three units. In fact, they confirmed that the ETS for IP-3 was developed by EP, TR and the licensee to be site specific and applicable to the three units.

Based upon our review, two options are available for implement the proposed amendment.

- (1) Letter Evaluation and Authorization
- (2) Negative Declaration and Supporting Environmental Impact Appraisal

Since the proposed amendment does not involve a change in either power level or quantity and type of effluents, and no significant environmental impact will result from its implementation, the action can be viewed as totally administrative in nature. Thus, a letter authorization (option 1) would be appropriate.

The development of an environmental impact appraisal (option 2) to support this action does not appear to be warranted since the staff cannot define any substantive impacts upon the environment which would result from the issuance of this proposed amendment. Since the proposed action is administrative, the expenditure of additional staff time to develop and review an environmental impact appraisal is certainly not justifiable.

We believe the issuance of a letter evaluation (option 1) to authorize the proposed amendment will result in a proper, effective and expeditious

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review. However, due to the controversial history of this case and the fact that both the staff and the licensee agree in expediting the issuance of the amendment, we are not proceeding further until you inform us of your legal opinion with regard to the two options presented.

Sincerely,

Original signed by
George W. Knighton

George W. Knighton, Chief
Environmental Projects Branch 1
Division of Reactor Licensing

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