

January 26, 1977

Docket No.: 50-247

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~~RR~~ Reid  
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FLASH NOTE

MEMORANDUM FOR: Robert W. Reid, Chief, Operating Reactors Branch #4, DOR  
FROM: Peter B. Erickson, Project Manager, Operating Reactors Branch #4, DOR  
SUBJECT: INDIAN POINT UNIT NO. 2 FISH KILL PROBLEM

Situation

Indian Point Unit No. 2 may be forced to shutdown today at about 4 p.m. because the fish kill on Unit No. 2 intake screens is exceeding 10,000 fish per day.

Problem

The technical specifications for Unit No. 2 read as follows:

If the number of fish collected as determined in (1) above exceeds 10,000 per day for seven consecutive days or 30,000 per day for three consecutive days or 40,000 in a single day, immediate corrective action shall be taken to reduce the number to below these levels. This limit shall apply to the total number of fish impinged at Units Nos. 1, 2, and 3 together. The fish collected at Unit No. 1 shall not be included in the total station counts and shall not apply to the environmental protection conditions described in this paragraph when the submerged Weir Feasibility Study is being conducted.

Unit No. 1 is shutdown with fuel removed. Unit No. 3 is presently shutdown for some maintenance and therefore does not contribute to the fish kill problem today.

The NRC cannot legally change these technical specifications until the State of New York changes their 401 permit. Mr. Cahill of Con Ed stated

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that they would contact the State of New York to ask for a change or exemption from 401 requirements if the fish kill problem continues today. They have taken all corrective action they can short of shutting the plant down. If they do get relief from the state on their 401 requirements Con Ed will probably ask for a expedited change in the technical specifications to correspond to the revised 401. Con Ed will keep us informed as to today's fish kill and their progress with New York State on relief from the 401 permit requirements.

Peter B. Erickson, Project Manager  
Operating Reactors Branch #4  
Division of Operating Reactors

cc: B. S. Rusche  
E. G. Case  
V. Stello  
D. Eisenhut  
K. Goller  
T. Carter  
B. Grimes  
M. Grossman, OELD  
J. Scinto, OELD

FLASH NOTE

OFFICE ➤	ORB#4:DOR				
SURNAME ➤	PERickson:rm				
DATE ➤	1/26/77				

§1.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated July 9, 1976, (2) Amendment No. 11 to License No. DPR-67, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Indian River Junior College Library, 8209 Virginia Avenue, Ft. Pierce, Florida 33450. A single copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 6th day of January 1977.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,  
Chief, Operating Reactors Branch  
No. 2, Division of Operating  
Reactors.

[FR Doc. 77-2028 Filed 1-21-77; 8:45 am]

[Docket No. 50-498A, 50-499A]

# HOUSTON LIGHTING AND POWER CO. ET AL.

## Order Regarding Oral Argument

JANUARY 13, 1977

In the matter of Houston Lighting and Power Company, the City of San Antonio, the City of Austin, and Central Power and Light Company (South Texas project, Unit Nos. 1 and 2).

Oral argument on the staff's appeal from the Licensing Board's September 9, 1976 order, as clarified in a November 15, 1976 order, is hereby calendared for 10 a.m. on Wednesday, February 2, 1977, in the Commission's Hearing Room, 5th floor, East-West Towers, 4350 East West Highway, Bethesda, Maryland. A total of one hour is allotted to each side for the presentation of argument. The Secretary of this Board is to be notified, by letter mailed no later than January 25, 1977, of the names of counsel intending to participate in the argument.

It is so ordered.

For the Atomic Safety and Licensing Appeal Board.

MARGARET E. DU FLO,  
Secretary to the  
Appeal Board.

[FR Doc. 77-2025 Filed 1-21-77; 8:45 am]

[Docket No. 50-247]

# INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

Availability of Supplemental Partial Initial Decision and Issuance of Amendment to Facility Operating License No. DPR-26 Pursuant to the National Environmental Policy Act of 1969 and the United

States Nuclear Regulatory Commission's Regulations in 10 CFR Part 51, notice is hereby given that a Supplemental Partial Initial Decision dated December 27, 1976, has been issued by the Atomic Safety and Licensing Board in the above captioned proceeding authorizing issuance of a license amendment to the Consolidated Edison Company of New York, Inc., for operation of Indian Point Nuclear Generating Unit No. 2, located in Westchester County, New York.

The Supplemental Partial Initial Decision is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C., and in the Hendrick Hudson Free Library, 81 Albany Post Road, Montrose, New York 10548. The Supplemental Partial Initial Decision is also being made available at the New York State Division of the Budget, State Capital, Albany, New York 12224, and the Tri-State Regional Planning Commission, 1 World Trade Center, 56 South Street, New York, New York 10048.

Any decision or action taken by the Atomic Safety and Licensing Board in connection with the Supplemental Partial Initial Decision may be reviewed by the Atomic Safety and Licensing Appeal Board.

Pursuant to the above mentioned Supplemental Partial Initial Decision, the Nuclear Regulatory Commission (the Commission) has issued Amendment No. 27 to Facility Operating License DPR-26 to Consolidated Edison Company of New York, Inc., for operation of a pressurized water nuclear reactor known as the Indian Point Nuclear Generating Unit No. 2. The license is amended by a change which states that the final termination date of one-through cooling is May 1, 1980.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter 1, which are set forth in the license amendment. The application for the license amendment complies with the standards and requirements of the Act and the Commission's rules and regulations.

The license amendment is effective as of its date of issuance.

Copies of the (1) Supplemental Partial Initial Decision dated December 27, 1976 and (2) Amendment No. 27 to Facility Operating License DPR-26 are available for public inspection at the above designated locations in Washington, D.C., and New York. Single copies of both items may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Site Safety and Environmental Analysis.

Dated at Bethesda, Maryland, this 12th day of January 1977.

For the Nuclear Regulatory Commission.

ROBERT W. REID,  
Chief, Operating Reactors  
Branch No. 4, Division of  
Operating Reactors.

[FR Doc. 77-2020 Filed 1-21-77; 8:45 am]

[Docket No. 50-315]

# INDIANA AND MICHIGAN ELECTRIC CO. AND INDIANA AND MICHIGAN POWER CO.

## Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 17 to Facility Operating License No. DPR-58, issued to Indiana and Michigan Electric Company and Indiana and Michigan Power Company (the licensees), which revised the Technical Specifications for operation of the Donald C. Cook Nuclear Plant Unit No. 1 (the facility), located in Berrien County, Michigan. The amendment is effective as of the date of its issuance.

The amendment changed the Appendix B Technical Specifications to substitute an annual Environmental Operating Report for the presently required semi-annual report and to eliminate certain beach erosion monitoring requirements at the D.C. Cook plant site.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate finding as required by the Act and the Commission's rules and regulations in 10 CFR Chapter 1, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 1.5(d)(4), an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the August 2, 1976 letters of application for amendment, and (2) Amendment No. 17 to License No. DPR-58. Both of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Maude Preston Palinske Memorial Library, 500 Market Street, St. Joseph, Michigan 49085. A single copy of item (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 6th day of January 1977.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,  
Chief, Operating Reactors  
Branch No. 2, Division of  
Operating Reactors.

[FR Doc. 77-2022 Filed 1-21-77; 8:45 am]