

FROM: Consolidated Edison Co. of New York  
New York, New York  
(Thomas C. Duncan)

DATE OF DOCUMENT:  
Feb 25, 1969

DATE RECEIVED  
Feb 28, 1969

NO.: 704

LTR. MEMO: REPORT: OTHER:

TO: Dr. Peter A. Morris

ORIG.: 1 CC: 2 (12 add'l cys rec'd 3-7) OTHER:

ACTION NECESSARY  CONCURRENCE  DATE ANSWERED:  
NO ACTION NECESSARY  COMMENT  BY:

CLASSIF.: U POST OFFICE REG. NO:

FILE CODE: 50-286

DESCRIPTION: (Must Be Unclassified) Ltr req. an exemp-  
tion fm the provisions of 10 CFR  
50.10(b) to permit erection of con-  
tainment wall liner rings; installation  
of base concrete mat & construction of

REFERRED TO	DATE	RECEIVED BY	DATE
Muller	3-7		
w/4 cys for ACTION			
Info Copies Without Drawings to:			
H. Price & Staff			
Morris/Schroeder			
Boyd			
D. Thompson			
Dube			

ENCLOSURES: primary aux. bldg., foundation  
prior to issuance of const permit....  
& enclosing:  
DRAWING A179436-0 Proposed Primary Bldg  
Const (6 cys rec'd) *See Post File*  
DRAWING A177476-1 Foundation for Pro-  
posed Containment Building (4 cys)

DISTRIBUTION: 1-reg file  
1-AEC PDR 2-Compliance(w/o drawings)  
1-OCC (w/o drawings)

8111110058 690225  
PDR ADDCK 05000286  
A PDR

ACKNOWLEDGED

U.S. ATOMIC ENERGY COMMISSION

MAIL CONTROL FORM FORM AEC-3265 (8-60)

Consolidated Edison Company of New York, Inc.  
4 Irving Place, New York, N Y 10003  
Telephone (212) 460-2063

February 25, 1969

Re: Consolidated Edison Company  
of New York, Inc.  
Docket No. 50-286

Regulatory      File Cy.

Dr. Peter A. Morris  
Director  
Division of Reactor Licensing  
U. S. Atomic Energy Commission  
Washington, D. C. 20545

Dear Dr. Morris

By letter dated July 23, 1968 Con Edison requested an exemption from the provisions of 10 CFR 50.10 (b) in order to perform certain work on the containment building for the Indian Point Unit No. 3 facility in advance of a construction permit. The justification for this request was the need to maintain the construction schedule for this unit in order to assure its completion in time to meet summer 1972 electric power requirements of Con Edison's system and of the state and region in which the system is located. It was estimated at the time the letter was submitted that the work for which the exemption was requested could be complete by March 15, 1969.

By letter dated November 15, 1968 the AEC granted this request and Con Edison thereupon proceeded with the authorized work. Although we did not receive the exemption until after the date we had hoped to start the work, we expect that part of this effort (installation of the bottom liner plates and transition knuckle plates) will be complete in the latter part of March and that all the work will be finished by mid-April 1969.

When we submitted our request for the exemption, it was our hope that a construction permit would be granted by March 1969. However, it now appears that even under the most favorable circumstances the permit cannot be granted until the following month. In light of all these facts, we have reviewed the construction schedule for Unit No. 3. As is more fully explained below, we believe construction of this unit cannot proceed on schedule unless a second exemption is granted by the Commission. The need for Unit No. 3 to meet summer 1972 electric power requirements has already been discussed in our July 23 letter. Accordingly, we request an exemption pursuant to 10 CFR 50.12, from the provisions of 10 CFR 50.10 (b) in order to permit the following work on this unit as shown on the attached drawings:

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1. Erection of the containment wall liner rings 2 through 6;
2. Installation of the base concrete mat from elevation 43 feet to 46 feet over the bottom liner plates; and
3. Construction of the Primary Auxiliary Building foundations up to elevation 55 (partially)

The installation of the bottom liner plates and transition knuckle plates, pursuant to the first exemption, is to be followed by erection of the containment wall liner rings 2 through 6. If this additional work is not started by the latter part of March 1969, liner plate installation will cease and the continuity of this work will be disrupted. Tradesmen of specialized skills now employed in this work will have to be discharged. Such tradesmen are not available in the Con Edison area and extreme difficulties would be faced in regaining their employment, thus placing the project schedule in jeopardy.

The installation of the base concrete mat from elevation 43 feet to 46 feet is scheduled to begin immediately upon completion of the base concrete rebar installation. This rebar work, covered by the first exemption, is scheduled for completion in mid-April 1969. In our opinion, not less than a 38-month period will be required from the completion of this rebar work until Unit No. 3 can go into commercial operation.

At the time of our July 23, 1968 request, it was planned to commence foundation work for the Primary Auxiliary Building on March 15, 1969. Since we cannot expect a construction permit by this date, it is necessary that this work proceed in advance of the issuance of such a permit to compensate for the loss of construction time in this area.

In support of this request, we point out that the Advisory Committee on Reactor Safeguards and the AEC regulatory staff have completed their reviews of the application and have concluded that a provisional construction permit for Unit No. 3 may be issued without creating undue risk to the health and safety of the public. We estimate the cost of the work for which this exemption is requested to be \$925,000 and that the work could be completed in approximately three months. The additional financial risk assumed by Con Edison in undertaking the requested work is relatively insignificant in relation to the consequences which could result from an inability to proceed according to schedule.

Dr. Peter A. Morris

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It is our view that the AEC has clear authority to grant this exemption and that precedent exists therefor, including the AEC's action of November 15, 1968 in granting a second exemption to the Commonwealth Edison Company for its Zion Station to construct auxiliary building cell walls and slabs. (See Docket Nos. 50-295 and 50-304).

Con Edison fully recognizes that neither a construction permit nor an operating license can be granted for this facility unless and until all of the licensing requirements of the AEC have been satisfied. Moreover, we realize that the approval of this exemption would have no effect on the subsequent granting or denial of a construction permit for this facility and that any work performed as a result of such authorization would be entirely at the risk of Con Edison.

In view of the urgent public need for Unit No. 3 to be completed on schedule, we respectfully request the Commission's prompt action on this exemption request. Of course, we will be glad to explain further any of the statements made in this letter should this be required.

Sincerely yours



Thomas C. Duncan  
Senior Vice President

att.  
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