

UNITED STATES OF AMERICA  
ATOMIC ENERGY COMMISSION

In the Matter of )  
 )  
CONSOLIDATED EDISON COMPANY OF )  
NEW YORK )  
(Indian Point Nuclear Generating )  
Unit No. 3 )

Docket No. 50-286

NOTICE OF CONSIDERATION OF ISSUANCE OF FACILITY  
LICENSE AND NOTICE OF OPPORTUNITY FOR HEARING

The Atomic Energy Commission (the Commission) will consider the issuance of a facility operating license to the Consolidated Edison Company of New York (the applicant) which would authorize the applicant to possess, use, and operate the Indian Point Nuclear Generating Unit No. 3, a pressurized water nuclear reactor (the facility), located on the applicant's site on the Hudson River in the Village of Buchanan, Westchester County, New York, at steady-state power levels not to exceed 3025 megawatts thermal in accordance with the provisions of the license and the technical specifications appended thereto, upon the receipt of a report on the applicant's application for a facility operating license by the Advisory Committee on Reactor Safeguards, the submission of a favorable safety evaluation on the application by the Commission's Directorate of Licensing, the completion of the environmental review required by the Commission's regulations in 10 CFR Part 50, Appendix D, and a finding by the Commission that the application for the facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended (Act), and the Commission's

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regulations in 10 CFR Chapter 1. Construction of the facility was authorized by Construction Permit No. CPPR-62, issued by the Commission on August 13, 1969.

Prior to issuance of any operating license, the Commission will inspect the facility to determine whether it has been constructed in accordance with the application, as amended, and the provisions of Construction Permit No. CPPR-62. In addition, the license will not be issued until the Commission has made the findings, reflecting its review of the application under the Act which will be set forth in the proposed license, and has concluded 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. Upon issuance of the license, the applicant will be required to execute an indemnity agreement as required by Section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

The facility is subject to the provisions of 10 CFR Part 50, Appendix D, Section C.3, which sets forth procedures applicable to review of environmental considerations for production and utilization facilities for which construction permits were issued prior to January 1, 1970.

Within thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene with respect to the

issuance of the facility operating license. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

A petition for leave to intervene must be filed under oath or affirmation in accordance with the provisions of 10 CFR § 2.714. As required by 10 CFR § 2.714, a petition for leave to intervene shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and any other contentions of the petitioner including the facts and reasons why he should be permitted to intervene, with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. Any such petition shall be accompanied by a supporting affidavit identifying the specific aspect or aspects of the subject matter of the proceeding as to which the petitioner wishes to intervene and setting forth with particularity both the facts pertaining to his interest and the basis for his contentions with regard to each aspect on which he desires to

intervene. A petition that sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A request for a hearing or a petition for leave to intervene must be filed with the Office of the Secretary of the Commission, United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Staff, or the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., not later than thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER. A petition for leave to intervene which is not timely will not be granted unless the Commission determines that the petitioner has made a substantial showing of good cause for failure to file on time and after the Commission has considered those factors specified in 10 CFR § 2.714(a).

For further details pertinent to the matters under consideration, see the application for the facility operating license, dated December 4, 1970, as amended, and the Applicant's Environmental Report, dated June 14, 1971, as supplemented, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York. As they become available, the following documents also will be available at the above locations: (1) the report of the Advisory Committee on Reactor Safeguards on the application for facility operating license (2) the Commission's draft detailed statement on environmental considerations

pursuant to 10 CFR Part 50, Appendix D; (3) the Commission's final detailed statement on environmental considerations; (4) the safety evaluation prepared by the Directorate of Licensing; (5) the proposed facility operating license; and (6) the technical specifications, which will be attached to the proposed facility operating license.

Copies of items (1), (3), (4), and (5) may be obtained by request to the Deputy Director for Reactor Projects, Directorate of Licensing, U. S. Atomic Energy Commission, Washington, D.C. 20545.

FOR THE ATOMIC ENERGY COMMISSION

*A. Giambusso*

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

Dated at Bethesda, Maryland  
this 19th day of October, 1972.