

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Indian Point Nuclear Generating Unit No. 2

Docket No. 50-247

FACILITY OPERATING LICENSE

License No. DPR-26
Amendment No. 6

Pursuant to a Decision of the Atomic Safety and Licensing Appeal Board (ALAB-188) dated April 4, 1974, the Atomic Energy Commission has amended Paragraph 2.E of Amendment No. 4 dated September 28, 1973, and Amendment No. 5 dated February 13, 1974, to Facility Operating License DPR-26 to read as follows:

Paragraph 2.E:

- (1) Operation of Indian Point Unit No. 2 with the once-through cooling system will be permitted during an interim period, the reasonable termination date for which now appears to be May 1, 1979. Such interim operation is subject to the following conditions, none of which shall be interpreted to limit or to affect in any way such other conditions as are imposed by the Atomic Energy Commission or any other governmental body in accord with applicable law:
 - (a) Interim operation shall only be permitted to the extent that the requirements of this license to protect the aquatic biota of the Hudson River from any significant adverse impacts are satisfied; any necessary mitigating measure shall be promptly taken; such measures to include any authorized remedy deemed to be appropriate by the Atomic Energy Commission, including an advancement of the May 1, 1979 date to an earlier date which is deemed reasonable and warranted by the circumstances.
 - (b) The finality of the May 1, 1979 date also is grounded on a schedule under which the applicant, acting with due diligence, obtains all governmental approvals required to proceed with the construction of the closed-cycle cooling system by December 1, 1975. In the event all such governmental approvals are obtained a month or more prior to December 1, 1975, then the May 1, 1979 date shall be advanced accordingly. In the event the applicant has acted with due diligence in seeking all such governmental approvals, but has not obtained such approvals by December 1, 1975, then the May 1, 1979 date shall be postponed accordingly.

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- (c) If the applicant believes that the empirical data collected during this interim operation justifies an extension of the interim operation period or such other relief as may be appropriate, it may make timely application to the Atomic Energy Commission. The filing of such application in and of itself shall not warrant an extension of the interim operation period.
- (d) After the commencement of the construction of a closed-cycle cooling system, a request for an extension of the interim operation period will be considered by the Atomic Energy Commission on the basis of a showing of good cause by the applicant which also includes a showing that the aquatic biota of the Hudson River will continue to be protected from any significant adverse impacts during the period for which an extension is sought.
- (2) Evaluation of the economic and environmental impacts of an alternative closed-cycle cooling system shall be made by the licensee in order to determine a preferred system for installation. This evaluation shall be submitted to the Atomic Energy Commission by December 1, 1974, for review and approval prior to construction.
- (3) A plan of action of operating procedures and design of the once-through cooling system for Indian Point Unit No. 2 will be developed by the licensee in order to minimize detrimental effects on aquatic biota in the Hudson River to a practicable minimum during the interim period prior to installation of a closed-cycle cooling system. The plan shall include means of reducing thermal shock; impingement on the intake structure; entrainment of fish eggs, larvae and plankton; reduction of chemical and thermal discharges and loss of dissolved oxygen below 4.5 parts per million; reduction of radioactive discharges, in accordance with 10 CFR Part 50; and other mitigating measures available. The plan shall be submitted to the Atomic Energy Commission by January 1, 1974, and, upon approval by the Commission, the plan shall be implemented so as to eliminate or substantially reduce such adverse effects as are revealed by the monitoring and surveillance study program presented in the Technical Specifications.
- (4) In addition to the reporting requirements otherwise imposed by this license, the applicant is directed to file with the Commission and serve on the parties reports, under oath or affirmation, of its analysis of data collected during interim operation which bear on the

environmental effects of once-through cooling on the aquatic biota of the Hudson River. Such reports shall be made publicly available. The first such report shall be made as soon as is feasible after the end of the 1974 striped bass spawning season, and thereafter as significant new data become available.

This amendment is effective as of the date of issuance.

FOR THE ATOMIC ENERGY COMMISSION

A. Giambusso

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

Date of Issuance:

MAY 6 1974