

UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-247

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

(Indian Point Nuclear Generating Unit No. 2)

NOTICE OF ISSUANCE OF FACILITY OPERATING LICENSE

Notice is hereby given that the Atomic Energy Commission (the Commission) has issued Facility Operating License No. DPR-26 to Consolidated Edison Company of New York, Inc., (Consolidated Edison) which permits fuel loading and subcritical testing of the Indian Point Nuclear Generating Unit No. 2 (facility), a pressurized water nuclear reactor located at Consolidated Edison's site near Buchanan in Westchester County, New York. The facility is designed for operation at approximately 2758 megawatts thermal, but in accordance with the provisions of Facility Operating License No. DPR-26 and the Technical Specifications appended thereto, activities under the license are restricted to fuel loading and subcritical testing and it is provided that at no time shall the reactor be made critical following fuel loading.

On October 6, 1970, Consolidated Edison requested a public hearing on its application for a license to operate the facility at full power. Pursuant to a Commission Order, a public hearing before an Atomic Safety and Licensing Board (Board) commenced on December 17, 1970 in Buchanan, New York. This hearing is still in progress. On June 18, 1971, Consolidated Edison requested the Board, pursuant to 10 CFR Section 50.57

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of the Commission's regulations to issue an order authorizing the Director of Regulation to make the necessary findings and issue a license permitting fuel loading and subcritical testing. The Board issued such an order on July 20, 1971.

Before the license permitting fuel loading and subcritical testing of the facility could be issued, the Commission amended Appendix D of 10 CFR Part 50, which is a statement of general Commission policy relating to the implementation of the National Environmental Policy Act of 1969 in connection with licensing actions. Subsequently Consolidated Edison and the staff presented to the Board information as to the environmental impact of the proposed fuel loading and subcritical testing license. On October 15, 1971, the Board issued an order, based on a consideration of the evidence adduced in reference to the environmental impact of the activities to be authorized under the proposed license, affirming the authorization granted in its July 20, 1971 order.

The Commission's regulatory staff has inspected the facility and has determined that, for fuel loading and subcritical testing, the facility has been constructed in accordance with the application, as amended, and

the provisions of Provisional Construction Permit No. CPPR-21, as amended. The licensee has submitted proof of financial protection in satisfaction of 10 CFR Part 140.

The Director of Regulation has made the findings set forth in the license, and has concluded that the application for construction permit and facility license, as amended, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Chapter 1, 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.

The license is effective as of the date of issuance and shall expire six (6) months from said date, unless extended for good cause shown, or upon earlier issuance of a subsequent licensing action.

Copies of (1) the Board's orders of July 20, 1971 and October 15, 1971, (2) Facility Operating License No. DPR-26, complete with Technical Specifications, (3) the Safety Evaluation for the Indian Point Nuclear Generating Unit No. 2, dated November 16, 1970, and Supplements 1, 2, and 3 thereto, dated November 20, 1970, July 1971 and September 3, 1971, respectively, (4) the report of the Advisory Committee on Reactor Safeguards on the Indian Point Nuclear Generating Unit No. 2, dated September 23, 1970, and (5) "Discussion and Conclusions by the Division of Reactor Licensing, U. S. Atomic Energy Commission, Pursuant to Appendix D of 10 CFR Part 50, Supporting the Issuance of a License to

Consolidated Edison Company of New York, Inc., Authorizing the Loading of Fuel and Subcritical Testing of Indian Point Unit No. 2, Docket No. 50-247, dated October 6, 1971," are available for public inspection in the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. Copies of the license, complete with Technical Specifications, and items (3) and (5) above may be obtained upon request addressed to the Atomic Energy Commission, Washington, D. C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this *19<sup>th</sup>* day of October, 1971.

FOR THE ATOMIC ENERGY COMMISSION

Original Signed by  
Peter A. Morris

Peter A. Morris, Director  
Division of Reactor Licensing