

Docket Nos. 50-269
50-270
and 50-287

DEC 2 1970

Duke Power Company
Attn: Mr. Austin C. Thies
Vice President
Production & Operation
Power Building
422 South Church Street
Charlotte, North Carolina 28201

Gentlemen:

During our review of your application for an operating license for the Oconee Nuclear Station, we requested the comments and recommendations of the U.S. Department of the Interior, Fish & Wildlife Service, concerning the radiological impact of the proposed facility on the areas of responsibility of the Fish & Wildlife Service.

A copy of the Fish & Wildlife Service Report, dated November 24, 1970, is enclosed for your information. Copies of this report are also being sent to the appropriate State and local officials. The radiological safety aspects of the material in the report will be considered in the evaluation of the safety of your project by the regulatory staff and the Advisory Committee on Reactor Safeguards. Our conclusions will be included in the safety evaluation which we will prepare prior to the issuance of an operating license for your nuclear power unit.

We call your attention to the recommendations of the Fish & Wildlife Service as they relate to the Oconee Nuclear Station and request that you cooperate with the Service in modifying and developing your detailed plans for radiological surveys.

The reports which you will submit on the preoperational surveys will continue to be evaluated by the Commission and by the Fish & Wildlife Service prior to the issuance of an operating license in this proceeding. The reports of surveys made after operations have begun will be similarly reviewed. You are requested to furnish these reports directly to the Commission in twenty copies, and we will forward copies of the reports to the Fish & Wildlife Service and make other appropriate distribution.

Matters discussed in the Fish & Wildlife Service Report properly relating to our responsibilities under the National Environmental Policy Act will be handled in accordance with the Interim Guidelines of the Council on

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Environmental Quality and our proposed revision of Appendix D to 10 CFR 50. To this end, our May 6, 1970 letter requested information from you on the environmental impact of the Oconee Nuclear Station plant. Matters relating to water quality will be handled in accordance with the sections of the Federal Water Pollution Control Act. Regarding these Acts, an applicant for a construction permit and operating license for any nuclear power plant which will discharge effluents into the navigable waters of the United States is required to provide the AEC with a certification from the State or interstate pollution control agency, or the Secretary of the Interior, as appropriate, that there is reasonable assurance that the plant will not violate applicable water quality standards. In the case of the Oconee Nuclear Station, where actual construction had lawfully commenced prior to the date of enactment of the Water Quality Improvement Act of 1970, the Act provides that a certification shall be required under Section 21 (b)(7) of this Act before April 3, 1973, or the permit to construct the facility or license to operate the completed facility will terminate on April 3, 1973. Thereafter, the AEC may not issue a permit or license for the plant until a water quality certification first has been received.

Sincerely,

Original Signed by
Peter A. MorrisPeter A. Morris, Director
Division of Reactor Licensing

Enclosure:

F&WS ltr dtd 11/24/70

cc: See page 3

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Duke Power Company

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cc w/encl:

Mr. J. Bonner Manly, Director
State Development Board
Hampton Office Building
Columbia, South Carolina 29202

Mr. Reese A. Hubbard
County Supervisor of Oconee
County
Anderson, South Carolina 29622

cc w/o encl:

Mr. William M. White, Chief
Division of River Basin Studies
Bureau of Sport Fisheries and Wildlife
U.S. Department of the Interior
Washington, D.C. 20240

Distribution:

Docket File (3)

AEC PDR

DR Reading

DRL Reading

PWR-2 Reading

OGC

RSBoyd, DRL

RCDeYoung, DRL

DJSkovholt, DRL

JRTotter, DBM

PWHowe, DRL (2)

FWKaras, DRL (2)

ODParr, DRL

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| OFFICE ▶ | DRL:AD/PWRs x7407 <i>FWK</i> | DRL:PWR-2 <i>CG</i> | DRL:AD/PWRs <i>RCDeYoung</i> | DRL:DIR PAMorris | | |
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