50-220

UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

November 22, 1972

Director
Office of the Federal Register
National Archives and Records Service
Washington, D. C. 20408

Dear Sir:

Attached for publication in the Federal Register are an original and two certified copies of a document entitled:

NIAGARA MOHAWK POWER CORPORATION

Notice of Consideration of Conversion of Provisional Operating License to Full-Term Operating License to Full-Term Operating License; Notice of Opportunity for Hearing Pursuant to 10 CFR PART 50, Appendix D

Please publish on Tuesday, December 5, 1972.

Publication of the above document at the earliest possible date would be appreciated.

Sincerely,

Paul C. Bender
Secretary of the Commission

Enclosures:
Original and 2
certified copies

bcc: Docket Clerk (Dir. of Reg.)
Information Services
Legal Files (OGC)
Office of Congressional Relations
GT Files (SECY)
Public Proceedings Branch (SECY)

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of	)	
	)	
NIAGARA MOHAWK POWER CORPORATION	)	Docket No. 50-220
(Nine Mile Point Nuclear Station	)	
Unit No. 1	)	

NOTICE OF CONSIDERATION OF CONVERSION OF
PROVISIONAL OPERATING LICENSE TO FULL-TERM OPERATING LICENSE;
NOTICE OF OPPORTUNITY FOR HEARING
PURSUANT TO 10 CFR PART 50, APPENDIX D

The Atomic Energy Commission (the Commission) will consider the issuance of a full-term facility operating license to the Niagara Mohawk Power Corporation (the licensee) which would authorize the licensee to possess, use and operate the Nine Mile Point Nuclear Station Unit No. 1 (the facility), located in the Town of Scriba, Oswego County, New York, at its presently licensed steady state power level of up to 1850 megawatts (thermal) for a period of 40 years from April 12, 1965, the issuance date of the construction permit (CPPR-16) in accordance with the provisions of the license and the Technical Specifications appended thereto, upon the completion of a favorable safety evaluation of 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, the receipt of a report on the application from the Advisory Committee on Reactor Safeguards (ACRS), and a finding by the Commission that the application for the full-term 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 I. The facility is presently being operated in accordance with Provisional Operating License No. DPR-17 issued by the Commission on August 22, 1969.

The full-term license will not be issued until the Commission has made the findings, reflecting its review of the application under the Atomic Energy Act of 1954, as amended, 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. The licensee has satisfied its obligation concerning indemnification 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 Section A of Appendix D to 10 CFR Part 50, which sets forth procedures applicable to review of environmental considerations for production and utilization facilities.

Within thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER, the licensee 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 a full-term facility operating license. Requests for a hearing and petitions 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 not later than thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER. Such requests or petitions within the same 30-day period may be delivered to the Commission's Public

Document Room, 1717 H Street, N.W., Washington, D.C. 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 with respect to the matters under consideration, see the licensee's application for conversion of Provisional Operating License No. DPR-17 to a full-term operating license notarized June 27, 1972, and the licensee's Environmental Report dated June 1972, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Oswego City Library, 120 East Second Street, Oswego, New York 13126. As they become available, the following documents will also be available at the above locations: (1) the Safety Evaluation prepared by the Directorate of Licensing; (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 report of the Advisory Committee on Reactor Safeguards on the Application for a full-term facility operating license; (5) the proposed full-term operating license, and (6) the proposed technical specifications, which will be attached to the proposed full-term facility operating license.

Copies of items (1), (3), (4), and (5) may be obtained when they become available 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

Donald J. Skovholt (Acting for)
A. Giambusso, Deputy Director
for Reactor Projects
Directorate of Licensing

Dated at Bethesda, Maryland
this 22nd day of Nov, 1972