

Docket Nos. 50-220  
and 50-410

JAN 27 1975

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Mr. Gerald M. Hansler  
Regional Administrator  
Environmental Protection Agency  
26 Federal Plaza  
New York, New York 10007

Dear Mr. Hansler:

In accordance with Section 401 of the Federal Water Pollution Control Act, as amended, enclosed (for appropriate action) is a copy of two letters from the New York State Department of Environmental Conservation, both dated December 24, 1974, to the Atomic Energy Commission. In the letters the Department of Environmental Conservation reaffirms that the 401 Certificates issued by the Department of the Nine Mile Point Units 1 and 2 facilities remains in effect.

Also enclosed for your information is a copy of the correspondence from the Atomic Energy Commission, both dated December 13, 1974, to the New York State Department of Environmental Conservation regarding Niagara Mohawk Power Corporation's Nine Mile Point Units 1 and 2 facilities 401 certificates.

Sincerely,

Original signed by  
Daniel R. Muller

Daniel R. Muller, Assistant Director  
for Environmental Projects  
Directorate of Licensing

Enclosures:

- Two ltrs. dtd 12/24/74 from NY Dept. of Environmental Conservation to AEC
- Two ltrs dtd 12/13/74 from AEC to NY Dept. of Environmental Conservation

OFFICE >	L:EP-4	L:EP-4	L:EP-4	L:EP	OGC	L:ADEP
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December 24, 1974

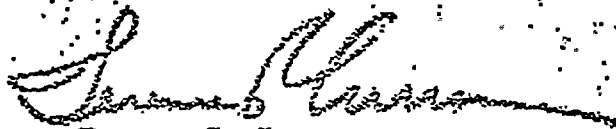
Mr. Bernard M. Bordenick  
U.S. Atomic Energy Commission  
Washington, D. C. 20545

Dear Mr. Bordenick:

Re: U.S. AEC Docket No. 50-220  
(Nine Mile Point Unit No. 1)

This letter is written in response to your December 13, 1974 letter to Commissioner James L. Biggar which requested information concerning the Department of Environmental Conservation certification pursuant to Public Law 92-500, of the Nine Mile Point Unit No. 1 of the Niagara Mohawk Power Corporation. This letter confirms that the certificate issued by this Department on April 9, 1974, pursuant to Section 401 of the Federal Water Pollution Control Act, as amended, remains in effect and will continue in effect until modified or amended in accordance with applicable law.

Sincerely,



Terence P. Curtan  
Director of Environmental Analysis

cc: John Hanna, Jr., Esq.  
Langdon March, Esq.  
Paul Marges  
Eugene B. Thomas, Esq.



Commissioner  
James L. Biggane

December 24, 1974

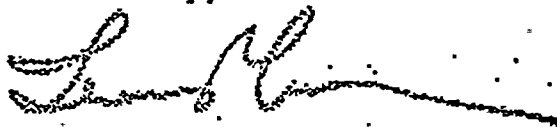
Mr. Bernard M. Bordenick  
U.S. Atomic Energy Commission  
Washington, D. C. 20545

Dear Mr. Bordenick:

Re: U.S. AEC Docket No. 50-410  
(Nine Mile Point Unit No. 2)

This letter is written in response to your December 13, 1974 letter to Commissioner James L. Biggane which requested information concerning the Department of Environmental Conservation certification pursuant to Public Law 92-500, of the Nine Mile Point Unit No. 2 of the Niagara Mohawk Power Corporation. This letter confirms that the certificate issued by this Department on October 13, 1973, pursuant to Section 401 of the Federal Water Pollution Control Act, as amended, remains in effect and will continue in effect until modified or amended in accordance with applicable law.

Sincerely,



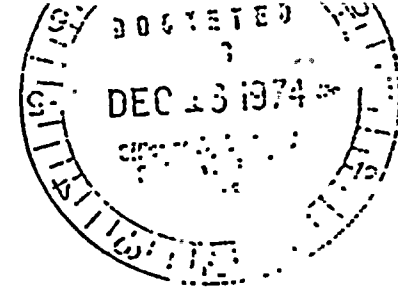
Terence P. Curran  
Director of Environmental Analysis

cc: John Hanna, Jr., Esq. ---  
Langdon Marsh, Esq. ---  
Paul Merges ---  
Eugene B. Thomas, Esq. ---





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



December 13, 1974

Mr. James L. Biggane  
Commissioner  
New York State Department of  
Environmental Conservation  
50 Wolf Road  
Albany, New York 12201

In the Matter of Niagara Mohawk Power Corporation  
(Nine Mile Point, Unit No. 1)  
Docket No. 50-220

Dear Mr. Biggane:

On April 9, 1974, the New York State Department of Environmental Conservation issued to Niagara Mohawk Power Corporation (NMPC) a certificate pursuant to Section 401(a)(1) of the Federal Water Pollution Control Act, as amended (FWPCA) (33 U.S.C. § 1251, et seq.). The certificate states, in part, that

\*\*\* [NMPC] will comply with all applicable provisions of sections 301, 302, 306, and 307 of the [FWPCA] \*\*\* provided that:

(1) There are no future changes in any of the following \*\*\*

(D) Applicable effluent limitations or other requirements.

On October 8, 1974, the Environmental Protection Agency published its "Steam Electric Power Generating Point Source Category Effluent Guidelines and Standards," (39 Federal Register 36186) which, among other things, establishes effluent limitations and standards of performance under Sections 301(b) and 306 of the FWPCA.

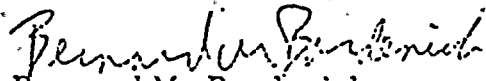


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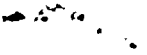
The purpose of this letter is to ask you whether, in light of that recent promulgation of standards, limitations, and guidelines by EPA, the New York State Department of Environmental Conservation intends to take any additional certifying action regarding the Nine Mile Point, Unit 1 facility.

Sincerely,



Bernard M. Bordenick  
Counsel for AEC Regulatory Staff

cc: John Hanna, Jr., Esq.  
Mr. Paul Merges  
Eugene B. Thomas, Esq.





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

December 13, 1974

Mr. James L. Biggane  
Commissioner  
New York State Department of  
Environmental Conservation  
50 Wolf Road  
Albany, New York 12201

In the Matter of Niagara Mohawk Power Corporation  
(Nine Mile Point, Unit No. 2)  
Docket Nos. 50-410

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Dear Mr. Biggane:

On October 12, 1973, the New York State Department of Environmental Conservation issued to Niagara Mohawk Power Corporation (NMPC) a certificate pursuant to Section 401(a)(1) of the Federal Water Pollution Control Act, as amended (FWPCA) (33 U.S.C. § 1251, et seq.). The certificate states, in part, that

\*\*\* there is no applicable limitation or other limitations under Section 301(b) and 302 of the Act, and there is no standard under Sections 306 and 307 of the Act applicable to the activity which [NMPC] proposes to conduct\*\*\*.

On October 8, 1974, the Environmental Protection Agency published its "Steam Electric Power Generating Point Source Category Effluent Guidelines and Standards," (39 Federal Register 36186) which, among other things, establishes effluent limitations and standards of performance under Sections 301(b) and 306 of the FWPCA.

The purpose of this letter is to ask whether, in light of that recent promulgation of standards, limitations, and guidelines by EPA, the New York State



Mr. James L. Biggane

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Department of Environmental Conservation intends to take any additional certifying action regarding the Nine Mile Point, Unit 2 facility.

Sincerely,



Bernard M. Bordenick  
Counsel for AEC Regulatory Staff

cc: John Hanna, Jr., Esq.  
Mr. Paul Merges  
Eugene B. Thomas, Esq.

