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JUL 22 1974

Docket No. 50-410

Mr. Brian Jenny  
 Council on Environmental Quality  
 New Executive Office Building  
 17th & Pennsylvania Ave., NW  
 Room 5701  
 Washington, D. C. 20006

Gentlemen:

On June 14, 1974, a majority of the Atomic Safety and Licensing Board designated to preside in the proceeding involving the application of the Niagara Mohawk Power Corporation for a construction permit for the Nine Mile Point Nuclear Station Unit 2, issued an Initial Decision authorizing the issuance of a construction permit. In accordance with the provisions of 10 CFR Part 50, Appendix D, Section A.11 of the Commission's regulation, we are herewith transmitting a copy of that Initial Decision.

A Final Environmental Statement relating to construction of the Station was prepared by the Directorate of Licensing and was transmitted to you under cover of a letter dated June 8, 1973. The Final Environmental Statement is deemed modified to the extent that the findings and conclusions contained in the Initial Decision are different from those contained in the Final Environmental Statement.

Also transmitted is a copy of the notice of availability of the Initial Decision which will be published in the Federal Register.

Sincerely,  
 Original signed by  
 Daniel R. Muller

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

Enclosures:

1. Initial Decision
2. Federal Register Notice

cc w/enclosures: Those on attached sheet

OFFICE >	L:EP-4	L:EP-4	L:EP-4	OGC	L:EP
SURNAME >	SDReed.pc	JANorris	WHRegan	WMassar	DRMuller
DATE >	7/15/74	7/17/74	7/17/74	7/15/74	7/17/74

SECRET  
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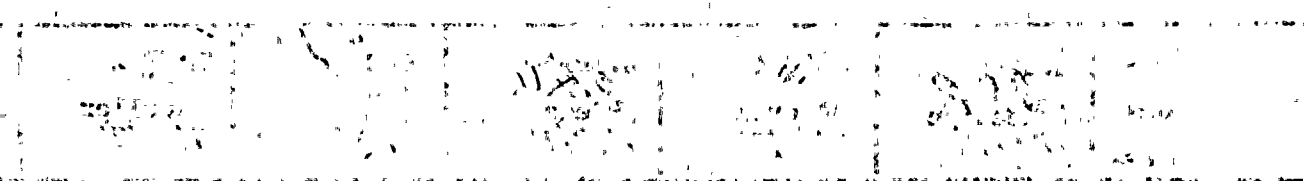
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JUL 22 1974

Mr. Charles Custard, Dir  
Office of Environmental Affairs  
Dept. Health, Education & Welfare  
330 Independence Ave., S.W.  
Room 4740  
Washington, D.C. 20201

Mr. Bruce Blanchard, Dir.  
Office of Environmental Projects  
Review  
Department of Interior - Rm. 5321  
18th & C St., N.W.  
Washington, D.C. 20240

Mr. Benjamin O. Davis  
Assistant Secy for Environment,  
Safety & Consumer Affairs  
Department of Transportation  
400 - 7th St., S.W., Room 10101  
Washington, D.C. 20590

Mr. Sheldon Myers  
ATTN: Jack Anderson  
Office of Federal Activities  
Environmental Protection Agency  
Rm. W-541 Waterside Mall  
401 M. Street, S.W.  
Washington, D.C. 20460

Capt. Wm. R. Riedel (4)  
Water Resources Coordinator  
W/S 73 U.S.C.G. - Room 7306  
Department of Transportation  
400 - 7th St., S.W.  
Washington, D.C. 20590

Mr. T. A. Phillips  
Chief, Bureau of Power  
Federal Power Commission - Rm. 6100  
825 North Capitol Street, N.E.  
Washington, D.C. 20426

Dr. Sidney Galler  
Daputy Assistant Secy for  
Environmental Affairs  
U.S. Dept. of Commerce  
Room 3425  
14th & Constitution, N.W.  
Washington, D.C. 20230

Dr. Fred Tschirley, Coordinator (4)  
Environmental Quality Activities  
Office of the Secretary  
Room 307-A Administration Bldg.  
U.S. Department of Agriculture  
Washington, D.C. 20250



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UNITED STATES ATOMIC ENERGY COMMISSION

DOCKET NO. 50-410

NOTICE OF AVAILABILITY OF INITIAL DECISION OF THE  
ATOMIC SAFETY AND LICENSING BOARD  
FOR THE NINE MILE POINT NUCLEAR STATION UNIT 2

Pursuant to the National Environmental Policy Act of 1969 and the United States Atomic Energy Commission's regulation in Appendix D, Section A.9 and A.11, to 10 CFR Part 50, notice is hereby given that an Initial Decision dated June 14, 1974, issued by a majority of the Atomic Safety and Licensing Board in the above captioned proceeding authorized issuance of the construction permit to the Niagara Mohawk Power Corporation for construction of the Nine Mile Point Nuclear Station Unit 2 located in Oswego County, New York, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, N. W., Washington, D. C. and in the Oswego City Library, 120 East Second Street, Oswego, New York 13126.

The Initial Decision is subject to review by an Atomic Safety and Licensing Appeal Board prior to its becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decision may be reviewed by the Commission.

Based upon the record developed in the public hearing in the above captioned matter, the Initial Decision modified in certain respects the contents of the Final Environmental Statement relating to the construction




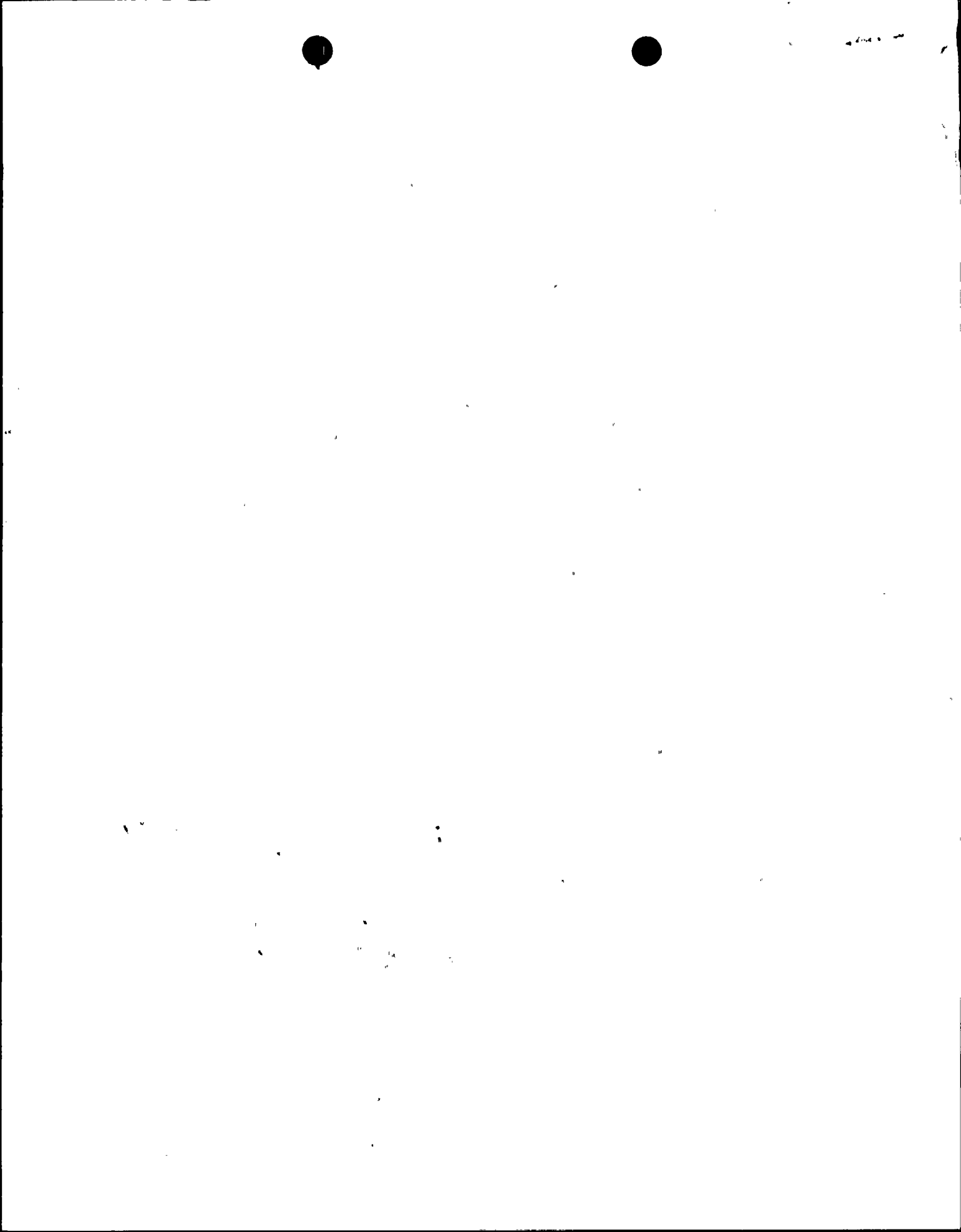
of the Nine Mile Point Nuclear Station Unit 2, prepared by the Commission's Directorate of Licensing. Pursuant to the provisions of 10 CFR Part 50, Appendix D, Section A.11, the Final Environmental Statement is deemed modified to the extent that the findings and conclusions relating to environmental matters contained in the Initial Decision are different from those contained in the Final Environmental Statement. As required by Section A.11 of Appendix D, a copy of the Initial Decision, which modifies the Final Environmental Statement, has been transmitted to the Council on Environmental Quality and made available to the public as noted herein. A copy of this Final Environmental Statement is also available for public inspection at the above designated locations.

Single copies of the Initial Decision by the Atomic Safety and Licensing Board and the Final Environmental Statement may be obtained by writing the U.S. Atomic Energy Commission, Washington, D. C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing. - Regulation.

Dated at Bethesda, Maryland this 22<sup>ND</sup> day of July 1974.

FOR THE ATOMIC ENERGY COMMISSION

  
Wm. H. Regan, Jr., Chief  
Environmental Projects Branch 4  
Directorate of Licensing





Distribution:  
Docket (Enviro)  
EP-4 Reading  
J. Norris, EP-4  
S. Sheppard, EP-4

June 15, 1973

Docket No. 50-410

Mr. Harold G. Mangelsdorf  
Chairman, ACRS  
U.S. Atomic Energy Commission  
Washington, D. C. 20545

**ENVIRON, FILE (NEPA)**

Subject: NIAGARA MOHAWK POWER CORPORATION  
(NINE MILE POINT NUCLEAR STATION, UNIT 2)

The following documents concerning our review of the subject facility are transmitted for your information:

- Notice of Receipt of Application.
- Draft Environmental Statement, dated \_\_\_\_\_.
- Final Environmental Statement, dated \_\_\_\_\_.
- Safety Evaluation, or Supplement No. \_\_\_\_\_, dated \_\_\_\_\_.
- Notice of Hearing on Application for Construction Permit.
- Notice of Consideration of Issuance of Facility Operating License.
- Application and Safety Analysis Report, Vol. \_\_\_\_\_.
- Amendment No. \_\_\_\_\_ to Application/SAR, dated \_\_\_\_\_.
- Construction Permit No. CPPR- \_\_\_\_\_, dated \_\_\_\_\_.
- Facility Operating License No. DPR- \_\_\_\_\_, dated \_\_\_\_\_.
- Technical Specifications, or Change No. \_\_\_\_\_, dated \_\_\_\_\_.
- Other: Dept. of Commerce comments on Draft Environmental Statement

Directorate of Licensing

Enclosures:  
As stated (16)

cc:

OFFICE	L:EP-4					
SURNAME	SMSheppard					
DATE	6/15/73					

