

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

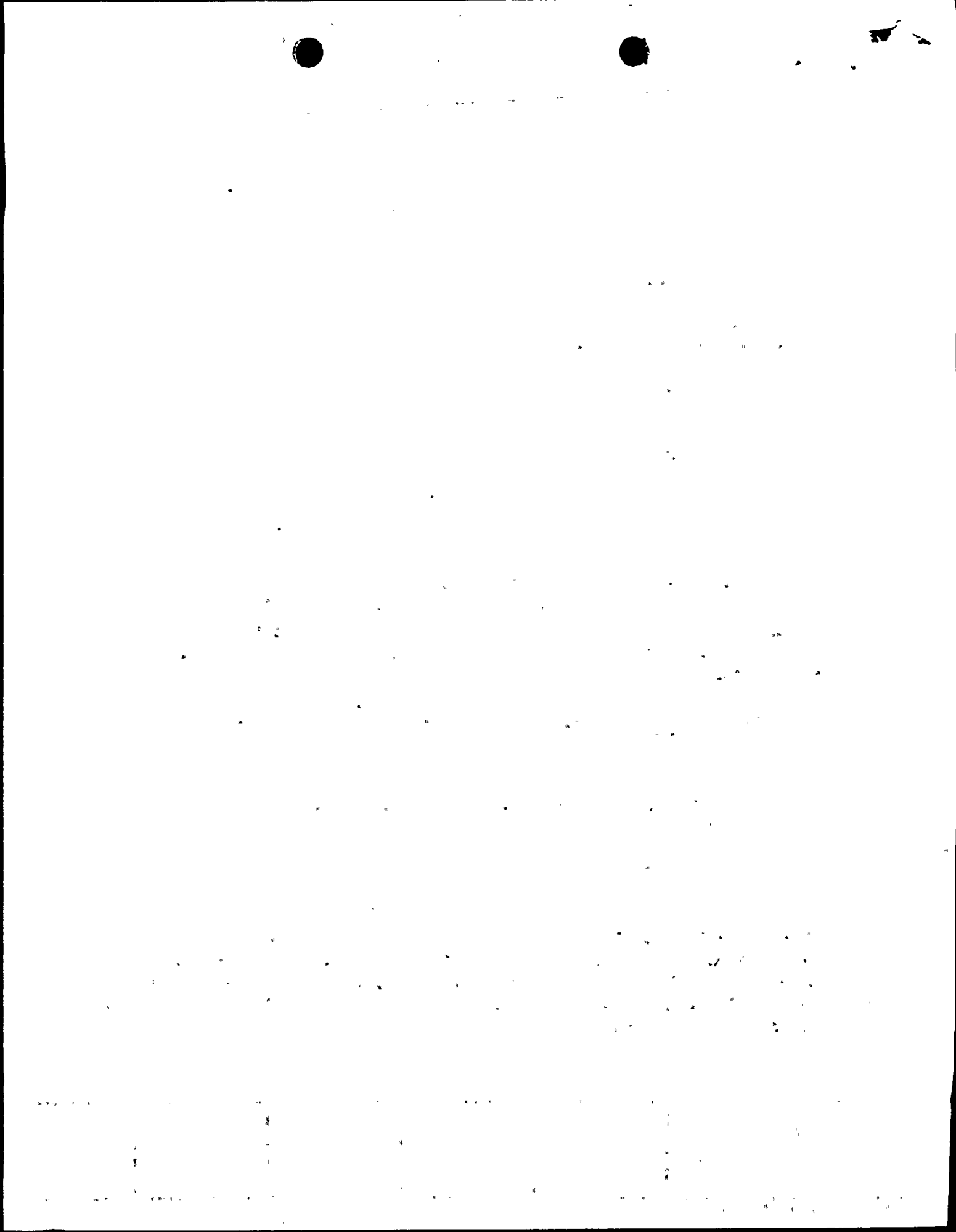
*** [NMPC] will comply with all applicable provisions of sections 301, 302, 306, and 307 of the [FWPCA] *** provided that:

(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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Mr. James L. Biggane

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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.

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