

March 16, 1977

Docket No. 50-410

Mr. T. K. DeBoer, Director
Technological Development Program
State of New York Energy Office
Swan Street Building
Core 1-2nd Floor
Empire State Plaza
Albany, New York 12223

Dear Mr. DeBoer:

Your letter of February 15, 1977, requested that I provide the bases upon which the NRC decision was made to permit the geologic feature in the Nine Mile Point heater bay area to be covered over, and explain why you were not advised that this action was being or had been taken.

Dr. Robert Jackson, structural geologist of the NRC staff, visited the Nine Mile Point site on September 15, 1976, and examined the feature exposed in the heater bay area. Based on Dr. Jackson's onsite assessment of the feature, the licensee was required to restrict construction that could inhibit a full and complete documentation of the feature for the record. Dr. Jackson's findings and recommendations are stated in his memorandum to J. Carl Stepp dated September 22, 1976. This Memorandum was sent to you on December 6, 1976.

We notified the New York State Geological Survey of the feature on October 1, 1976, and invited Survey staff to visit the site together with NRC staff geologists. Dr. Robert Fakundiny of the State Survey visited the site independently on October 26, 1976 and inspected the feature which remained fully exposed. NRC geologists visited the site a second time on November 4, 1976 and conducted a further investigation of the feature. In addition, we reviewed the licensee's program. As a result, we concluded that the geological investigations being conducted by the licensee were adequate to provide a full interpretation of the feature and complete documentation for the public record. By assuring ourselves that adequate investigations were being carried out by the applicant with complete documentation for the record, we determined that no further restriction on construction was necessary. I regret that following our November 4, 1976 site visit, you were not informed that no further restriction on construction would be required.

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Mr. T. K. DeBoer

-2-

We have been in close communication with the State Geological Survey during our consideration of this matter. A copy of the memorandum describing the November 4, 1976 site visit was sent to the Survey on December 17, 1976, and a copy is enclosed for your information.

We will send you a copy of the licensee's report when received.

Sincerely,

Steven A. Varga, Chief
Light Water Reactors Branch 4
Division of Project Management

Enclosure:
Memorandum Describing
11/4/76 Site Visit

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Mr. T. K. BeBoer

-2-

We have been in close communication with the State Geological Survey during our consideration of this matter. A copy of the memorandum describing the November 4, 1976 site visit was sent to the Survey on December 17, 1976, and a copy is enclosed for your information.

We are also enclosing a copy of the licensee's report of their investigations which was recently received and a copy of a memorandum describing a December 22, 1976 site visit.

Sincerely,

Steven A. Varga, Chief
Light Water Reactors Branch 4
Division of Project Management

Enclosures

- 1. Dames and Moore Report
- 2. Memorandum dtd 1/4/77

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SEE PREVIOUS YELLOW FOR ADDITIONAL CONCURRENCES

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