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 FACIL: 50-410 Nine Mile Point Nuclear Station, Unit 2, Niagara Moha 05000410
 AUTH. NAME AUTHOR AFFILIATION
 MANGAN, C.V. Niagara Mohawk Power Corp.
 RECIP. NAME RECIPIENT AFFILIATION
 EISENHUT, D.G. Division of Licensing

SUBJECT: Forwards certification of compliance w/State of NY coastal
 mgt program, per Section 307(C)(3)(A) of Coastal Zone Mgt Act
 of 1972 & 15CFR930.57.

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July 31, 1984
No. 8582

Mr. Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation
US Nuclear Regulatory Commission
Washington, DC 20555

RE: Nine Mile Point Unit 2
Operating License Application
Docket No. 50-410

Dear Mr. Eisenhut:

Pursuant to the requirements of Section 307(c)(3)(A) of the Coastal Zone Management Act of 1972 and 15CFR930.57, enclosed is Niagara Mohawk's certification that Nine Mile Point Nuclear Station Unit 2 will comply with New York State's approved Coastal Management Program.

This certification, and all required supporting documents, are concurrently being submitted to the NYS Department of State for review.

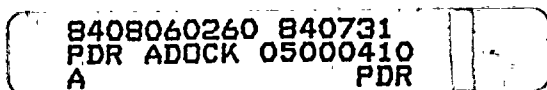
Very truly yours,

C. V. Mangan

C. V. Mangan
Vice President
Nuclear Engineering & Licensing

JAM/kam
Enclosure

cc: Project File (2)



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SECRET

MEMORANDUM FOR THE DIRECTOR, FBI
SUBJECT: [Illegible]

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Federal Consistency Assessment Form

(a) Applicants for permits from any Federal agency shall complete this assessment form for actions which are located in New York's Coastal Area. This assessment form is intended to assist applicants in arriving at their decision as to certification as required by 15 CFR § 930.57.

(b) Description of Action
 Operating License The Atomic Energy Act of 1954, as amended; and
 1. ~~Permit(s)~~, pursuant to: 10CFR2.10(a)(2), 10CFR50.30(c)(2), 10CFR73.55 and 10CFR2.790.
 2. Location of Action, fill in blank(s), as applicable.
Oswego Scriba Nine Mile 2
 County(ies) Town(s) City(ies), Village(s) Site
 3. Anticipated Start Date of Action: 3/1/86
 month/day/year

(c) Coastal Assessment	Yes	No
1. Will the action result in a large physical change to coastal site or physically alter more than two acres of land, land under water, or coastal waters, if located adjacent to the shore, or five acres if elsewhere within the coastal area?	<u>X</u>	<u> </u>
2. Will the action be located in or significantly affect the viability of any known significant fish or wildlife resources?	<u>X</u>	<u> </u>
3. Will the action have a significant effect on the commercial or recreational use of fish and wildlife resources?	<u> </u>	<u>X</u>
4. Will the action be located in or have a significant effect upon a scenic resource of statewide significance?	<u> </u>	<u>X</u>
5. Will the action have any significant visual effect upon a natural or manmade resource which contributes to the scenic quality of the coastal area?	<u> </u>	<u>X</u>
6. Will the action be located on or significantly affect the conservation of important agricultural lands?	<u> </u>	<u>X</u>
7. Will the action significantly affect existing or the development of future water dependent uses?	<u> </u>	<u>X</u>
8. Will the action have a significant effect upon the operation of the State's major ports?	<u> </u>	<u>X</u>
9. Will the action significantly affect land or water uses in and adjacent to the State's small harbors?	<u> </u>	<u>X</u>
10. Will the action require new or expansion of public services or infrastructure into undeveloped or low density areas of the coast?	<u> </u>	<u>X</u>
11. Does the action involve an energy facility?	<u>X</u>	<u> </u>
12. Will the action be located in or significantly affect development in designated flood or erosion hazard areas or on a beach, dune, barrier island, or other feature that functions as a natural protection feature against erosion or flooding?	<u> </u>	<u>X</u>
13. Does the action involve mining, excavation or dredging within coastal waters and require a DEC permit?	<u> </u>	<u>X</u>
14. Will the action result in a reduction of existing or potential public access to or along the shore?	<u> </u>	<u>X</u>
15. Will the action affect existing or potential recreation opportunities?	<u> </u>	<u>X</u>
16. Will the action affect any structures, districts, areas, or sites of historic, archeological or cultural significance listed on the National or State Registers of Historic Places.	<u> </u>	<u>X</u>
17. Will the action be located in the New York City approved local waterfront revitalization area?	<u> </u>	<u>X</u>

(d) If you answered no to all questions other than #17 in section (c) on this form, then sign at the space indicated in (h) below, and forward as indicated with all required material.

(e) If you answered yes to question #17 and to one or more additional questions in section (c) above, then the action must be analyzed in more detail against the policies of the New York City Waterfront Revitalization Program. Copies of the New York City Program are available by contacting the Department of City Planning.

(f) If you answered yes to one or more questions in section (c) on this form, and no to question #17, the action must be analyzed in more detail against the policies of the New York State Coastal Management Program and, if necessary, modified prior to making a certification of consistency pursuant to 15 CFR § 930.57. If

an action cannot be certified as consistent with the coastal policies, it shall not be undertaken. Copies of the N.Y.S. program document, containing a full statement of the policies as well as guidelines and illustrative examples, are available at N.Y.S. Department of Environmental Conservation regional offices, county and regional planning agency offices, and at the offices of the clerk of each city, town and village in the coastal zone.

(g) Applicants who have answered yes to one or more questions in section (c) above, and shall therefore have reviewed in greater detail the coastal policies of either New York State's Coastal Management Program or the City of New York Waterfront Revitalization Program, shall below, or on a separate page(s):

(i) identify which of the policies are affected,

(ii) briefly assess the effects of their proposal on the coastal policies identified in (i) above, and

(iii) make a brief statement indicating why the proposal is consistent with each of the policies identified in (i) as being affected.

See Attachment 1 for assessment of consistency of project within coastal policies.

(h) This proposed activity complies with N.Y. State's approved coastal management program and will be conducted in a manner consistent with such program.

Preparer's Name: J. M. Toennies JM Toennies Telephone #: 315-428-6627

Niagara Mohawk Power Corp.
Address: 300 Erie Blvd. West C-3 Date: June 25, 1984
Syracuse, NY 13202

Submit a signed copy of this form with your permit application to the Federal agency. Submit the original along with the completed application and all material required for the Federal license or permit to the Division of Local Government and Community Services, N.Y.S. Department of State, 162 Washington Avenue, Albany, New York, 12231.

If you have any questions regarding this form, contact the Department of State at (518) 474-6000.

NOTE: This completed form and accompanying information will be used by the Department of State in its evaluation of the consistency of the proposed action with the State's Coastal Management Program.

ASSESSMENT OF CONSISTENCY OF
NINE MILE POINT NUCLEAR STATION UNIT 2
WITH NEW YORK STATE COASTAL POLICIES

New York State's coastal policies are identified and described in a document prepared jointly by the National Oceanic and Atmospheric Administration (Office of Coastal Zone Management) and the New York Department of State entitled State of New York Coastal Management Program and Final Environmental Impact Statement. A detailed assessment of the environmental impacts associated with the proposed operation of the Nine Mile Point Nuclear Station Unit 2 (Unit 2), including impacts on coastal resources, is presented in a document prepared by Niagara Mohawk entitled Environmental Report - Operating License Stage (ER-OLS). This document was submitted to the Nuclear Regulatory Commission on January 31, 1983, in support of an operating license application for Unit 2.

Identified below are those coastal policies of the State which are potentially affected by the issuance of an operating license for Unit 2. In respect to each of the applicable coastal policies identified, the anticipated effects of Unit 2 operations are briefly addressed. Where appropriate, references to the Unit 2 ER-OLS are provided for detailed discussion. A concluding statement concerning the consistency of Unit 2 with the applicable coastal policy is also provided.

POLICY 7 Significant coastal fish and wildlife habitats will be protected, preserved and, where practical, restored as to maintain their viability as habitats.

Niagara Mohawk has contacted the NYS Department of Environmental Conservation (NYSDEC) to identify significant coastal fish and wildlife habitats (as defined in the Policy discussion) which would be affected by the operation of Unit 2. The only significant area identified by NYSDEC is the nearshore area of Lake Ontario between the Salmon River and the City of Oswego, including the area immediately offshore from Unit 2. This stretch of coastline is considered an important non-breeding waterfowl winter concentration area, as described in Section 2.4.1.1.3.2 of the Unit 2 ER-OLS. The Nine Mile Point site is also located on the Atlantic flyway which is utilized heavily by migrating birds during spring and fall migrations.

The height (541 ft.) and width (405 ft. at the base) of the Unit 2 natural draft cooling tower present a potential hazard to waterfowl in the winter concentration area and to migratory species of birds, particularly at night and during adverse weather conditions. However, as discussed in detail in



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Section 5.3.3.2.3 of the Unit 2 ER-OLS, waterfowl can readily avoid large structures such as cooling towers. In addition, migrating waterfowl and hawks are most active diurnally when orientation is generally not a problem. Studies have indicated that only a small percentage of the birds that collide with towers or other obstructions are waterfowl or hawks. Mortality to passerines has also been found to be low at operating plants and conditions contributing to high avian mortality (low ceilings during migratory periods) are predicted to be very uncommon in the vicinity of the Unit 2 cooling tower.

On this basis, no adverse impacts related to the Unit 2 cooling tower are anticipated on waterfowl concentrations along the coastline and the operation of Unit 2 will be consistent with Coastal Policy 7.

POLICY 8 Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bioaccumulate in the food chain or which cause significant sublethal or lethal effect on those resources.

Based on operating experience at Nine Mile Point Unit 1, less than 1000 kilograms per month of hazardous wastes (as defined in Policy 8 and 6NYCRR Part 366) will be generated at Unit 2. The types of wastes anticipated include waste oils, solvents, acids and bases. All hazardous wastes generated at Unit 2 will be managed in accordance with Federal and State regulations and will be disposed of off-site at an authorized treatment, storage or disposal facility.

Conventional liquid waste streams such as condenser cooling water (cooling tower blowdown), treated sanitary wastes and treated radioactive wastes will be discharged to Lake Ontario in accordance with State Pollutant Discharge Elimination System (SPDES) Permit effluent limitations and monitoring requirements.

Radioactive gaseous effluents from Unit 2 will be released to the environment in amounts below the allowable limits established by 10CFR20, 10CFR50, and 40CFR190.

Solid radwaste material generated at Unit 2 will be packaged in approved shipping containers that meet the requirements of 10CFR71 and 49CFR173 and shipped to licensed off-site disposal locations. Non-radioactive solid waste material such as sludge which accumulates in the cooling tower basin, employee lunch wastes, etc., will be transported off-site for disposal at a landfill authorized to operate under 6NYCRR Part 360.



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Since all hazardous wastes and other pollutants emanating from Unit 2 will be treated, monitored and/or disposed in accordance with applicable Federal and State regulations, no significant sublethal or lethal effects on fish and wildlife in the coastal area are expected to occur. This conclusion is supported by aquatic ecological studies conducted for Nine Mile Point Unit 1 and the adjacent J. A. Fitzpatrick Nuclear Power Plant from 1972 to the present which have revealed no measurable impacts on aquatic biota related to power plant discharges.

For the reasons stated above, the operation of Unit 2 will be consistent with Coastal Policy 8.

POLICY 9 Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources.

No sites suitable for providing formal public recreational use of fish and wildlife resources (e.g., fishing access) exist within the Unit 2 project area. Shoreline topography, safety and Nuclear Regulatory Commission (NRC) security requirements are the primary limiting factors.

As indicated in Section 2.2.1.2 of the Unit 2 ER-OLS, several shoreline recreational facilities exist within 10 miles of Unit 2 which provide public access to fish and wildlife resources. These facilities adequately satisfy public demand for recreational opportunities of this nature. Therefore, the limitations on public access at Unit 2 will not adversely restrict public use of coastal fish and wildlife resources.

On this basis, the operation of Unit 2 will be consistent with Coastal Policy 9.

POLICY 18 To safeguard the vital economic, social and environmental interests of the State and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the safeguards which the state has established to protect valuable coastal resource areas.

The economic, social and environmental implications of Unit 2 are comprehensively addressed in the ER-OLS.

Unit 2 is being built to meet the electricity needs of New York State as projected by the State Energy Master Plan and to fulfill the owner utilities' statutory and regulatory



obligations to provide a reliable supply of electric power at reasonable cost. In addition, Unit 2 will make a key contribution toward relieving New York State's present over-reliance on oil, much of it imported from foreign sources. During full operation, the plant will displace about 30,000 barrels of oil per day. The estimated oil displacement during the 40-year life of the plant is about 240,000,000 barrels at a cost of approximately \$8 billion at today's prices, not considering anticipated oil price escalation.

The economic and social benefits of Unit 2 will be realized without significantly impairing valuable coastal waters and resources. Thus, the operation of Unit 2 will be consistent with Coastal Policy 18.

POLICY 22 Development when located adjacent to the shore will provide for water-related recreation whenever such use is compatible with reasonably anticipated demand for such activities, and is compatible with the primary purpose of the development.

As indicated in respect to Coastal Policy 9, the suitability of the Unit 2 site for the development of water-related recreational facilities is limited by shoreline topography, safety and NRC security requirements. Outdoor recreational opportunities are provided, however, by several existing shoreline recreational facilities located in the vicinity of Unit 2, including the Energy Information Center, operated jointly by Niagara Mohawk and the New York Power Authority. In addition to the Center's free, three-part energy information show and many exhibits, visitors can enjoy picnicking and a scenic view of Lake Ontario from a wooded bluff location just west of Nine Mile Point Unit 1.

For the reasons stated above, the operation of Unit 2 will be consistent with Coastal Policy 22.

POLICY 25 Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.

Since the industrial character of the project area has long been established with the completion of Nine Mile Point Unit 1 and the J. A. Fitzpatrick Nuclear Power Plant, the change in visual quality associated with Unit 2 is marginal. The view of the natural draft cooling tower is the only noticeable change.



The Unit 2 cooling tower is a concrete, hyperbolic shaped structure standing 541 ft. high and 405 ft. in diameter at the base. Depending on meteorological conditions, the natural draft cooling tower will emit evaporative plumes that may be visible from locations within 10 miles of the plant.

Starting in April and extending through September, when recreational activities on the lake and along the shoreline are frequent, the cooling tower will be visible from the shoreline by fishermen, recreational users, and others at facilities such as the Ontario Bible Conference Association Camp (a lake-front facility bordering the site on the west). Depending on individual values, the cooling tower may be viewed favorably by some as a coastal landmark while others will perceive the tower as a visual intrusion.

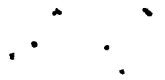
Unit 2 will not significantly impact the overall visual character of the area and, therefore, is consistent with Coastal Policy 25.

POLICY 27 Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need for a shorefront location.

As stated in respect to Coastal Policy 18, Unit 2 is being built to meet the electricity needs of New York State as projected by the State Energy Master Plan. Even with conservation efforts, the State Energy Master Plan projects that use of electricity will increase 1.6 percent per year, and that Unit 2 is needed to meet these increased needs.

The environmental compatibility of Unit 2 has been completely addressed and fully scrutinized during the project licensing proceedings. Prior to receiving a Construction Permit for Unit 2, detailed environmental studies were performed. The findings of these studies were presented in the Final Environmental Impact Statement (FEIS) related to the construction of Unit 2 which was issued by the Atomic Energy Commission (now the Nuclear Regulatory Commission) in June 1973. The FEIS concluded that the overall benefits to be expected from construction and operation of the Station would substantially outweigh the economic and environmental costs incurred.

The projected environmental effects of Unit 2 operations are discussed in detail in the Unit 2 ER-OLS which was submitted to the NRC on January 31, 1983, in support of Niagara Mohawk's application for an operating license. The NRC



is presently reviewing this document and is expected to issue a Draft Environmental Impact Statement related to the operation of Unit 2 in July 1984.

It is expected that the operating licensing proceeding will also conclude that the unavoidable adverse impacts related to Unit 2 are minor relative to the projected benefits of the project.

For the reasons stated above, the operation of Unit 2 will be consistent with Coastal Policy 27.

POLICY 30 Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances into coastal waters will conform to State and National water quality standards.

The various wastestreams emanating from Unit 2 are described in detail in Sections 3.4, 3.5 and 3.6 of the ER-OLS. Compliance of wastewater discharges to Lake Ontario with state and federal water quality standards is addressed in ER-OLS Sections 5.3, 5.4 and 5.5.

Discharges from the radioactive liquid waste system will meet the limits of 10CFR20 and the guidelines of Appendix I to 10CFR50. All non-radioactive waste discharges to Lake Ontario are regulated in accordance with SPDES Permit requirements.

On February 23, 1977, the NYSDEC issued a 401 Water Quality Certification for Unit 2. On July 1, 1983, Niagara Mohawk obtained a combined SPDES Permit (No. NY0001015) for Nine Mile Point Units 1 and 2. The SPDES Permit identifies effluent limitations monitoring and reporting requirements applicable to the various wastewater discharges from both units.

Solid radioactive wastes and hazardous non-radioactive wastes generated at Unit 2 will be transported off-site for disposal at an authorized facility; therefore, no impacts on Lake Ontario will occur.

Since all wastewater discharges to Lake Ontario will conform with State and federal water quality standards, the operation of Unit 2 will be consistent with Coastal Policy 30.



POLICY 36 Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practical efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.

Preventative and mitigative procedures addressing potential spills of oil and other hazardous substances at Unit 2 will be developed prior to initial start-up. These procedures will be incorporated into a Spill Prevention Control and Countermeasure (SPCC) Plan prepared in accordance with 40CFR112. The SPCC Plan will identify: (1) the possible sources of oil spillage and leakage at Unit 2; (2) the preventative measures which will be taken to avoid oil spills (e.g. oil/water separators, curbing, etc.); (3) the containment and clean-up measures which will be implemented to mitigate adverse consequences in the event of a spill; and (4) the notification and reporting procedure which will be followed in the event of a spill.

The oil spill prevention and contingency procedures developed for Unit 2 will be similar to the procedures which have been implemented for Nine Mile 1. The effectiveness of these procedures is evidenced by the fact that Nine Mile 1 has not experienced any spill resulting in an oil discharge to Lake Ontario over its 15 year operating life.

For the reasons stated above, operation of Unit 2 will be consistent with Coastal Policy 36.

POLICY 37 Best management practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.

The Unit 2 site area will be graded, seeded and landscaped to minimize soil erosion. In addition, the shoreline revetment ditch system will prevent shoreline erosion.

For these reasons, the operation of Unit 2 will be consistent with Coastal Policy 37.

POLICY 39 The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.

Non-hazardous, non-radioactive solid wastes which are accumulated at Unit 2 such as cooling tower sludge, lunch wastes, paper, etc. will be periodically transported off-site for disposal at a facility authorized under 6NYCRR Part 360. Solid radwaste material generated at Unit 2 will be packaged in approved shipping containers that meet the requirements of 10CFR71 and 49CFR173 and shipped to licensed off-site disposal locations. Non-radiological hazardous wastes (as defined in 6NYCRR Part 366) such as waste oil, acids and bases and spent solvents will be handled and temporarily stored on-site in accordance with 6NYCRR Part 365 requirements. All hazardous wastes generated at Unit 2 will be periodically transported off-site for disposal or recycling at a treatment or disposal facility authorized to operate under 6NYCRR Part 360.

For the reasons stated above, the operation of Nine Mile 2 will be consistent with Coastal Policy 39.

POLICY 40 Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality standards.

A detailed assessment of the anticipated effects of wastewater discharges to Lake Ontario, including thermal discharges, is presented in Sections 5.3, 5.4 and 5.5 of the Unit 2 ER-OLS. The conclusion of this assessment is that effluent discharges from Unit 2 will not significantly impact fish and wildlife resources and will conform to New York State water quality standards. On this basis, operation of Unit 2 will be consistent with Coastal Policy 40.



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POLICY 41 Land use or development in the coastal area will not cause national or state air quality standards to be violated.

The only sources of air emissions at Unit 2 are the main stack, the combined radwaste/reactor building vent, the natural draft cooling tower, the standby emergency diesels and the diesel fire pump exhaust. Gaseous effluents are released to the environment via the main stack or combined radwaste/reactor building vent after processing through the radioactive gaseous waste system (see Section 3.5 of the ER-OLS). This system is designed such that releases from the plant will comply with limits established by 10CFR20, 10CFR50 and 40CFR190.

As described in Section 5.5 of the Unit 2 ER-OLS, the predicted particulate concentrations resulting from cooling tower drift emissions are several orders of magnitude below state and federal air quality standards. The NYSDEC has issued a permit to construct the Unit 2 cooling tower pursuant to 6NYCRR Part 201.

The Unit 2 emergency diesel generators and diesel-driven fire pump will operate in compliance with the New York State limits of 40 percent opacity (maximum) or 20 percent opacity (average) for a period of 3 minutes during any continuous 60 minute period.

For the reasons stated above, air quality standards will be met and the operation of Unit 2 will be consistent with Coastal Policy 41.



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REFERENCES

Environmental Report - Operating License Stage. Nine Mile Point Nuclear Station Unit 2. Niagara Mohawk Power Corporation. Volumes 1-3. January 1983.

Final Environmental Statement Related to Construction of Nine Mile Point Nuclear Station Unit 2. Niagara Mohawk Power Corporation Docket No. 50-410. United States Atomic Energy Commission Directorate of Licensing. June 1973.

New York State Energy Master Plan and Long-Range Electric and Gas Report. New York State Energy Office. Draft Report. August 1983.

State of New York Coastal Management Program and Final Environmental Impact Statement. National Oceanic and Atmospheric Administration and New York Department of State. August 1982.

State Pollutant Discharge Elimination System Discharge Permit. Nine Mile Point Nuclear Station Units 1 and 2. New York State Department of Environmental Conservation. July 1, 1983.

Telephone Communication Between B. Swift, New York State Department of Environmental Conservation, Division of Fish and Wildlife, and J. A. Miakisz, Niagara Mohawk Power Corporation. April 1984.

401 Water Quality Certification. Nine Mile Point Nuclear Station Unit 2. New York State Department of Environmental Conservation. Correspondence from William L. Garvey, NYSDEC, to J. M. Toennies, Niagara Mohawk Power Corporation. February 23, 1977.

The following information was obtained from the records of the
Department of the Interior, Bureau of Land Management, on
the subject of the above-captioned tract of land.
The tract of land described in the foregoing is
situated in the County of _____, State of _____,
and is more particularly described in the following
manner: _____
The above-described tract of land is owned by _____,
and is being offered for sale to the highest bidder
at public auction on _____ at _____ o'clock
of the day of _____ at _____
The tract of land described in the foregoing is
being offered for sale to the highest bidder at
public auction on _____ at _____ o'clock
of the day of _____ at _____
The tract of land described in the foregoing is
being offered for sale to the highest bidder at
public auction on _____ at _____ o'clock
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