

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of)
)
DUKE POWER COMPANY) Docket Nos. 50-270 and 50-287
)
(Oconee Nuclear Station)
Units 2 and 3))

DETERMINATION NOT TO SUSPEND CONSTRUCTION ACTIVITIES
AT THE OCONEE NUCLEAR STATION AUTHORIZED PURSUANT TO CPPR-34 AND CPPR-35
PENDING COMPLETION OF NEPA ENVIRONMENTAL REVIEW

Duke Power Company (the licensee) is the holder of Provisional Construction Permits Nos. CPPR-34 and CPPR-35 (the construction permits) issued by the Atomic Energy Commission on November 6, 1967. The provisional construction permits authorize the licensee to construct two pressurized water nuclear power reactors designated as the Oconee Nuclear Station Units 2 and 3, at a site in Oconee County, South Carolina, approximately eight miles northeast of Seneca, South Carolina. Each facility is designed for initial operation at approximately 2452 megawatts (thermal).

In accordance with section E.3 of the Commission's regulations implementing the National Environmental Policy Act of 1969 (NEPA), Appendix D of 10 CFR Part 50 (Appendix D), the licensee has furnished to the Commission a written statement of reasons, with supporting factual submission, why the construction permits should not be suspended, in whole or in part, pending completion of the NEPA environmental review.

The Director of Regulation has considered the licensee's submission in light of the criteria set out in section E.2 of Appendix D, and has determined, after considering and balancing the criteria in section E.2 of Appendix D, that

8001140 641

construction activities at the Oconee Nuclear Station authorized pursuant to CPPR-34 and CPPR-35 should not be suspended pending completion of the NEPA environmental review.

Further details of this determination are set forth in a document entitled "Discussion and Findings by the Division of Reactor Licensing, U. S. Atomic Energy Commission, Relating to Consideration of Suspension Pending NEPA Environmental Review of the Construction Permits for the Oconee Nuclear Station Units 2 and 3, Duke Power Company, AEC Docket Nos. 50-270 and 50-287, November 19, 1971."

Pending completion of the full NEPA review, the holder of Provisional Construction Permits Nos. CPPR-34 and CPPR-35 proceeds with construction at its own risk.

The determination herein and the discussion and findings referred to above do not preclude the Commission, as a result of its ongoing environmental review, from continuing, modifying or terminating the construction permits or from appropriately conditioning the permits to protect environmental values.

Any person whose interest may be affected by this proceeding, other than the licensee, may file a request for a hearing within thirty (30) days after publication of this determination in the FEDERAL REGISTER. Such request shall set forth the matters, with reference to the factors set out in section E.2 of Appendix D. alleged to warrant a determination other than that made by the Director of Regulation and shall set forth the factual basis for the request. If the Commission determines that the matters stated in such request warrant a hearing, a notice of hearing will be published in the FEDERAL REGISTER.

The licensee's statement of reasons, furnished pursuant to section E.3 of Appendix D, as to why the construction permits should not be suspended pending completion of the NEPA environmental review, and the document entitled "Discussion and Findings by the Division of Reactor Licensing, U. S. Atomic Energy Commission Relating to Consideration of Suspension Pending NEPA Environmental Review of the Construction Permits for the Oconee Nuclear Station Units 2 and 3, Duke Power Company, AEC Docket Nos. 50-270 and 50-287, November 19, 1971," are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. and at the Oconee County Library, 201 S. Spring Street, Walhalla, South Carolina 29691. Copies of the "Discussion and Findings" document may be obtained upon request addressed to the United States Atomic Energy Commission, Washington, D. C. 20545, Attention: Director, Division of Reactor Licensing.

FOR THE ATOMIC ENERGY COMMISSION

(signed) L. Manning Muntzing

L. Manning Muntzing
Director of Regulation

Dated at Bethesda, Maryland
this 20 day of November 1971