

2 files

THIS DOCUMENT CONTAINS
POOR QUALITY PAGES
DEC 1 1970

Docket No. 50-346

Honorable Delbert L. Latta
House of Representatives

Dear Mr. Latta:

I am pleased to reply to your letter of October 6, 1970, which enclosed a letter from Mr. Marvin Tabbert.

Under the National Environmental Policy Act of 1969, each Federal agency is required to consult with appropriate Federal, State, and local agencies concerning major Federal actions significantly affecting the quality of the human environment and to prepare a detailed statement concerning, among other things, the environmental impact of the proposed action. An environmental report has been prepared by the Toledo Edison Company for the Davis-Besse Nuclear Power Station. A copy of the report has been sent to the Governor and the Council on Environmental Quality, and has been made available to appropriate Federal, State, and local agencies for comment. After the conclusion of the comment period, the regulatory staff will prepare a detailed environmental statement which will include a discussion of any problems or objections raised and the disposition thereof. A copy of the statement when completed will be forwarded to you.

The Division of Reactor Licensing and the Advisory Committee on Reactor Safeguards completed their reviews of the Davis-Besse Nuclear Power Station and have concluded the proposed facility can be constructed with reasonable assurance that it can be operated without undue risk to the health and safety of the public. These reviews covered all aspects of the proposed plant design to meet the requirements set forth in 10 CFR Part 20 and 10 CFR Part 100, of the Commission's regulations on matters related to the health and safety of the general public. The results of these reviews are set forth in a Safety Evaluation Report dated November 2, 1970. A copy of this report is enclosed for your information.

On June 4, 1970, The Toledo Edison Company and The Cleveland Electric Illuminating Company (the applicants) requested an exemption from the provisions of 10 CFR 50.10(b) of the Commission's regulations to permit certain below grade construction to be performed prior to issuance of a construction permit.

At our request, the applicants submitted additional information to support the justification of the public need for the Davis-Besse generating capacity and the need for the requested exemption to meet the date of December, 1974 *d*

OFFICE ▶					
SURNAME ▶					8003061055
DATE ▶					

u

Honorable Galbert L. Latta

- 2 -

for operation of the plant. A copy of the applicant's letter dated August 12, 1970, providing justification of public need for the Davis-Besse generating capacity for the December 1974 predicted energy requirement, is enclosed.

On September 10, 1970, the Atomic Energy Commission granted the exemption pursuant to 10 CFR 50.12. A copy of our letter to the applicants granting the exemption request is also enclosed.

Enclosed are copies of comments provided by the Federal Power Commission and the State of Ohio Department of Health containing additional information on the public need for the electrical capacity of the proposed Davis-Besse plant.

The public hearing to consider the application for the Davis-Besse construction permit will be held on December 8, 1970, in Port Clinton, Ohio.

Sincerely,

(signed) Harold L. Price

Harold L. Price
Director of Regulation

Enclosures:

1. DRL Safety Evaluation Report
2. Letter granting Exemption Request
3. Toledo Edison ltr. to Mr. H. L. Price dated August 12, 1970
4. Federal Power Commission Comments on the Davis-Besse Plant
5. State of Ohio Department of Health comments on the Davis-Besse Plant
6. Ltr. fm. Mr. Tabbert, 8/31/70

Distribution:

PDR (50-346) RL Tedesco
 Docket (50-346) Gertter (DR-2848)
 DR Reading VWilson
 DRL Reading OCR (2)
 BWR-2 File R Powell
 HL Price H Steele (2)
 PAMorris
 RS Boyd

CRESS T69, R05,06	OFFICE ▶ DRL: BWR-2 RPowell RL Tedesco	DRL FSchroeder	DRL PAMorris	DR HLPrice	DR ocr R
SURNAME ▶	11/17/70	11/19/70	11/17/70	11/27/70	11/30/70
DATE ▶					

5mm

Docket No. 50-346

Honorable Delbert L. Latta
House of Representatives

Dear Mr. Latta:

On June 4, 1970
The Toledo Edison Company and
The Cleveland Electric Illuminating Co. (the applicants)
requested an exemption from the provisions of
10 CFR 50.10(b) of the Commission's regulations to
permit certain below grade construction to be performed
prior to issuance of a construction permit.

I am pleased to reply to your letter of October 6, 1970, which enclosed
a letter from Mr. Marvin Tabbert. ~~With regard to Mr. Tabbert's concern
regarding the routing of transmission lines, we lack authority in this
matter and are not able to comment on the concerns raised in his letter.~~

done
11/11

The Division of Reactor Licensing and the Advisory Committee on Reactor
Safeguards completed their reviews of the Davis-Besse Nuclear Power
Station and have concluded the proposed facility can be constructed with
reasonable assurance that it can be operated without undue risk to the
health and safety of the public. These reviews covered all aspects of
the proposed plant design to meet the requirements set forth in 10 CFR
Part 20 and 10 CFR Part 100, of the Commission's regulations on matters
related to the health and safety of the general public. The results of
these reviews are set forth in a Safety Evaluation Report dated November 2,
1970. A copy of this report is enclosed for your information.

On September 10, 1970, the Atomic Energy Commission granted ^{the} exemption
pursuant to 10 CFR 50.12 ~~from provisions of 10 CFR 50.10(b) to The Toledo
Edison Company and The Cleveland Electric Illuminating Company (the appli-
cants) on their behalf to permit certain below grade construction to be
performed prior to issuance of a construction permit. Enclosed also is~~
A copy of our letter to the applicants granting the exemption request. ^{is also enclosed.}

The applicants submitted ^{at our request} additional information to support
the justification of the public need for the Davis-Besse generating
capacity and the need for the exemption requested ^{construction} to meet
the operational date of December 1974. ^{Enclosed is} A copy of the appli-
cants' letter dated August 12, 1970, providing justification of public
need for the Davis-Besse generating capacity for the December 1974 pre-
dicted energy requirement, ^{is enclosed.} ^{for operation of the plant}

The Federal Power Commission reviewed the information provided by the
applicants and concluded the public need for the Davis-Besse generating
capacity was justified.

MLR

OFFICE ▶

SURNAME ▶

DATE ▶

Honorable Delbert L. Latta

- 2 -

Comments provided by

Enclosed are copies of the Federal Power Commission and the State of Ohio Department of Health ~~reports~~ containing additional information on the public need for the electrical capacity of the proposed Davis-Besse plant.

The public hearing to consider the application for the Davis-Besse construction permit will be held on December 8, 1970, in Port Clinton, Ohio.

Sincerely,

Harold L. Price
Director of Regulation

Enclosures:

1. DRL Safety Evaluation Report
2. Letter granting Exemption Request
3. Toledo Edison ltr. to Mr. M. L. Price dated August 12, 1970
4. Federal Power Commission comments on the Davis-Besse Plant
5. State of Ohio Department of Health comments on the Davis-Besse Plant
6. Ltr. fm Mr. Tabbert, 8/31/70

Distribution:

- PDR (50-346)
- Docket (50-346)
- DR Reading
- DRL Reading
- BWR-2 File
- HLPrice
- PAMorris
- RSBoyd
- RLTedesco
- Gertler (DR-2848)
- VWilson
- OCR (2)
- RPowell
- HSteele (2)

As Marked

See attached sheet for other concurrences

CRESS	OFFICE	DRL	OGC	DRL	DRL	DR
T38 R5-6	SURNAME	RPowell:th	RSBoyd	PAMorris	FSchroeder	HLPrice
DATE		11/12/70	11/ /70	11/ /70	11/13/70	11/ /70

Honorable Delbert L. Latta

- 2 -

Enclosed are copies of the Federal Power Commission and the State of Ohio Department of Health comments containing additional information on the public need for the electrical capacity of the proposed Davis-Besse plant.

The public hearing to consider the application for the Davis-Besse construction permit will be held on December 8, 1970, in Port Clinton, Ohio.

Sincerely,

Peter A. Morris, Director
Division of Reactor Licensing

Enclosures:

1. DRL, Safety Evaluation Report
2. Letter granting Exemption Request
3. Toledo Edison ltr. to Mr. H. L. Price dated August 12, 1970
4. Federal Power Commission comments on the Davis-Besse Plant
5. State of Ohio Department of Health comments on the Davis-Besse Plant

Distribution:

- PDR (50-346)
- Docket (50-346)
- DR Reading
- DRL Reading
- BWR-2 File
- H. L. Price
- C. L. Henderson
- P. A. Morris
- R. S. Boyd
- R. L. Tedesco
- J. Cook
- G. Ertter
- V. Wilson
- OCR (2)
- J. Felton
- R. Powell
- H. Steele (2)

CRESS	OFFICE ▶	DRL: BWR-2	DRL	OGC	DR	DRL	DRL
T66, R03, 04	SURNAME ▶	RPowell:blv RLTedesco	RSBoyd	EW	CLHenderson	FSchroeder	PAMorris
	DATE ▶	11/8/70	11/9/70	11/10/70	11/ /70	11/ /70	11/ /70