

JAN 24 1972

Docket No. 50-346

THIS DOCUMENT CONTAINS
POOR QUALITY PAGES

Mr. J. W. Penfold
Conservation Director
The Isaak Walton League
of America, Inc.
Suite 806
1800 N. Kent Street
Arlington, Virginia 22209

Dear Mr. Penfold:

I am pleased to respond to your letter to Chairman Schlesinger regarding the Davis-Besse Nuclear Power Station. I have delayed this letter pending recent discussions on the status of the proposed dredging permit with the Army Corps of Engineers and the Applicants, The Toledo Edison Company and The Cleveland Electric Illuminating Company.

As you know, the Applicants applied to the Corps of Engineers on August 19, 1971, for a permit to dredge a 2810-foot long channel from deep water in Lake Erie to the beach front at the intake canal, permitting barge delivery of the reactor pressure vessel. The Corps of Engineers issued a notice on September 3, 1971, that it was considering the permit, and received sufficient public expression of concern to seek additional information from the Applicants. The Corps of Engineers informed the Applicants of the public's objections, and gave the Applicants the opportunity to resolve or refute the objections. The Applicants now have this matter under consideration, and have not yet advised the Corps of Engineers as to the course of action they will take.

In accordance with the National Environmental Policy Act of 1969 (NEPA), the AEC is performing a complete environmental review of this project. We are preparing a draft statement concerning the environmental impact of the Davis-Besse Nuclear Power Station. This draft environmental statement will include an analysis of the impact of the dredging operation. We expect to issue this draft environmental statement for review by Federal, State and local agencies, and interested persons by late summer 1972.

This environmental statement will be available in the AEC Public Document Room in Washington, D. C., and the Ida Rupp Public Library in Port Clinton, Ohio. In view of your interest in this matter, I will forward a copy of the draft environmental statement to you as soon as it is completed.

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Mr. J. W. Penfold

After receipt and evaluation of all comments received on the draft environmental statement, the Director of Regulation will issue a final environmental statement. This final environmental statement will include our conclusions on the matter and will also be available to the public. After this final environmental statement is prepared the Commission will hold a public hearing to consider the environmental issues in relation to construction of this facility.

For your convenience I am enclosing a copy of the revised Appendix D of 10 CFR Part 50. I am also enclosing a copy of our Discussion and Findings (Relating to Consideration of Suspension Pending NEPA Environmental Review of the Construction Permit). In the Discussion and Findings we concluded that the construction permit should not be suspended pending completion of the NEPA review. This action was taken in accordance with Section E of Appendix D.

A copy of the Applicants' Supplement to the Environmental Report (2 volumes), November, 1971, is being sent to you under separate cover. In Section 6.3 of that report the Applicants describe the proposed dredging of the channel. This work will be required to be performed in accordance with the applicable requirements of Section 21b of the Federal Water Pollution Control Act.

Concerning item 4c of the letter you enclosed from the Citizens for Clean Air & Water, specific reactor safety features, such as the Emergency Core Cooling System, are carefully evaluated prior to the issuance of a license to operate a nuclear power plant. The AEC will continue to give priority attention to all such safety systems.

Prior to the issuance of the construction permit sixteen days of public hearings were held in Port Clinton, Ohio, during the period December 1970 through February 1971. During these hearings many of the concerns expressed by Mrs. Stubbins were presented to the Atomic Safety and Licensing Board. On March 23, 1971, the Board authorized the Director of Regulation to issue the construction permit. Construction Permit No. CFP-80 was issued on March 24, 1971.

If we can provide further information, please contact us.

Sincerely,

Original Signed by
Chris L. Henderson

[Signature]
L. Manning Muntzing
Director of Regulation

1/13/72

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Enclosures:

- 1. Appendix D, 10 CFR Part 50
- 2. Discussion and Findings November 30, 1971
- 3. Supplement to Environmental Report, November 1971 (under separate cover)

cc w/o encl: Col. Myron D. Snook
 District Engineer
 Corps of Engineers
 Detroit, Michigan

DISTRIBUTION (w/o encl):

Docket File (Environ.) Supplement to the Environmental Report (2 volumes), AEC PDR, 1971, is being sent to you under separate cover. In Section 4.3 Local PDR the Applicants describe the proposed dredging of the channel. REP File (Xerox original) to be performed in accordance with the applicable H. K. Shapar, OGC Section 21b of the Federal Water Pollution Control Act. P. A. Morris, DRL
 PWR-3 File Item 4c of the letter you enclosed from the Citizens for Clean D. Crutchfield, DRL is regarding safety features, such as the Emergency Core R. DeYoung, DRL are carefully evaluated prior to the issuance of a license P. Wallig, OGC nuclear power plant. The AEC will continue to give priority J. Yore, ASLB all such safety systems.
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 L. M. Muntzing
 G. Ertter
 H. Thornburg, REP
 G. Blanc, REP
 J. Keppler, REP
 C. Domeck, REP

DR Control # 3910

REP:BR
 JKeppler
 1/13/72

Sincerely,
 Signed Digit by
 L. Muntzing
 Director of Regulation

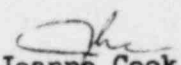
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November 16, 1971

1. Mr. Hoffmann
A-241

May we have your advice on filing the attached letter in the Public Document Room?

Ref: Ltr J. Penfold (Izaak Walton League)
to Schlesinger, 11/2/71
Docket No. 50-346


Jeanne Cook
Office of the Director
of Regulation

2. Jeanne Cook
008 Bethesda

Approved for filing in PDR.

Document not to be filed in the PDR.

Martin R. Hoffmann
General Counsel

rec'd DR 11/25/71