

May 26, 1988

Docket Nos.: 50-269, 50-270
and 50-287

Mr. H. B. Tucker, Vice President
Nuclear Production Department
Duke Power Company
422 South Church Street
Charlotte, North Carolina 28242

Dear Mr. Tucker:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS

Enclosed for your information is a "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Opportunity for Hearing" related to your March 15, 1988, request for amendments to the operating licenses for Oconee Nuclear Station, Units 1, 2, and 3. The proposed amendments would modify the Technical Specifications to include operability and surveillance requirements for inadequate core cooling instrumentation. The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by:

Helen N. Pastis, Project Manager
Project Directorate II-3
Division of Reactor Projects - I/II

Enclosure:
Federal Register Notice

cc w/encl.:
See next page

DISTRIBUTION:

Docket File	Oconee Reading
NRC PDR	GPA/PA
Local PDR	ACRS (10)
PDII-3 Reading	D. Hagan
S. Varga	OGC-WF
G. Lainas	D. Matthews
M. Rood	H. Pastis

LA:PDII-3
MRood
5/16/88

PM:PDII-3
HPastis:pw
5/24/88

D:PDII-3
DMatthews
5/26/88

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P PDR

Mr. H. B. Tucker
Duke Power Company

Oconee Nuclear Station
Units Nos. 1, 2 and 3

cc:

Mr. A. V. Carr, Esq.
Duke Power Company
P. O. Box 33189
422 South Church Street
Charlotte, North Carolina 28242

Mr. Paul Guill
Duke Power Company
Post Office Box 33189
422 South Church Street
Charlotte, North Carolina 28242

J. Michael McGarry, III, Esq.
Bishop, Liberman, Cook, Purcell & Reynolds
1200 Seventeenth Street, N.W.
Washington, D.C. 20036

Mr. Robert B. Borsum
Babcock & Wilcox
Nuclear Power Generation Division
Suite 525
1700 Rockville Pike
Rockville, Maryland 20852

Manager, LIS
NUS Corporation
2536 Countryside Boulevard
Clearwater, Florida 33515

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
Route 2, Box 610
Seneca, South Carolina 29678

Regional Administrator, Region II
U.S. Nuclear Regulatory Commission
101 Marietta Street, N.W., Suite 2900
Atlanta, Georgia 30323

Mr. Heyward G. Shealy, Chief
Bureau of Radiological Health
South Carolina Department of Health
and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201

Office of Intergovernmental Relations
116 West Jones Street
Raleigh, North Carolina 27603

Honorable James M. Phinney
County Supervisor of Oconee County
Walhalla, South Carolina 29621

UNITED STATES NUCLEAR REGULATORY COMMISSION
DUKE POWER COMPANY
DOCKET NOS. 50-269, 50-270 AND 50-287
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS
TO FACILITY OPERATING LICENSES AND
OPPORTUNITY FOR HEARING

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. DPR-38, DPR-47, and DPR-55 issued to Duke Power Company (the licensee), for operation of the Oconee Nuclear Station, Units 1, 2, and 3 located in Oconee County, South Carolina.

The proposed amendments would revise the Station's common Technical Specifications (TS) to include operability and surveillance requirements for inadequate core cooling (ICC) instrumentation. The proposal includes revisions to the Table of Contents, Limiting Conditions for Operation and surveillance of ICC instrumentation.

Prior to issuance of the proposed license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By *July 5, 1988*, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing

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Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene, which must include a list of the contentions that are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters

within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-800-325-6000 (in Missouri 1-800-342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to David B. Matthews, Director; Project Directorate II-3; (petitioner's name and telephone number); (date petition was mailed); (plant name); and (publication date and page number of this FEDERAL REGISTER notice). A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to J. Michael McGarry, III, Bishop, Liberman, Cook, Purcell and Reynolds, 1200 17th Street, N.W., Washington, D.C. 20036.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the

presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

If a request for hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated March 15, 1988, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. 20555, and at the Oconee County Library, 501 West South Broad Street, Walhalla, South Carolina 29691.

Dated at Rockville, Maryland, this 27th day of May 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by:

David B. Matthews, Director
Project Directorate II-3
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

LA:PDII-3
MRood
5/16/88

PM:PDII-3
HRestis:pw
5/24/88

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D:PDII-3
DBMatthews
5/26/88


AD72:DPRP:NRR
GCLainas
5/27/88

May 27, 1988

DOCKET NO.S. 50-269/270/287

MEMORANDUM FOR: Rules and Procedures Branch
Division of Rules and Records
Office of Administration

FROM: Office of Nuclear Reactor Regulation

SUBJECT: Oconee Nuclear Station, Units 1, 2, and 3 (Duke Power Company)

One signed original of the *Federal Register* Notice identified below is enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (5) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s); Time for Submission of Views on Antitrust Matters.
- Notice of Consideration of Issuance of Amendment to Facility Operating License.
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Order.
- Exemption.
- Notice of Granting Exemption.
- Environmental Assessment.
- Notice of Preparation of Environmental Assessment.
- Other: _____

NOTE: Please insert a date (30 days from publication) on first page of notice.

Office of Nuclear Reactor Regulation

Enclosure:
As stated

Contact: Marilee Rood
Phone: 21487

OFFICE	PD II-3					
NAME	MRood					
DATE	5/27/88					

May 27, 1988

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Enclosure:
As stated

Contact: **Marilee Rood**
Phone: **21487**

OFFICE	PD. II-3						
SURNAME	MRood						
DATE	5/27/88						