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Docket Nos. 50-269/270/287

Duke Power Company
ATTN: Mr. William O. Parker, Jr.
Vice President
Steam Production
Post Office Box 2178
422 South Church Street
Charlotte, North Carolina 23242

Gentlemen:

The Commission has issued the enclosed Amendment No. 19 to License No. DPR-38; Amendment No. 19 to License No. DPR-47; and Amendment No. 16 to License No. DPR-55 for the Oconee Nuclear Station, Units 1, 2, and 3. The amendments are in response to your application dated February 5, 1976.

These amendments change the wording of condition 2E of the licenses to permit the transfer of byproduct and special nuclear material between each of the three Oconee units.

Copies of the Safety Evaluation and the Federal Register Notice are also enclosed.

Sincerely,

Original signed by
C M Trammell
for

Robert A. Purple, Chief
Operating Reactors Branch #1
Division of Operating Reactors

Enclosures:
1. Amendment No. 19 to DPR-38
2. Amendment No. 19 to DPR-47
3. Amendment No. 16 to DPR-55
4. Safety Evaluation
5. Federal Register Notice

cc w/enclosures:
See next page

JMcGough
JSaltzman
CHebron
Clare Miles OPA

bcc: T. B. Abernathy, DTIE
J. R. Buchanan, NSIC

OFFICE	ORB#1	OELD	ORB#1			
SURNAME	GZech:lb		RAPurple			
DATE	3/02/76	3/ /76	3/ /76			

Form AEC-318 (Rev. 9-53) AECM 0240 ☆ U. S. GOVERNMENT PRINTING OFFICE: 1974-526-166

cc w/enclosures:
Mr. William L. Porter
Duke Power Company
P. O. Box 2178
422 South Church Street
Charlotte, North Carolina 28242

Mr. Troy B. Conner
Conner & Knotts
1747 Pennsylvania Avenue, NW
Washington, D. C. 20006

Oconee Public Library
201 South Spring Street
Walhalla, South Carolina 29691

Honorable Reese A. Hubbard
County Supervisor of Oconee County
Walhalla, South Carolina 29621

cc w/enclosures & incoming:
Office of Intergovernmental
Relations
116 West Jones Street
Raleigh, North Carolina 27603

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

DUKE POWER COMPANY

DOCKET NO. 50-269

OCONEE NUCLEAR STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 19
License No. DPR-38

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment by Duke Power Company (the licensee) dated February 5, 1976, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;

   B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;

   C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;

   D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and

   E. An environmental statement or negative declaration need not be prepared in connection with the issuance of this amendment.

2. Accordingly, the license is amended by changing paragraph 2.E to read as follows:

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

"Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Oconee Nuclear Station, Units 1, 2 and 3."

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by

CMTrammell

for Robert A. Purple, Chief
Operating Reactors Branch #1
Division of Operating Reactors

Date of Issuance: MAR 15 1976

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

DUKE POWER COMPANY

DOCKET NO. 50-270

OCONEE NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 19
License No. DPR-47

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment by Duke Power Company (the licensee) dated February 5, 1976, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;

   B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;

   C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;

   D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and

   E. An environmental statement or negative declaration need not be prepared in connection with the issuance of this amendment.

2. Accordingly, the license is amended by changing paragraph 2.E to read as follows:

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

"Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Oconee Nuclear Station, Units 1, 2 and 3."

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION
Original signed by
C.M. Trammell

for Robert A. Purple, Chief
Operating Reactors Branch #1
Division of Operating Reactors

Date of Issuance: MAR 15 1976

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

DUKE POWER COMPANY

DOCKET NO. 50-287

OCONEE NUCLEAR STATION, UNIT 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 16
License No. DPR-55

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment by Duke Power Company (the licensee) dated February 5, 1976, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;

   B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;

   C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;

   D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and

   E. An environmental statement or negative declaration need not be prepared in connection with the issuance of this amendment.

2. Accordingly, the license is amended by changing paragraph 2.E to read as follows:

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

"Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Oconee Nuclear Station, Units 1, 2 and 3."

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by

C. M. Trammell

for Robert A. Purple, Chief
Operating Reactors Branch #1
Division of Operating Reactors

Date of Issuance: MAR 15 1976

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

SUPPORTING AMENDMENT NO. 19 TO FACILITY LICENSE NO. DPR-38

SUPPORTING AMENDMENT NO. 19 TO FACILITY LICENSE NO. DPR-47

SUPPORTING AMENDMENT NO. 16 TO FACILITY LICENSE NO. DPR-55

DUKE POWER COMPANY

OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3

DOCKET NOS. 50-269, 50-270, AND 50-287

Introduction

By letter dated February 5, 1976, Duke Power Company (the licensee) requested an amendment to Licenses Nos. DPR-38, DPR-47, and DPR-55 for the Oconee Nuclear Station, Units 1, 2, and 3. The proposed change would allow the transfer of byproduct and special nuclear material between each of the three Oconee units.

Discussion

Condition 2.E of each of the operating licenses for the Oconee units presently reads as follows: "Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate such byproduct and special nuclear materials as may be produced by the operation of the facility." The term "facility" as described in the license, refers to the applicable unit and associated equipment. The possession by one unit of byproduct and special nuclear material produced by operation of the other units, or facilities, is therefore not specifically allowed as a condition of the licenses.

On December 22, 1975, the staff issued an amendment to the Oconee Nuclear Station Technical Specifications which approved an increase in the storage capacity of the Unit 3 spent fuel pool. The increased storage capacity is to be shared by each of the three Oconee units and, therefore, the transfer of spent fuel assemblies between the Unit 1 and 2 spent fuel pool and the Unit 3 pool will be involved. In order to provide for such transfer and for the possession by one unit of byproduct and special nuclear material produced in the operation of another unit, the licensee is requesting that Condition 2.E of each of the Oconee licenses be changed to read as follows:

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

"Pursuant to the Act and 10 CFR Parts 30 and 70, to possess but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Oconee Nuclear Station, Units 1, 2, and 3."

Evaluation

Condition 2.E in each of the Oconee Unit licenses is a standard provision included in all reactor operating licenses. It is intended to be a permissive condition rather than a restrictive one. It is a necessary condition in order to provide the legal authority for the licensee to possess (but not separate) the byproduct and special nuclear material that is unavoidably generated as a direct result of operating the reactor.

In the case of a multiple-unit power station such as the Oconee Nuclear Station, Condition 2.E in each license has the effect of restricting the transfer between units of any byproduct or special nuclear material. This was not the intended purpose as evidenced by the fact that Oconee Units 1 and 2 have been licensed to share a common spent fuel pool in which byproduct and special nuclear material in the form of spent fuel assemblies from the operation of both units will be stored.

In the Safety Evaluation and Environmental Impact Appraisal supporting the December 22, 1975 Amendment approving the expansion of the storage capacity of the Unit 3 spent fuel pool, we addressed the anticipated transfer of spent fuel assemblies between the two Oconee spent fuel pools. It was concluded that the transfer of spent fuel assemblies could be safely conducted with negligible environmental impact.

We have concluded that the transfer of byproduct and special nuclear material between the three Oconee units is an activity that was not intended to be excluded when the licenses were originally issued. In addition, such transfers were considered during the initial licensing review of Oconee Units 1 and 2 and during the review of the Unit 3 spent fuel pool modifications. In view of the above, we find the proposed amendment to be acceptable.

We have determined that the amendments do not authorize a change in effluent types or total amounts nor an increase in power level and will not result in any significant environmental impact. Having made this determination, we have further concluded that the amendments involve an action which is insignificant from the standpoint of environmental impact and pursuant to 10 CFR §51.5(d)(4) that an environmental statement, negative declaration, or environmental impact appraisal need not be prepared in connection with the issuance of these amendments.

Conclusion

We have concluded, based on the considerations discussed above, that: (1) because the change does not involve a significant increase in the probability or consequences of accidents previously considered and does not involve a significant decrease in a safety margin, the change does not involve a significant hazards consideration, (2) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (3) such activities will be conducted in compliance with the Commission's regulations and the issuance of these amendments will not be inimical to the common defense and security or to the health and safety of the public.

Date: MAR 1 5 1976

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NOS. 50-269, 50-270, AND 50-287

DUKE POWER COMPANY

NOTICE OF ISSUANCE OF AMENDMENTS TO FACILITY OPERATING LICENSES

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments No. 19, 19, and 16 to Facility Operating Licenses No. DPR-38, DPR-47, and DPR-55, respectively, issued to Duke Power Company which revised the licenses for operation of the Oconee Nuclear Station, Units 1, 2, and 3, located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

These amendments change the wording of condition 2.E of the licenses to permit the transfer of byproduct and special nuclear material between each of the three Oconee units.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR §51.5(d)(4) an environmental statement, negative declaration or

environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendment dated February 5, 1976, (2) Amendments No. 19, 19, and 16 to License Nos. DPR-38, DPR-47, and DPR-55, respectively, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina 29691.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this MAR 15 1976

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by

Charles M. Trammell, Acting Chief
Operating Reactors Branch #1
Division of Operating Reactors