

December 1, 1997

Mr. W. R. McCollum  
Vice President, Oconee Site  
Duke Energy Corporation  
P. O. Box 1439  
Seneca, SC 29679

SUBJECT: OCONEE NUCLEAR POWER PLANT, UNITS 1, 2, AND 3 - NOTICE OF  
CONSIDERATION OF ISSUANCE OF AMENDMENTS (TAC NOS. M99912,  
M99913, AND M99914)

Dear Mr. McCollum:

The Commission has requested the Office of the Federal Register to publish the enclosed  
"Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and  
Opportunity for Hearing." This notice relates to your application for amendments dated  
October 28, 1997, which would revise the current Technical Specifications to be consistent with  
NUREG-1430, "Standard Technical Specifications - Babcock and Wilcox Plants," Revision 1,  
dated April 1995.

Sincerely,

ORIGINAL SIGNED BY:  
David E. LaBarge, Senior Project Manager  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

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

Enclosure: Notice

cc w/encl: See next page

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**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

December 1, 1997

Mr. W. R. McCollum  
Vice President, Oconee Site  
Duke Energy Corporation  
P. O. Box 1439  
Seneca, SC 29679

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Sincerely,

A handwritten signature in black ink, appearing to read "D. LaBarge".

David E. LaBarge, Senior Project Manager  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

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

Enclosure: Notice

cc w/encl: See next page

**Oconee Nuclear Station**

cc:

Mr. Paul R. Newton  
Legal Department (PBO5E)  
Duke Energy Corporation  
422 South Church Street  
Charlotte, North Carolina 28242

J. Michael McGarry, III, Esquire  
Winston and Strawn  
1400 L Street, NW.  
Washington, DC 20005

Mr. Robert B. Borsum  
Framatome Technologies  
Suite 525  
1700 Rockville Pike  
Rockville, Maryland 20852-1631

Manager, LIS  
NUS Corporation  
2650 McCormick Drive, 3rd Floor  
Clearwater, Florida 34619-1035

Senior Resident Inspector  
U. S. Nuclear Regulatory  
Commission  
7812B Rochester Highway  
Seneca, South Carolina 29672

Regional Administrator, Region II  
U. S. Nuclear Regulatory Commission  
Atlanta Federal Center  
61 Forsyth Street, S.W., Suite 23T85  
Atlanta, Georgia 30303

Max Batavia, Chief  
Bureau of Radiological Health  
South Carolina Department of Health  
and Environmental Control  
2600 Bull Street  
Columbia, South Carolina 29201

County Supervisor of Oconee County  
Waihalla, South Carolina 29621

Mr. J. E. Burchfield  
Compliance Manager  
Duke Energy Corporation  
Oconee Nuclear Site  
P. O. Box 1439  
Seneca, South Carolina 29679

Ms. Karen E. Long  
Assistant Attorney General  
North Carolina Department of  
Justice  
P. O. Box 629  
Raleigh, North Carolina 27602

Mr. G. A. Copp  
Licensing - EC050  
Duke Energy Corporation  
526 South Church Street  
Charlotte, North Carolina 28242-0001

Mr. Richard M. Fry, Director  
Division of Radiation Protection  
North Carolina Department of  
Environment, Health, and  
Natural Resources  
3825 Barrett Drive  
Raleigh, North Carolina 27609-7721

UNITED STATES NUCLEAR REGULATORY COMMISSIONDUKE ENERGY CORPORATIONDOCKET NOS. 50-269, 50-270, AND 50-287NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO  
FACILITY OPERATING LICENSES AND OPPORTUNITY FOR A HEARING

The U.S. 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 Energy Corporation (the licensee), for operation of the Oconee Nuclear Station, Units 1, 2, and 3, located in Seneca, South Carolina.

The proposed amendments would replace the current Technical Specifications (TS) with a set of TS based on NUREG-1430, "Standard Technical Specifications - Babcock and Wilcox Plants," Revision 1, dated April 1995. The adoption of NUREG-1430 is part of an initiative to standardize and improve the TS for Babcock and Wilcox nuclear power plants.

The changes in the current TS can be grouped into five categories: administrative changes, more restrictive technical changes, less restrictive technical changes, relocation of details to other licensee controlled documents, and relocation of specifications to other licensee controlled documents. Administrative changes to the current TS are changes that result in no increase or decrease in restrictions or flexibility. These changes are intended to make the TS easier to use. More restrictive technical changes are either more conservative than the corresponding requirements in the current TS, or are additional restrictions that are not contained in the current TS. Less restrictive technical changes reduce either the scope or magnitude of requirements or add flexibility and are usually made as a result of operating

experience. In most cases, these relaxations to the TS have been previously granted by the NRC to other plants. Relocation of details involves removal from the current TS and relocation to other licensee controlled documents. Typically, these details are of system design or function, or procedural details on surveillances. And finally, relocation of specifications involves requirements that are in the current TS but do not meet the criteria set forth in the Commission's Policy Statement on Technical Specification Improvement. Once these items have been relocated, the licensee generally would be able to revise them under the provisions of 10 CFR 50.59 without a license amendment.

Before 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 January 5, 1998, 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 a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Oconee County Library, 501 West South Broad Street, Walhalla, South Carolina. 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 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 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 which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is

aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. 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, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to J. Michael McGarry, III, Winston and Strawn, 1200 17th Street, NW., Washington, DC, attorney for the licensee.

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

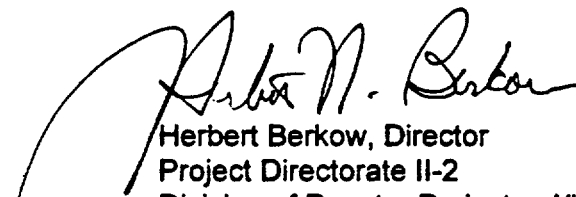
petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(I)-(v) and 2.714(d).

If a request for a hearing is received, the Commission's staff may issue the amendments 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 amendments dated October 28, 1997, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Oconee County Library, 501 West South Broad Street, Walhalla, South Carolina.

Dated at Rockville, Maryland, this 1st day of December 1997.

FOR THE NUCLEAR REGULATORY COMMISSION



Herbert Berkow, Director  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation