May 31, 1988

Docket Nos.: 50-413
50-414

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
(TACS 66403/66404)

Enclosed for your information is a copy of a "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Opportunity for Hearing" related to your amendment request dated October 16, 1987, and supplemented February 18 and May 12, 1988 for the Catawba Nuclear Station, Units 1 and 2. The proposed amendments would change the Technical Specifications for the Nuclear Service Water System and its associated Bases. The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by:

Kahtan N. Jabbour, Project Manager
Project Directorate II-3
Division of Reactor Projects -I/II

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Enclosure:
Federal Register Notice

cc w/encl:
See next page

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cc:
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UNITED STATES NUCLEAR REGULATORY COMMISSION

DUKE POWER COMPANY, ET AL.

DOCKET NOS. 50-413 AND 50-414

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS

TO FACILITY OPERATING LICENSES AND

OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-35 and NPF-52 issued to Duke Power Company, et al., (the licensee), for operation of the Catawba Nuclear Station, Units 1 and 2, located in York County, South Carolina.

The amendments would change the Technical Specifications for the Nuclear Service Water (RN) System and its associated Bases. These changes would show that the RN system contains components that are shared between the two units and would allow placing the system in its Engineered Safety Features (ESF) alignment when the number of operable ESF channels is less than required. In addition to the Technical Specification changes proposed by the licensee, a change will be made to the Catawba Emergency Procedures.

The licensee's submittals dated October 16, 1987, and February 18 and May 12, 1988, also included revised Final Safety Analysis Report (FSAR) pages which will be incorporated in a future update to the FSAR. These changes reflect, among other things, deleting the assumption of a simultaneous loss-of-coolant accident and a seismic event. The licensee stated that this assumption is unnecessary in meeting the requirements of General Design Criteria 5 and 44 or the Standard Review Plan (NUREG-0800) and that this event is probabilistically insignificant.

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By letter dated January 22, 1988, the NRC staff requesed additional information regarding the RN system Technical Specification and FSAR changes. By letter dated February 18, 1988, the licensee responded to the staff's request.

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 13, 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 a 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 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, U.S. 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 Mr. Albert Carr, Duke Power Company, 422 South Church Street, Charlotte, North Carolina 28242.

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 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 amendments dated October 16, 1987, as supplemented February 18 and May 12, 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 York County Library, 138 East Black Street, Rock Hill, South Carolina 29730.

Dated at Rockville, Maryland, this 6th day of June 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

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