

Docket Nos. 50-413  
and 50-414

September 16, 1991

Mr. M. S. Tuckman, Vice President  
Nuclear Operations  
Duke Power Company  
P. O. Box 1007  
Charlotte, North Carolina 28201-1007

Dear Mr. Tuckman:

SUBJECT: CATAWBA NUCLEAR STATION, UNITS 1 AND 2 - NOTICE OF CONSIDERATION OF  
ISSUANCE OF AMENDMENT (TAC NOS. 81291 AND 81292)

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to  
Facility Operating License, Proposed No Significant Hazards Consideration  
Determination, and Opportunity for Hearing" for your information.

This notice relates to your application dated August 12, 1991, to change the  
minimum allowed air flow through the Control Room Area Ventilation System  
filter unit from 5400 cfm to 4000 cfm. This notice was published as an  
"Individual Notice" rather than a "Biweekly Notice" in view of your schedule  
for the next refueling outage for Unit 2.

Sincerely,

ORIGINAL SIGNED BY:

Robert E. Martin, Senior Project Manager  
Project Directorate II-3  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

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

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Sincerely,

A handwritten signature in cursive script that reads "Robert E. Martin".

Robert E. Martin, Senior Project Manager  
Project Directorate II-3  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Enclosure:  
As stated

cc w/enclosure:  
See next page

Mr. M.S. Tuckman  
Duke Power Company

cc:

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ESSD Projects  
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MNC West Tower - Bay 241  
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Pittsburgh, Pennsylvania 15230

County Manager of York County  
York County Courthouse  
York, South Carolina 29745

Richard P. Wilson, Esq.  
Assistant Attorney General  
S.C. Attorney General's Office  
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Columbia, South Carolina 29211

Piedmont Municipal Power Agency  
121 Village Drive  
Greer, South Carolina 29651

Catawba Nuclear Station

Mr. Alan R. Herdt, Chief  
Project Branch #3  
U.S. Nuclear Regulatory Commission  
101 Marietta Street, NW, Suite 2900  
Atlanta, Georgia 30323

North Carolina Electric Membership  
Corp.  
P.O. Box 27306  
Raleigh, North Carolina 27611

Saluda River Electric Cooperative,  
Inc.  
P.O. Box 929  
Laurens, South Carolina 29360

Senior Resident Inspector  
Route 2, Box 179N  
York, South Carolina 29745

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

Mr. Heyward G. Shealy, Chief  
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South Carolina Dept. of Health  
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North Carolina Dept. of Justice  
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Raleigh, North Carolina 27602

Mr. R.L. Gill, Jr.  
Nuclear Production Department  
Duke Power Company  
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Charlotte, North Carolina 28201-1007

UNITED STATES NUCLEAR REGULATORY COMMISSION

DUKE POWER COMPANY

DOCKET NO. 50-413 and 50-414

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR HEARING

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

The proposed amendment would change the minimum allowed air flow through the Control Room Area Ventilation System filter unit from 5400 cubic feet per minute (cfm) to 4000 cfm. The change to the Technical Specifications would support a plant modification to eliminate a possible flow path between trains in the event that a return air damper fails open.

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

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated;

or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

This proposed TS amendment will not increase the probability or consequences of an accident which has been previously evaluated. The probability of an accident will not be increased because the Control Room Area Ventilation System does not initiate an accident. This system is used to mitigate the consequences of an accident by ensuring that operator doses are within GDC 19 limits. Lowering the minimum allowed flow for the system to 4,000 cfm will allow the recirculation duct to be blocked off. This flow represents the minimum flow required for the operation of the fan motor. This modification will eliminate the concern about the possible failure of the control room return air damper impacting the ability of the VC system to pressurize the control room. Blocking off the recirculation duct eliminates the possible flow path between the two trains that would exist in the event the return air damper failed open. This modification will cause an increase in the calculated operator thyroid doses (5.3 rem to 8.4 rem), however the calculated thyroid dose is well below the GDC 19 thyroid dose equivalent limit of 30 rem. The upper flow limit of 6,600 remains unchanged because this limit is based on carbon residence time in the filter bed and not mechanical limitations of the system. For the above reasons, this change will not significantly increase the probability or consequences of an accident previously evaluated.

This proposed revision will not create the possibility of a new or different accident from any previously evaluated. The Control Room Area Ventilation System is not an accident initiator, it is used to mitigate the consequences of an accident on control room personnel. Since this system does not have the potential to initiate an accident, no new or different accidents from any previously evaluated are created.

This proposed change does not involve a significant reduction in the margin of safety. Reducing the minimum required system flow will allow a modification to the system which will block off the recirculation flow, and eliminate a possible flowpath between the two ventilation trains. This modification eliminates the possibility of the failure of a control room return air damper impacting the ability of the VC system to pressurize the control room because of the flowpath between the trains. Eliminating the recirculation pathway results in an increase in calculated operator dose from 5.3 rem to 8.4 rem. This value is still significantly below the GDC 19 thyroid equivalent limit of 30 rem. For the above reasons, Duke Power concludes that this change does not involve a significant reduction in the margin of safety.

The NRC staff reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland, from 7:30 a.m. to 4:15 p.m. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By October 23, 1991 , the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license 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 20555 and at the local public document room located at the York County Library, 138 East Black Street, Rock Hill, South Carolina 29730. 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 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 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.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.



If the final determination is that the request for amendment involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If a final determination is that the amendment involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

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 Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L 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 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

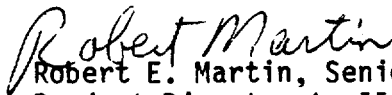
Union operator should be given Datagram Identification Number 3737 and the following message addressed to David B. Matthews: petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Mr. Albert Carr, Duke Power Company, 422 South Church Street, Charlotte, North Carolina 28242 attorney for the licensee.

Montimely 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 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).

For further details with respect to this action, see the application for amendment dated August 12, 1991, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, DC 20555 and at the Local Public Document Room located at the York County Library, 138 East Black Street, Rock Hill, South Carolina 29770.

Dated at Rockville, Maryland, this 16th day of September 1991.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Robert E. Martin, Senior Project Manager  
Project Directorate II-3  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation