

November 17, 1992

Docket Nos. 50-413  
and 50-414

**DISTRIBUTION**  
SEE NEXT PAGE

Mr. M. S. Tuckman  
Vice President - Catawba Site  
Duke Power Company  
4800 Concord Road  
York, South Carolina 29745

Dear Mr. Tuckman:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS - CATAWBA NUCLEAR STATION, UNITS 1 AND 2 (TAC NOS. M84905 AND M84906)

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing" to the Office of the Federal Register for publication.

This notice relates to Mr. H. B. Tucker's November 5, 1992, application to revise the liquid release rate limit, relocate the old 10 CFR 20.106 requirements to the new 10 CFR 20.1302, and revise the gaseous release rate limit.

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

Enclosure:  
Notice

cc w/enclosure:  
See next page

OFFICE	PDI-3/LA	PBII-3/PM	PDI-3/D
NAME	L. BERRY	R. MARRIN	D. MATTHEWS
DATE	11/16/92	11/17/92	11/17/92
OFFICIAL RECORD COPY			
FILE NAME: G:\OCMCGCAT.FRN			

240073

9211300325 921117  
PDR ADOCK 05000413  
P PDR

THIS FILE BEHINDS GARY

CP-1

DF01  
11



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

November 17, 1992

Docket Nos. 50-413  
and 50-414

Mr. M. S. Tuckman  
Vice President - Catawba Site  
Duke Power Company  
4800 Concord Road  
York, South Carolina 29745

Dear Mr. Tuckman:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS - CATAWBA NUCLEAR  
STATION, UNITS 1 AND 2 (TAC NOs. M84905 AND M84906)

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing" to the Office of the Federal Register for publication.

This notice relates to Mr. H. B. Tucker's November 5, 1992, application to revise the liquid release rate limit, relocate the old 10 CFR 20.106 requirements to the new 10 CFR 20.1302, and revise the gaseous release rate limit.

Sincerely,

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

Enclosure:  
Notice

cc w/enclosure:  
See next page

**INDIVIDUAL NOTICE - CATAWBA NUCLEAR STATION**

DATE: NOVEMBER 17, 1992

**DISTRIBUTION**

Docket File  
NRC/LOCAL PDRs  
PDII-3 Reading  
Catawba Reading  
S.Varga  
G.Lainas  
D.Matthews  
R.Martin  
L.Berry  
OGC  
ACRS (10)  
D.Hagan  
OPA  
OC/LFDCB  
E.Merschhoff, RII

Mr. M. S. Tuckman  
Duke Power Company

Catawba Nuclear Station

cc:

Mr. R. C. Futrell  
Regulatory Compliance Manager  
Duke Power Company  
4800 Concord Road  
York, South Carolina 29745

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

Mr. A. V. Carr, Esquire  
Duke Power Company  
422 South Church Street  
Charlotte, North Carolina 28242-0001

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

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

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

North Carolina MPA-1  
Suite 600  
P. O. Box 29513  
Raleigh, North Carolina 27626-0513

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

Mr. T. Richard Puryear  
Nuclear Technical Services Manager  
Carolinas District  
Westinghouse Electric Corporation  
P. O. Box 32817  
Charlotte, North Carolina 28232

Mr. Heyward G. Shealy, Chief  
Bureau of Radiological Health  
South Carolina Department of  
Health and Environmental Control  
2600 Bull Street  
Columbia, South Carolina 27602

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

Mr. R. L. Gill, Jr.  
Licensing  
Duke Power Company  
P. O. Box 1006  
Charlotte, North Carolina 28201-1006

Richard P. Wilson, Esquire  
Assistant Attorney General  
South Carolina Attorney General's  
Office  
P. O. Box 11549  
Columbia, South Carolina 29211

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

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

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

UNITED STATES NUCLEAR REGULATORY COMMISSIONDUKE POWER COMPANYDOCKET NOS. 50-413 AND 50-414NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO  
FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION, 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 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 amendments would revise the Technical Specifications (TSs) for the liquid effluent release rate limits, the gaseous release rate limits, and to make TS wording changes in response to the recent revisions in 10 CFR Part 20.

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:

The proposed revisions to the liquid and gaseous release rate limits and the relocation of the old 10 CFR 20.106 requirements to the new 10 CFR 20.1302 will not involve a significant increase in the probability or consequences of an accident previously evaluated because there will be no change in the types and amounts of effluents that will be released, nor will there be an increase in individual or cumulative occupational radiation exposures.

The proposed revisions will not create the possibility of a new or different kind of accident from any previously evaluated because the revisions are administrative and will not change the types and amounts of effluent that will be released.

The proposed revisions will not reduce a margin of safety because the annual dose of 500 mrem, upon which the concentrations in the old 10 CFR 20, Appendix B, Table II, Columns 1 and 2, are based, is a factor of 10 higher than the annual dose of 50 mrem, upon which the concentrations in the new 10 CFR 20, Appendix B, Table 2, Columns 1 and 2, are based. Compliance with the limits of the new 10 CFR 20.1301 will be demonstrated by operating within the limits of 10 CFR 50, Appendix I and 40 CFR 190.

The NRC staff has 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 thirty (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 Rules and Directives Review Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 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. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By December 23, 1992 , 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, 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 amendment request 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 the final determination is that the amendment request 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 in the FEDERAL REGISTER 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, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, 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 N1023 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.

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).

For further details with respect to this action, see the application for amendments dated November 5, 1992, which is available for public inspection 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 York County Library, 138 East Black Street, Rock Hill, South Carolina 29730.

Dated at Rockville, Maryland, this 17th day of November 1992.

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