

Mr. William R. McCollum
Site Vice President
Catawba Nuclear Station
Duke Power Company
4800 Concord Road
York, South Carolina 29745-9635

March 10, 1997

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS - CATAWBA NUCLEAR STATION, UNITS 1 AND 2 (TAC NOS. M98107 AND M98108)

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, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing." This notice relates to your amendment application dated March 7, 1997, which would revise Technical Specification 3/4.7.1.6 and Section 15.6.3 of the Updated Final Safety Analysis Report to require four instead of three steam generator pressure operated relief valves operable.

Sincerely,

ORIGINAL SIGNED BY:

Peter S. Tam, Senior Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-413 and 50-414

Enclosure: Notice

cc w/encl: See next page

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DOCUMENT NAME: CATAWBA NUCLEAR STATION, UNITS 1 AND 2, TAC NOS. M98107 AND M98108, NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO FACILITY OPERATING LICENSES, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR HEARING

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**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

March 10, 1997

Mr. William R. McCollum
Site Vice President
Catawba Nuclear Station
Duke Power Company
4800 Concord Road
York, South Carolina 29745-9635

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

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Sincerely,

A handwritten signature in black ink, reading "Peter S. Tam".

Peter S. Tam, Senior Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-413 and 50-414

Enclosure: Notice

cc w/encl: See next page

Duke Power Company

cc:

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UNITED STATES NUCLEAR REGULATORY COMMISSIONDUKE POWER COMPANY, ET AL.DOCKET 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 A 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 proposed amendments would revise Section 3/4.7.1.6 of the Technical Specifications, and Section 15.6.3 of the Updated Final Safety Analysis Report to require four instead of three steam generator pressure operated relief valves (PORVs) operable, and allowing credit for local operation of the PORVs.

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.

The Commission has made a proposed determination that the amendments 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 amendments 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 change has been evaluated against the standards in 10 CFR 50.92 and has been determined to involve no significant hazards, in 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:

The proposed Technical Specification amendment ensures that the consequences of a postulated SGTR [steam generator tube rupture] accident are enveloped by current analyses. The proposed Technical Specification amendment, together with credit for local manual operation of one S/G [steam generator] PORV [power-operated relief valve], will ensure that adequate margin to overfill exists for the SGTR accident. Furthermore, with administrative controls currently in place regarding reactor coolant specific activity, this requirement ensures that offsite doses following the SGTR accident remain within the dose analysis of record. These administrative controls are expected to be lifted with the completion of dose analyses based on more detailed input in place of the conservative assumptions made to support the restrictions. The requirement to maintain all four S/G PORVs operable is more restrictive than the current requirement, and therefore does not adversely affect the consequences of any analyzed accident.

The accident in which the S/G PORVs are considered to be accident initiators is discussed in Section 15.1.4 of the Catawba UFSAR [Updated Final Safety Analysis Report]. Considering the number, design features and reliability of steam dump to condenser valves (nine), atmospheric dump valves (nine), S/G Code Safety Valves (twenty), and S/G PORVs (four), the requirement to maintain all four S/G PORVs operable does not significantly increase the probability of inadvertent opening of steam dump valve as analyzed in Section 15.1.4 of the Catawba UFSAR. As reported in Section 15.1.4 of the Catawba UFSAR, inadvertent opening of a[n] S/G PORV is enveloped by the consequences of a postulated Main Steam Line Break. The requirement to maintain all four S/G PORVs operable does not in any way change this.

- 2) Create the possibility of a new or different kind of accident from any previously evaluated:

No new accident types have been identified for the S/G PORVs or any SSCs [systems, structures, and components] associated with or connected to the S/G PORVs. With respect to the types of accidents that should be considered, the Standard Review Plan and the Catawba UFSAR are considered to be complete for Catawba Nuclear Station.

3) Involve a significant reduction in the margin of safety:

Margin of safety is related to confidence in fission product barriers. The proposed Technical Specification amendment, along with credit for local manual operation of one S/G PORV, will ensure that there is adequate margin of overfill. Therefore, the steam lines, S/G PORVs and the code safety relief valves will not be degraded following a design basis SGTR. This amendment will also ensure that steaming of the ruptured S/G is not necessary to effect plant cooldown after a postulated SGTR. Along with administrative controls currently in place regarding reactor coolant specific activity, this requirement ensures that offsite doses following SGTR remain within values of the dose analysis of record. These administrative controls are expected to be lifted with the completion of dose analyses based on more detailed input in place of the conservative assumptions made to support the restrictions. In summary, this proposed amendment does not involve a significant reduction in the margin of safety.

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 requested amendments involve 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.

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.

Written comments may be submitted by mail to the Chief, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, 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.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By April 14, 1997 , 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, and at the local public document room located at the York County Library, 138 East Black Street, Rock Hill, 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 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.

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.

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: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 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) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Herbert N. Berkow: 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 20555-0001, 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 amendment dated March 7, 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 York County Library, 138 East Black Street, Rock Hill, South Carolina.

Dated at Rockville, Maryland, this 10th day of March 1997.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "Peter S. Tam". The signature is stylized with a large, looped initial "P" and a long, sweeping horizontal stroke at the end.

Peter S. Tam, Senior Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation