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Docket File

LWR 1-1 File

Attorney, ELD

IE(3)

NDube

MJinks(w/2 encl.)

RCDeYoung

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SKari

WMiller

DMuller

Pleech

RPollard

JLee(2)

BScharf (w/25 encl. 1&2)

ACRS(16)

LWR 1 Br. Chiefs

bcc:JRBuchanan, ORNL

TBAbernathy, DTIE

ARosenthal, ASLAB

NHGoodrich, ASLBP

AUG 7 1975

Docket Nos. 50-413
and 50-414

Mr. W. H. Owen
Vice President, Design Engineering
Duke Power Company
P. O. Box 2178
422 South Church Street
Charlotte, North Carolina 28201

Dear Mr. Owen:

On August 6, 1975, the Commission granted Duke Power Company's request for an exemption from the requirements of compliance with the Final Acceptance Criteria for Emergency Core Cooling Systems at the construction permit stage, holding that application of 10 CFR Part 50.46(a) (3) in this case would not serve the purpose for which that regulation was adopted, and that construction permits for Catawba Nuclear Station, Units 1 and 2 may issue.

Construction Permit Nos. CPPR-116 and CPPR-117 are enclosed, together with a copy of a related notice which has been forwarded to the Office of the Federal Register for publication.

The construction permits authorize Duke Power Company to construct two pressurized water reactors, designated as Catawba Nuclear Station, Units 1 and 2 at the site owned by Duke Power Company on the shore of Lake Wylie in York County, South Carolina.

Sincerely,

Original signed by
D. B. Vassallo

D. B. Vassallo, Chief
Light Water Reactors
Project Branch 1-1
Division of Reactor Licensing

Enclosures:

1. Construction Permit CPPR-116
2. Construction Permit CPPR-117
3. Federal Register Notice

cc: See page 2

(See previous concurrences. Retyped per EGCCase.)

OFFICE >	LWR 1-1	LWR 1-1	ELD			
SURNAME >	JLee	DBVassallo				
DATE >	8/7/75	8/ /75	8/ /75			

AUG 7 1975

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Division of Administration
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Columbia, South Carolina 29201

Office of Intergovernmental
Relations
116 West Jones Street
Raleigh, North Carolina 27603

Mr. J. Ed Allen
County Manager of York County
York County Courthouse
York, South Carolina

Chief, TIRB (2)
Technology Assessment Division
Office of Radiation Programs
U. S. Environmental Protection Agency
Room 647A East Tower
Waterside Mall
401 M St., S.W.
Washington, D.C. 20460

Mr. Dave Hopkins
U.S. Environmental Protection Agency
Region IV Office
1421 Peachtree Street, N.E.
Atlanta, Georgia 30309

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

DUKE POWER COMPANY

DOCKET NO. 50-414

CATAWBA NUCLEAR STATION, UNIT NO. 2

CONSTRUCTION PERMIT

Construction Permit No. CPPR-117

1. The Nuclear Regulatory Commission (the Commission) having found that:
 - A. The application for construction permit complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the rules and regulations of the Commission, there is reasonable assurance that the activities authorized by the permit will be conducted in compliance with the rules and regulations of the Commission, and all required notifications to other agencies or bodies have been duly made;
 - B. The Duke Power Company (the Applicant) has described the proposed design of the Catawba Nuclear Station, Unit No. 2 (the facility), including, but not limited to, the principal architectural and engineering criteria for the design and has identified the major features or components incorporated therein for the protection of the health and safety of the public;
 - C. Such further technical or design information as may be required to complete the safety analysis, and which can reasonably be left for later consideration, will be supplied in the final safety analysis report;
 - D. Safety features or components, if any, which require research and development have been described by the Applicant and the Applicant has identified, and there will be conducted, a research and development program reasonably designed to resolve any safety questions associated with such features or components;
 - E. On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facility and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facility can be constructed



and operated at the proposed location without undue risk to the health and safety of the public;

- F. The Applicant is technically qualified to design and construct the proposed facility;
 - G. The Applicant is financially qualified to design and construct the proposed facility;
 - H. The issuance of a permit for the construction of the facility will not be inimical to the common defense and security or to the health and safety of the public; and
 - I. After weighing the environmental, economic, technical and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of a construction permit subject to the conditions for protection of the environment set forth herein is in accordance with Appendix D of 10 CFR Part 50 of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied.
2. Pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, and Title 10, Chapter I, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," and pursuant to the Initial Decisions of the Atomic Safety and Licensing Board, dated April 9, 1974, May 14, 1974, December 19, 1974, June 30, 1975, and the Commission's Memorandum and Order dated August 6, 1975, the Nuclear Regulatory Commission hereby issues a construction permit to the Applicant for a utilization facility designed to operate at 3411 megawatts thermal as described in the application and amendments thereto (the application) filed in this matter by the Applicant and as more fully described in the evidence received at the public hearing upon that application. The facility, known as the Catawba Nuclear Station, Unit No. 2, will be located on the Applicant's site on the shore of Lake Wylie in York County, South Carolina.
3. This permit shall be deemed to contain and be subject to the conditions specified in Sections 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act, and rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the conditions specified or incorporated below:
- A. The earliest date for the completion of the facility is June 1, 1981 and the latest date for completion is June 1, 1982.

- B. This facility shall be constructed and located at the site as described in the application, in York County, South Carolina.
- C. This construction permit authorizes the Applicant to construct the facility described in the application and the hearing record, in accordance with the principal architectural and engineering criteria and environmental protection commitments set forth therein.
- D. The Applicant is subject to the following antitrust conditions:

Applicant makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction. Accordingly, Applicant will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to Applicant. There are net benefits in a transaction if Applicant recovers the cost of the transaction (as defined in subparagraph (1)(d) hereof) and there is no demonstrable net detriment to Applicant arising from that transaction.

(1) As used herein:

- (a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.
- (b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or

proposing to own or operate, facilities for the generation and transmission of electricity which meets each of the following criteria: (i) its existing or proposed facilities are economically and technically feasible of interconnection with those of the Applicant and (ii) with the exception of municipalities, cooperatives, governmental agencies or authorities, and associations, it is, or upon commencement of operations will be, a public utility and subject to regulation with respect to rates and service under the laws of North Carolina or South Carolina or under the Federal Power Act; provided, however, that as to associations, each member of such association is either a public utility as discussed in this clause (ii) or a municipality, a cooperative or a governmental agency or authority.

- (c) Where the phrase "neighboring entity" is intended to include entities engaging or proposing to engage only in the distribution of electricity, this is indicated by adding the phrase "including distribution systems."
 - (d) "Cost" means any appropriate operating and maintenance expenses, together with all other costs, including a reasonable return on Applicant's investment, which are reasonably allocable to a transaction. However, no value shall be included for loss of revenues due to the loss of any wholesale or retail customer as a result of any transaction hereafter described.
- (2) (a) Applicant will interconnect and coordinate reserves by means of the sale and exchange of emergency and scheduled maintenance bulk power with any neighboring entity(ies), when there are net benefits to each party, on terms that will provide for all of Applicant's properly assignable costs as may be determined by the Federal Power Commission and consistent with such cost assignment will allow the other party the fullest possible benefits of such coordination.
- (b) Emergency service and/or scheduled maintenance service to be provided by each party will be furnished to the fullest extent available from the supplying party and desired by the party in need. Applicant and each party will provide to the other emergency service and/or scheduled maintenance service if and when

available from its own generation and, in accordance with recognized industry practice, from generation of others to the extent it can do so without impairing service to its customers, including other electric systems to whom it has firm commitments.

- (c) Each party to a reserve coordination arrangement will establish its own reserve criteria, but in no event shall the minimum installed reserve on each system be less than 15%, calculated as a percentage of estimated peak load responsibility. Either party, if it has, or has firmly planned, installed reserves in excess of the amount called for by its own reserve criterion, will offer any such excess as may in fact be available at the time for which it is sought and for such period as the selling party shall determine for purchase in accordance with reasonable industry practice by the other party to meet such other party's own reserve requirement. The parties will provide such amounts of spinning reserve as may be adequate to avoid the imposition of unreasonable demands on the other party(ies) in meeting the normal contingencies of operating its (their) system(s). However, in no circumstances shall such spinning reserve requirement exceed the installed reserve requirement.
- (d) Interconnections will not be limited to low voltages when higher voltages are available from Applicant's installed facilities in the area where interconnection is desired and when the proposed arrangement is found to be technically and economically feasible.
- (e) Interconnection and reserve coordination agreements will not embody provisions which impose limitations upon the use or resale of power and energy sold or exchanged pursuant to the agreement. Further, such arrangements will not prohibit the participants from entering into other interconnection and coordination arrangements, but may include appropriate provisions to assure that (i) Applicant receives adequate notice of such additional interconnection or coordination, (ii) the parties will jointly consider and agree upon such measures, if any, as are reasonably necessary to protect the reliability of the interconnected systems and to prevent undue burdens from being imposed on any system, and (iii) Applicant will be fully compensated

for its costs. Reasonable industry practice as developed in the area from time to time will satisfy this provision.

- (3) Applicant currently has on file, and may hereafter file, with the Federal Power Commission contracts with neighboring entity(ies) providing for the sale and exchange of short-term power and energy, limited term power and energy, economy energy, non-displacement energy, and emergency capacity and energy. Applicant will enter into contracts providing for the same or for like transactions with any neighboring entity on terms which enable Applicant to recover the full costs allocable to such transaction.
- (4) Applicant currently sells capacity and energy in bulk on a full requirements basis to several entities engaging in the distribution of electric power at retail. In addition, Applicant supplies electricity directly to ultimate users in a number of municipalities. Should any such entity(ies) or municipality(ies) desire to become a neighboring entity as defined in subparagraph (1)(b) hereof (either alone or through combination with others), Applicant will assist in facilitating the necessary transition through the sale of partial requirements firm power and energy to the extent that, except for such transition, Applicant would otherwise be supplying firm power and energy. The provision of such firm partial requirements service shall be under such rates, terms and conditions as shall be found by the Federal Power Commission to provide for the recovery of Applicant's cost. Applicant will sell capacity and energy in bulk on a full requirements basis to any municipality currently served by the Applicant when such municipality lawfully engages in the distribution of electric power at retail.
- (5) (a) Applicant will facilitate the exchange of electric power in bulk in wholesale transactions over its transmission facilities (1) between or among two or more neighboring entities including distribution systems with which it is interconnected or may be interconnected in the future, and (2) between any such entity(ies) and any other electric system engaging in bulk power supply between whose facilities Applicant's transmission lines and other transmission lines would form a continuous electric path, provided that permission to utilize such other transmission lines has been obtained. Such transaction shall be undertaken

provided that the particular transaction reasonably can be accommodated by Applicant's transmission system from a functional and technical standpoint and does not constitute the wheeling of power to a retail customer. Such transmission shall be on terms that fully compensate Applicant for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable notice of its (their) schedule and requirements.

- (b) Applicant will include in its planning and construction program sufficient transmission capacity as required for the transactions referred to in subparagraph (a) of this paragraph, provided that (1) the neighboring entity(ies) gives Applicant sufficient advance notice as may be necessary reasonably to accommodate its (their) requirements from a functional and technical standpoint and (2) that such entity(ies) fully compensates Applicant for its cost. In carrying out this subparagraph (b), however, Applicant shall not be required to construct or add transmission facilities which (a) will be of no demonstrable present or future benefit to Applicant, or (b) which could be constructed by the requesting entity(ies) without duplicating any portion of Applicant's existing transmission lines, or (c) which would jeopardize Applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements. Where regulatory or environmental approvals are required for the construction or addition of transmission facilities, needed for the transactions referred to in subparagraph (a) of this paragraph, it shall be the responsibility of the entity(ies) seeking the transaction to participate in obtaining such approvals, including sharing in the cost thereof.
- (6) To increase the possibility of achieving greater reliability and economy of electric generation and transmission facilities, Applicant will discuss load projections and system development plans with any neighboring entity(ies).
- (7) When Applicant's plans for future nuclear generating units (for which application will hereafter be made to the Nuclear Regulatory Commission) have reached the stage of serious planning, but before firm decisions have been made

as to the size and desired completion date of the proposed nuclear units, Applicant will notify all neighboring entities including distribution systems with peak loads smaller than Applicant's that Applicant plans to construct such nuclear units. Neither the timing nor the information provided need be such as to jeopardize obtaining the required site at the lowest possible cost.

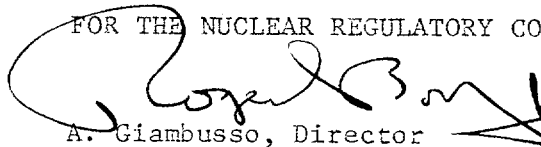
- (8) The foregoing commitments shall be implemented in a manner consistent with the provisions of the Federal Power Act and all other lawful local, state and Federal regulation and authority. Nothing in these commitments is intended to determine in advance the resolution of issues which are properly raised at the Federal Power Commission concerning such commitments, including allocation of costs or rates to be charged. Applicant will negotiate (including the execution of a contingent statement of intent) with respect to the foregoing commitments with any neighboring entity including distribution systems where applicable engaging in or proposing to engage in bulk power supply transactions, but Applicant shall not be required to enter into any final arrangement prior to resolution of any substantial questions as to the lawful authority of any entity to engage in the transactions. In addition, Applicant shall not be obligated to enter into a given bulk power supply transaction if:
- (1) to do so would violate, or incapacitate it from performing, any existing lawful contracts it has with a third party;
 - (2) there is contemporaneously available to it a competing or alternative arrangement which affords it greater benefits which would be mutually exclusive of such arrangement;
 - (3) to do so would adversely affect its system operations or the reliability of power supply to its customers, or
 - (4) if to do so would jeopardize Applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements.

E. This facility is subject to the following additional conditions for the protection of the environment:

- (1) The Applicant shall complete all necessary preconstruction surveys required by Section 6.1 of the Final Environmental Statement prior to commencement of construction.
- (2) The Applicant shall submit an adequate aquatic monitoring program, which will incorporate the staff's recommendations set out in Section 6.1.1 of the Final Environmental Statement relative to benthos, plankton and fish, to the staff for approval prior to any construction that affects Lake Wylie.

- (3) The Applicant shall schedule its dredging activities in a manner that will minimize the environmental impact to Lake Wylie.
 - (4) The Applicant shall take the necessary mitigating actions, including those summarized in Section 4.6 of the Final Environmental Statement, during construction of the proposed units and associated transmission lines to avoid unnecessary adverse environmental impacts from construction activities. A program of control over all activities which can cause a significant adverse environmental impact shall be established by the Applicant. The program shall provide for a periodic review by the staff of all construction activities to assure that these activities conform to this condition and do not result in significant adverse environmental impacts.
4. This permit is subject to the limitation that a license authorizing operation of the facility will not be issued by the Commission unless (a) the Applicant submits to the Commission the complete final safety analysis report, portions of which may be submitted and evaluated from time to time; (b) the Commission finds that the final design provides reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility in accordance with procedures approved by it in connection with the issuance of said license; (c) the Commission finds that operation of the facility will be in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements of said Part 51 were satisfied; and (d) the Applicant submits proof of financial protection and the execution of an indemnity agreement as required by Section 170 of the Act.
5. This permit is effective as of its date of issuance and shall expire on the latest completion date indicated in paragraph 3.A above.

FOR THE NUCLEAR REGULATORY COMMISSION



A. Giambusso, Director
Division of Reactor Licensing
Office of Nuclear Reactor Regulation

Date of Issuance: August 7, 1975

- (3) The Applicant shall schedule its dredging activities in a manner that will minimize the environmental impact to Lake Wylie.
 - (4) The Applicant shall take the necessary mitigating actions, including those summarized in Section 4.6 of the Final Environmental Statement, during construction of the proposed units and associated transmission lines to avoid unnecessary adverse environmental impacts from construction activities. A program of control over all activities which can cause a significant adverse environmental impact shall be established by the Applicant. The program shall provide for a periodic review by the staff of all construction activities to assure that these activities conform to this condition and do not result in significant adverse environmental impacts.
4. This permit is subject to the limitation that a license authorizing operation of the facility will not be issued by the Commission unless (a) the Applicant submits to the Commission the complete final safety analysis report, portions of which may be submitted and evaluated from time to time; (b) the Commission finds that the final design provides reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility in accordance with procedures approved by it in connection with the issuance of said license; (c) the Commission finds that operation of the facility will be in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements of said Part 51 were satisfied; and (d) the Applicant submits proof of financial protection and the execution of an indemnity agreement as required by Section 170 of the Act.
 5. This permit is effective as of its date of issuance and shall expire on the latest completion date indicated in paragraph 3.A above.

FOR THE NUCLEAR REGULATORY COMMISSION

A. Giambusso, Director
Division of Reactor Licensing
Office of Nuclear Reactor Regulation

Date of Issuance: August 7, 1975

(See previous concurrences. Retyped to make editorial changes per GELD.)

AD/ET	LWR 1-1 JLSe:ELS RD/ET	LWR 2-1 JLSe:ELS RD/ET	ELD JLSe:ELS RD/ET	AD/LWR JLSe:ELS RD/ET	RL:AD/ET JLSe:ELS RD/ET	DRL JLSe:ELS RD/ET
	8/1/75	8/1/75	8/1/75	8/1/75	8/1/75	8/1/75

- (4) The Applicant shall take the necessary mitigating actions, including those summarized in Section 4.6 of the Final Environmental Statement, during construction of the proposed units and associated transmission lines to avoid unnecessary adverse environmental impacts from construction activities. A program of control over all activities which can cause a significant adverse environmental impact shall be established by the Applicant. The program shall provide for a periodic review by the staff of all construction activities to assure that these activities conform to this condition and do not result in significant adverse environmental impacts.
4. This permit is subject to the limitation that a license authorizing operation of the facility will not be issued by the Commission unless (a) the Applicant submits to the Commission the complete final safety analysis report, portions of which may be submitted and evaluated from time to time; (b) the Commission finds that the final design provides reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility in accordance with procedures approved by it in connection with the issuance of said license; (c) the Commission finds that operation of the facility will be in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements of said Part 51 were satisfied; and (d) the Applicant submits proof of financial protection and the execution of an indemnity agreement as required by Section 170 of the Act.
5. This permit is effective as of its date of issuance and shall expire on the latest completion date indicated in paragraph 3.A above.

FOR THE NUCLEAR REGULATORY COMMISSION

A. Giambusso, Director
Division of Reactor Licensing
Office of Nuclear Reactor Regulation

Date of Issuance:

OFFICE ➤	RL:LWR 1-1	RL:LWR 1-1	ELD <i>[Signature]</i>	RL:AD/LWR 1	RL:AD/EP <i>[Signature]</i>	RL
SURNAME ➤	JHeccls RHollard <i>[Signature]</i>	DBVassallo		RCDeYoung	DMuller <i>[Signature]</i>	AGiambusso
DATE ➤	7/7 /75	7/ /75	7/ /75	7/ /75	7/11 /75	7/ /75

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NOS. 50-413 AND 50-414

DUKE POWER COMPANY

CATAWBA NUCLEAR STATION, UNITS 1 AND 2

NOTICE OF ISSUANCE OF CONSTRUCTION PERMITS

Notice is hereby given that, pursuant to the Initial Decisions of the Atomic Safety and Licensing Board, dated April 9, May 14, and December 19, 1974, June 30, 1975, and the Commission's Memorandum and Order dated August 6, 1975, the Nuclear Regulatory Commission (the Commission) has issued Construction Permits Nos. CPPR-116 and CPPR-117 to the Duke Power Company for construction of two pressurized water nuclear reactors at the applicant's site on the shore of Lake Wylie in York County, South Carolina. The proposed reactors, known as Catawba Nuclear Station, Units 1 and 2, are designed for a rated power of approximately 3411 megawatts thermal each with a net electrical output of approximately 1153 megawatts each.

The Initial Decisions are subject to review by an Atomic Safety and Licensing Appeal Board prior to their becoming final. Any decision or action taken by an Atomic Safety and Licensing Appeal Board in connection with the Initial Decisions may be reviewed by the Commission.

The Commission has made appropriate findings as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the

construction permits. The application for the construction permits complies with the standards and requirements of the Act and the Commission's rules and regulations.

The construction permits are effective as of their date of issuance. The earliest date for the completion of Unit No. 1 is June 1, 1980, and the latest date for completion is June 1, 1981. The earliest date for completion of Unit No. 2 is June 1, 1981, and the latest date for completion is June 1, 1982. Each permit shall expire on the latest date for completion of the respective facility for which it is issued.

A copy of (1) the Initial Decisions, dated April 9, 1974, May 14, 1974, December 19, 1974, and June 30, 1975; (2) the Commission's Memorandum and Order dated August 6, 1975; (3) Construction Permits Nos. CPPR-116 and CPPR-117; (4) the report of the Advisory Committee on Reactor Safeguards, dated November 13, 1973; (5) the Division of Reactor Licensing's Safety Evaluation Report dated October 12, 1973, and Supplement No. 1 dated January 21, 1974; (6) the Preliminary Safety Analysis Report and amendments thereto; (7) the applicant's Environmental Report dated October 1972, and supplements thereto; (8) the Draft Environmental Statement dated April 1973; and (9) the Final Environmental Statement dated December 1973, are available for public inspection at the Commission's Public Document Room at 1717 H Street, N.W., Washington, D. C. and the York County Library, 325 S. Oakland Avenue, Rock Hill, South Carolina. A copy of the construction permits and the Safety Evaluation may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 7th day of August, 1975.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in dark ink, appearing to read "D. B. Vassallo". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

D. B. Vassallo, Chief
Light Water Reactors
Project Branch 1-1
Division of Reactor Licensing