

Docket Nos.: 50-369
and 50-370

AUG 03 1987

Mr. H. B. Tucker, Vice President
Nuclear Production Department
Duke Power Company
422 South Church Street
Charlotte, North Carolina 28242

Dear Mr. Tucker:

Subject: McGuire Nuclear Station, Units 1 and 2 (TACS 65437/65438)

Enclosed for your information is a copy of a "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing" related to your May 4 and July 2, 1987, requests concerning the Equipment Staging Building at McGuire.

The Notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

151

Darl S. Hood, Project Manager
Project Directorate II-3
Division of Reactor Projects I/II

Enclosure: Federal Register Notice

cc w/encl: See next page

DISTRIBUTION:

Docket File
NRC PDR
Local PDR
PDII-3 Reading
BYoungblood Reading
SVarga/GLainas
MDuncan
DHood
OGC-Bethesda
EJordan
JPartlow
ACRS(10)

PDII-3/DRPI/II
MDuncan/rad
07/29/87

PDII-3/DRPI/II
DHood
07/14/87
8

PDII-3/DRPI/II
BYoungblood
07/14/87
8

8708110057 870803
PDR ADDCK 05000369
P PDR

Mr. H. B. Tucker
Duke Power Company

McGuire Nuclear Station

cc:

Mr. A.V. Carr, Esq.
Duke Power Company
P. O. Box 33189
422 South Church Street
Charlotte, North Carolina 28242

Dr. John M. Barry
Department of Environmental Health
Mecklenburg County
1200 Blythe Boulevard
Charlotte, North Carolina 28203

County Manager of Mecklenburg County
720 East Fourth Street
Charlotte, North Carolina 28202

Chairman, North Carolina Utilities
Commission
Dobbs Building
430 North Salisbury Street
Raleigh, North Carolina 27602

Mr. Robert Gill
Duke Power Company
Nuclear Production Department
P. O. Box 33189
Charlotte, North Carolina 28242

Mr. Dayne H. Brown, Chief
Radiation Protection Branch
Division of Facility Services
Department of Human Resources
701 Barbour Drive
Raleigh, North Carolina 27603-2008

J. Michael McGarry, III, Esq.
Bishop, Liberman, Cook, Purcell
and Reynolds
1200 Seventeenth Street, N.W.
Washington, D. C. 20036

Senior Resident Inspector
c/o U.S. Nuclear Regulatory Commission
Route 4, Box 529
Huntersville, North Carolina 28078

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

L. L. Williams
Area Manager, Mid-South Area
ESSD Projects
Westinghouse Electric Corporation
MNC West Tower - Bay 239
P. O. Box 355
Pittsburgh, Pennsylvania 15230

UNITED STATES NUCLEAR REGULATORY COMMISSIONDUKE POWER COMPANYDOCKET NOS. 50-369 AND 50-370NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO
FACILITY OPERATING LICENSES AND 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 Licenses Nos. NPF-9 and NPF-17, issued to Duke Power Company (the Licensee), for operation of the McGuire Nuclear Station, Units 1 and 2 located in Mecklenburg County, North Carolina.

The amendments would revise the Technical Specifications (TSs) to incorporate the ventilation system of the Equipment Staging Building (ESB) as a new gaseous effluent release point, to specify limiting conditions for operation and surveillance requirements for this ventilation system and its monitoring instrumentation, and to add associated requirements to the gaseous waste sampling and analysis program.

Specifically, TS Figure 5.1-3 "Site Boundary for Gaseous Effluents," which shows locations within the Exclusion Area Boundary for radioactive gaseous effluents released to unrestricted areas, would be revised to reflect the addition of the ESB. Changes to TS Table 3.3-13 "Radioactive Gaseous Effluent Monitoring Instrumentation" would add minimum channel operability requirements applicable during gaseous effluent releases, and associated actions required with the number of operable channels less than specified, for the noble gas activity monitor (EMF-59), flow rate monitor, and sampler minimum flow device of the ESB ventilation system. Similarly, changes to TS Table 4.3-9 "Effluent Monitoring Instrumentation Surveillance

Requirements" would add surveillance requirements (channel check, source check, channel calibration frequency, and analog channel operational test frequency) for these same three monitors, applicable at all times except when the ventilation system isolation valve is closed and locked. TS Table 4.11-2 "Radioactive Gaseous Waste Sampling and Analysis Program" would be revised to reflect the addition of the ESB as new item 4c, and to reflect sampling and analysis requirements corresponding to those presently specified for the Radwaste Facility Vent (item 4a) and Contaminated Materials Warehouse (item 4b).

An additional change would correct inconsistent names for the same structure; the reference to "Contaminated Materials Warehouse" in TS Table 4.11-2 (item 4b) and to "Contaminated Parts Storage Warehouse" in Figure 5.1-3 would both be changed to "Contaminated Parts Warehouse."

These requests are in accordance with the licensee's applications for amendment dated May 4 and July 2, 1987.

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 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 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.

The licensee has recently completed construction of an ESB located outside the Unit 2 Containment equipment hatch and adjacent to the Fuel Building. The purpose of the ESB is to provide increased laydown area for the Containment during outages; storage of outage equipment; equipment decontamination; disassembly, servicing and assembly of reactor coolant system components; and environmental protection for equipment and personnel during an outage. The need for the ESB results from limited space for such activities required during an outage and which are presently performed in the Containment, Spent Fuel Building and Hot Machine Shop. Typical activities which would be conducted inside the ESB include vessel head stud cleaning, valve maintenance, cutting of discontinued piping (such as the upper head injection piping) into smaller sections for storage or shipment, and parts and component repair such as reactor coolant pump internals replacement or motor repair. The licensee finds that performing such activities in the ESB would result in a reduction in radiation exposure to workers, reduced outage time and a safer working environment.

Because the planned ESB activities involve dry brushing, cutting, grinding and welding of contaminated components and such activities create airborne contamination, the ESB includes a heating, ventilation and air conditioning (HVAC) system with a pre-filter and a high efficiency particulate absolute (HEPA) filter to collect and remove particulates prior to release of exhaust gases to the atmosphere through the new ESB HVAC discharge vent. The ESB also includes a contaminated parts wash down area with provisions to route potentially contaminated liquids to existing station liquid radwaste treatment systems. The planned ESB activities, if not conducted in the new ESB, would be performed elsewhere in the plant (as is presently the case). Thus, the proposed change would not result in a significant change in the amounts or types of radioactive

material in effluents released from the station or associated doses. The only solid waste generated due to ESB usage, that would not otherwise be generated, would result from periodic changeout of the pre-filter and HEPA filter units; this would add less than 100 cubic feet of waste per year, which is an insignificant addition to McGuire's annual solid waste generation total which, in 1986, was 28,194 cubic feet.

The changes to Tables 3.3-13 and 4.3-9 would add the system noble gas activity monitor, flow rate monitor, and sampler minimum flow device to the TSs. The changes add TS requirements on the system identical to Items 8 and 9 of the tables (the Contaminated Parts Warehouse ventilation system and the Radwaste Facility ventilation system, respectively). The monitor on the ESB is of similar design and would function under similar conditions as the monitors on the Contaminated Parts Warehouse and the Radwaste Facility. The specification requires the operability of the monitor during gaseous effluent releases with sampling and flow estimates required if the monitor is inoperable. The surveillance required is the same as for the Contaminated Parts Warehouse and the Radwaste Facility ventilation systems and again, the system and operational conditions would be similar. This similarity is also the basis for the proposed change to Table 4.11-2 which would require additional sampling and analysis of the released effluents. This will require that total dose rate as calculated using methodology and parameters of the Offsite Dose Calculation Manual be maintained within the existing limits specified in TS 3.11.2.1. The proposed change to Figure 5.1-3 to designate the new gaseous effluent release point, coupled with the requirements of existing TS 3.3.3.9 (Tables 3.3-13 and 4.3-9) and 3.11.2.1 (Table 4.11-2) would ensure

control of effluent releases from the facility to as low as is reasonably achievable levels.

The Commission has provided guidance concerning the application of its standards set forth in 10 CFR Part 50.92 for no significant hazards consideration by providing certain examples (51 FR 7744). One of the examples (i) of actions involving no significant hazards consideration regards amendments for a purely administrative change to TSs, a change in nomenclature, or a change to achieve consistency throughout the TS. The change to TS Table 4.11-2 (item 4b) and to TS Figure 5.1-3 to correct the name of the Contaminated Parts Warehouse fits this example. The remaining changes do not match the examples. However, the staff has reviewed the licensee's submittal and finds that the ESB is an independent, free standing structure with no rigid connection to adjacent structures. It houses no safety related equipment and serves no function for accident prevention or mitigation. During fuel movement, the Containment equipment hatch will be closed in accordance with existing and unchanged TS 3.9.4 to prevent any release from Containment to the ESB in the event of a fuel handling accident. Therefore, the changes would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, (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 discussed above, the change also would not result in a significant increase in the amounts, or a significant change in the types, of any effluents that may be released offsite, and there would be no significant increase in individual or cumulative occupational exposure. Accordingly, the Commission proposes to determine that the requested license 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. 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 Procedures Branch, Division of Rules and Records, Office of Administration, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, and should cite the publication date and page number of the FEDERAL REGISTER notice. Written comments may also be delivered to Room 4000, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland from 8:15 a.m. to 5:00 p.m. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street, N. W., Washington, D. C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By *August 31, 1987*, 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 petition for leave to intervene. Request 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 which 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.

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 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 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 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 promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to B. J. Youngblood, 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 Executive Legal Director, 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, 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 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 which is available for public inspections at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C., and the Atkins Library, University of North Carolina, Charlotte (UNCC Station), North Carolina 28223.

Dated at Bethesda, Maryland, this day of

FOR THE NUCLEAR REGULATORY COMMISSION

151

Darl Hood, Project Manager
 Project Directorate II-3
 Division of Reactor Projects, I/II

PD#II-3/DRP-I/II
 MDuncan/mac
 07/27/87

DSH
 PD#II-3/DRP-I/II
 DHood
 07/27/87

for
 PD#II-3/DRP-I/II
 BJYoungblood
 07/27/87

July 28, 1987

DOCKET NO. 8. 50-369
50-370

MEMORANDUM FOR: Rules and Procedures Branch
Division of Rules and Records
Office of Administration

FROM: Office of Nuclear Reactor Regulation

SUBJECT: McGuire Nuclear Station, Units 1 and 2 (Duke Power Company)

One signed original of the *Federal Register* Notice identified below is enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (5) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for Submission of Views on Antitrust Matters.
- Notice of Consideration of Issuance of Amendment to Facility Operating License.
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Order.
- Exemption.
- Notice of Granting Exemption.
- Environmental Assessment.
- Notice of Preparation of Environmental Assessment.
- Other: _____

NOTE: Please insert a date (30 days from publication) on page 6 of notice.
Call M. Duncan at ext 28928 with date.

Enclosure:
As stated

Contact: Marilee Duncan
Phone: 28928

OFFICE ▶							
SURNAME ▶							
DATE ▶							