

Docket Nos. 50-325
and 50-324

MAY 18 1981

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Mr. J. A. Jones
Senior Executive Vice President
Carolina Power & Light Company
336 Fayetteville Street
Raleigh, North Carolina 27602

Dear Mr. Jones:

The Commission has filed the enclosed "Notice of Consideration of Amendments to Facility Operating Licenses" with the Office of the Federal Register for publication. The notice relates to your request dated April 16, 1981, for approval to amend License Nos. DPR-71 and DPR-62 to allow additional storage capability of spent fuel at Brunswick Steam Electric Plant Units 1 and 2, respectively.

Sincerely,

Original Signed by
T. A. Ippolito

Thomas A. Ippolito, Chief
Operating Reactors Branch #2
Division of Licensing

Enclosure:
Notice

cc w/enclosure:
See next page

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OFFICE	DL:ORB#2	DL:ORB#2	DL:ORB#2	DL:ORB#2	OELD		
SURNAME	SNorris:pbe	JHannon	JVan VlietPbe	TAIppolito			
DATE	5/8/81	5/8/81	5/11/81	5/11/81	5/12/81		



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

May 18, 1981

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and 50-324

Mr. J. A. Jones
Senior Executive Vice President
Carolina Power & Light Company
336 Fayetteville Street
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Sincerely,

A handwritten signature in cursive script, reading "T. Ippolito".

Thomas A. Ippolito, Chief
Operating Reactors Branch #2
Division of Licensing

Enclosure:
Notice

cc w/enclosure:
See next page

Mr. J. A. Jones

cc:

Richard E. Jones, Esquire
Carolina Power & Light Company
336 Fayetteville Street
Raleigh, North Carolina 27602

George F. Trowbridge, Esquire
Shaw, Pittman, Potts & Trowbridge
1800 M Street, N. W.
Washington, D. C. 20036

John J. Burney, Jr., Esquire
Burney, Burney, Sperry & Barefoot
110 North Fifth Avenue
Wilmington, North Carolina 28401

Resident Inspector
U. S. Nuclear Regulatory Commission
P. O. Box 1057
Southport, North Carolina 28461

Southport - Brunswick County Library
109 W. Moore Street
Southport, North Carolina 28461

Mr. Charles R. Dietz
Plant Manager
P. O. Box 458
Southport, North Carolina 28461

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NOS. 50-325 AND 50-324CAROLINA POWER & LIGHT COMPANYNOTICE OF CONSIDERATION OF AMENDMENTS TO
FACILITY OPERATING LICENSES

The U. S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. DPR-71 and DPR-62 issued to Carolina Power & Light Company (the licensee), for operation of the Brunswick Steam Electric Plant (BSEP), Units 1 and 2, located at the licensee's site in Brunswick County, North Carolina.

The proposed amendments would modify the Technical Specifications to increase the combined spent fuel storage capacity from 2392 spaces to 3946 spaces.

Prior to 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. By June 26, 1981, the licensee or any person whose interest may be affected by this action 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. Requests 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 would 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 amendments 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.

A request for a hearing or a petition for leave to intervene shall 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, 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 or representative for 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 Thomas A. Ippolito: (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 George F. Trowbridge, Esquire, Shaw, Pittman, Potts & Trowbridge, 1800 M Street, N.W., Washington, D.C. 20035, attorneys 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 or the presiding officer of the Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR §2.714 (a)(i)-(v) and §2.714(d).

For further details with respect to this action, see the application for amendments dated April 16, 1981, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Southport-Brunswick County Library, 109 W. Moore Street, Southport, North Carolina 28461.

Dated at Bethesda, Maryland, this 18th day of May 1981.

FOR THE NUCLEAR REGULATORY COMMISSION


Thomas A. Ippolito, Chief
Operating Reactors Branch #2,
Division of Licensing