

October 5, 1983

Docket Nos. 50-325/324

Mr. E. E. Utley
Executive Vice President
Carolina Power & Light Company
Post Office Box 1551
Raleigh, North Carolina 27602

Dear Mr. Utley:

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 and Opportunity for Prior Hearing." This notice relates to your application dated June 3, 1982, which would modify the operating license and the Technical Specifications (TSs) for Brunswick Steam Electric Plant, (BSEP) Unit Nos. 1 and 2 to permit unit operation up to 50% of rated thermal power with one recirculation loop out of service. The proposed license changes would delete the license condition which requires the units to be in hot shutdown within 24 hours if an idle recirculation loop cannot be returned to service within 12 hours. The proposed changes would also modify the TSs as necessary to provide for appropriate Average Power Range Monitor flux scram trip and rod block settings, an increase in the safety limit Minimum Critical Power Ratio value and revisions to the allowable Average Planar Linear Heat Generation Rate values suitable for use with an idle recirculation loop.

Sincerely,

Original signed by/

Sam D. MacKay, Project Manager
Operating Reactors Branch #2
Division of Licensing

Enclosure:
Notice of Consideration

cc w/enclosure:
See next page

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Docket File	DEisenhut	LJHarmon	NSIC
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ORB#2 Reading	SNorris	ACRS (10)	

*Please see previous concurrence page

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SURNAME	SNorris*	SMacKay:ajs*	DVassallo	JMiller	H KARMAN	GLAhas
DATE	9/22/83	8/17/83	9/19/83	9/27/83	9/27/83	9/1/83

Mr. E. E. Utley
Carolina Power & Light Company
Brunswick Steam Electric Plant, Units 1 and 2

cc:

Richard E. Jones, Esquire
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UNITED STATES NUCLEAR REGULATORY COMMISSION

CAROLINA POWER & LIGHT COMPANY

DOCKET NOS. 50-325 AND 50-324

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS

TO FACILITY OPERATING LICENSES AND

OPPORTUNITY FOR PRIOR HEARING

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

The amendment would revise the operating license and the provisions in the Technical Specifications relating to changes to permit reactor operation at power levels up to 50% of rated thermal power with one recirculation loop out of service. Presently, Brunswick operating licenses require a unit to be in hot shutdown within 24 hours if an idle recirculation loop cannot be returned to service within 12 hours. The change proposed by the licensee would delete this license condition and modify the Technical Specifications (TSs) as necessary to provide for appropriate Average Power Range Monitor (APRM) flux scram trip and rod block settings, an increase in the safety limit Minimum Critical Power Ratio (MCPR) value and revisions to the allowable Average Planar Linear Heat Generation Rate (APLHGR) values suitable for use with an idle recirculation loop, in accordance with the licensee's application for amendment dated June 3, 1982.

Prior to 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.

By November 14, 1983, 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 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 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 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 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, United States 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 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 377 and the following message addressed to Domenic B. Vassallo: (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 George F. Trowbridge, Esq., Shaw, Pittman, Potts and Trowbridge, 1800 M Street, N. W., Washington, D. C. 20036, 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 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)(1)(i)-(v) and §2.714(d).

For further details with respect to this action, see the application for amendment dated June 3, 1982, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at Southport, Brunswick County Library, 109 W. Moore Street, Southport, North Carolina 28461.

Dated at Bethesda, Maryland this 5th day of October, 1983.

FOR THE NUCLEAR REGULATORY COMMISSION



Domenic B. Vassallo, Chief
Operating Reactors Branch #2
Division of Licensing