

August 16, 1983

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DOCKET NO(S). 50-325 and 50-324

Mr. E. E. Utley, Executive V. P.  
Carolina Power & Light Company  
P. O. Box 1551  
Raleigh, North Carolina 27602

SUBJECT: BRUNSWICK STEAM ELECTRIC PLANT, UNITS 1 AND 2

The following documents concerning our review of the subject facility are transmitted for your information.

- Notice of Receipt of Application.
- Draft/Final Environmental Statement, dated \_\_\_\_\_.
- Notice of Availability of Draft/Final Environmental Statement, dated \_\_\_\_\_.
- Safety Evaluation Report, or Supplement No. \_\_\_\_\_, dated \_\_\_\_\_.
- Notice of Hearing on Application for Construction Permit.
- Notice of Consideration of Issuance of Facility Operating License.
- Application and Safety Analysis Report, Volume \_\_\_\_\_.
- Amendment No. \_\_\_\_\_ to Application/SAR dated \_\_\_\_\_.
- Construction Permit No. CPPR- \_\_\_\_\_, Amendment No. \_\_\_\_\_, dated \_\_\_\_\_.
- Facility Operating License No. \_\_\_\_\_, Amendment No. \_\_\_\_\_, dated \_\_\_\_\_.
- Order Extending Construction Completion Date, dated \_\_\_\_\_.

Other (Specify) Notice of Consideration of Issuance of Amendments to Facility Operating Licenses & Proposed No Significant Hazards Consideration Determination & Opportunity For a Hearing, in response to application dated June 16, 1982, as supplemented April 28, 1983, regarding proposed changes to (1) snubbers, (2) surveillance of instrumentation as result of NUREG-0737, and (3) add requirements for surveillance of high water level in scram discharge piping.

Office of Nuclear Reactor Regulation

Enclosures:  
As stated

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

cc: See attached list

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SURNAME	S.Norris	S.MacKay	D.Vassallo	R.Clark	M. KARMA	
DATE	7/29/83	7/29/83	8/15/83	8/1/83	8/3/83	

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

cc:

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Carolina Power & Light Company  
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U. S. Environmental Protection Agency  
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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 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 License Nos. DPR-71 and DPR-62, issued to Carolina Power and Light Company (the licensee), for operation of the Brunswick Steam Electric Plant, Units 1 and 2 located in Brunswick County, North Carolina.

The amendments would modify the technical specifications as follows:  
(1) delete requirements for seismic snubbers on those portions of the control rod drive return line piping that have been removed, (2) add requirements regarding the operability, response time and surveillance of instrumentation installed as a result of certain N.R.C. recommendations set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements," and (3) add requirements regarding the operability, response time and surveillance of instrumentation used for signalling a condition of high water level in the scram discharge piping. Technical Specifications that would be changed to implement the recommendations in NUREG-0737 are associated with the following items as listed in NUREG-0737:

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- II B 3 Postaccident sampling
- II F 1 Accident monitoring
  - II F 1.1 Noble gas monitor
  - II F 1.2 Iodine/Particulate sampling
  - II F 1.3 Containment high range monitor
  - II F 1.5 Containment water level
  - II F 1.6 Containment hydrogen

These NUREG-0737 items, as well as the removal of control rod drive return line piping and the addition of scram discharge volume instrumentation, are improvements that have been previously approved by the N.R.C. The changes to the Technical Specifications will be necessary administrative follow up actions essential to the implementation of these improvements.

These revisions to the Technical Specifications are in response to the licensee's application for amendments dated June 16, 1982, as supplemented April 28, 1983.

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 Commission has provided guidance for the application of the standards for determining whether a significant hazards consideration exists by providing certain examples (48 CFR 14870). The examples involving no significant hazards consideration include, "(i) a purely administrative change to Technical Specifications: for example, a change to achieve consistency throughout the Technical Specifications, correction of an error, or a change in nomenclature; and, (ii) A change that constitutes an additional limitation, restriction, or control not presently included in the Technical Specifications: for example, a more stringent surveillance requirement."

The deletion of requirements for seismic snubbers on those portions of the control rod return line piping that have been removed is encompassed by example (i) above in that this would be an administrative change to achieve consistency between the Technical Specifications and the physical configuration of the nuclear power plant. The balance of the changes to the Technical Specifications called for by the amendment request are encompassed by example (ii) above since they would add limitations and restrictions not presently included in the Technical Specifications.

Therefore, since the application for amendment involves proposed changes that are similar to examples for which no significant hazards considerations exist, the staff has made a proposed determination that the application for amendment involves 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.

Comments should be addressed to the Secretary of the Commission, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attn: Docketing and Service Branch.

By September 21, 1983, the licensee may file a request for a hearing with respect to issuance of the amendments 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 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 amendments before the expiration of the 30 day notice period, provided that its final determination is that the amendments involve 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 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 to George F. Trowbridge, Esq., Shaw, Pittman, Potts & Trowbridge, 1800 M Street, NW., 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 which is 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 16th day of August, 1983.

FOR THE NUCLEAR REGULATORY COMMISSION



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