

October 14, 1977. DISTRIBUTION

Docket Nos. 50-325
and 50-324

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

Gentlemen:

Dockets

NRC PDR
LOCAL PDR
ORB#1 Reading
ASchwecer
KRGoller
SMSheppard
CMTrammell
OELD
OI&E(5)
ACRS(16)
BJones(8)
BScharf(15)
DRoss
DEisenhut

JMcGough
JSaltzman
CMiles, OPA
TBAburnathy
JRBuchanan
BHarless
VSTello

The Commission has issued the enclosed Amendment No. 9 to Facility Operating License No. DPr-71 and Amendment No. 34 to Facility Operating License No. DPR-62 for the Brunswick Steam Electric Plant, Unit Nos. 1 and 2. The amendments consist of a change to the licenses in response to your application dated September 23, 1976, and supplements thereto dated January 7, March 3, April 7 and 26, 1977.

The amendments authorize CP&L to store irradiated fuel from H. B. Robinson Steam Electric Plant Unit No. 2 in either spent fuel storage pool at the Brunswick Steam Electric Plant.

Copies of the Safety Evaluation and Environmental Impact Appraisal related to this action were enclosed with Amendment Nos. 8 and 30 to the Operating Licenses for Units 1 and 2, respectively, issued on August 26, 1977.

We have enclosed two copies of Amendment No. 7 to Indemnity Agreement No. B-71, which modifies the definition of "the radioactive material" for the Brunswick Steam Electric Plant to specifically include H. B. Robinson irradiated fuel. Please sign both copies and return one copy to this office.

A copy of the Notice of Issuance and Negative Declaration is also enclosed.

Sincerely,

Thomas V. Wambach

A. Schwencer, Chief
for/ Operating Reactors Branch #1
Division of Operating Reactors

Enclosures and cc:
See next page

OFFICE	DOR:ORB#1	OELD	DOR:ORB#1	DOR:OR	
SURNAME	CMTrammell:1b	ASchwecer	KRGoller		
DATE	10/06/77	10/11/77	10/13/77	10/13/77	

Enclosures:

1. Amendment No. 9 to DPR-71
2. Amendment No. 34 to DPR-62
3. Amendment No. 7 to Indemnity Agreement
No. B-71
4. Notice of Issuance/Negative Declaration

cc w/encl:

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

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

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

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

Mr. Steve J. Varnam
Chairman, Board of County
Commissioners of Brunswick County
Southport, North Carolina 28461

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

Chief, Energy Systems
Analyses Branch (AW-459)
Office of Radiation Programs
U.S. Environmental Protection Agency
Room 645, East Tower
401 M Street, SW
Washington, D.C. 20460

U.S. Environmental Protection
Agency
Region IV Office
ATTN: EIS COORDINATOR
345 Courtland Street, NW
Atlanta, Georgia 30308

OFFICE ➤						
SURNAME ➤						
DATE ➤						



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

October 14, 1977

Docket Nos. 50-325
and 50-324

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ATTN: Mr. J. A. Jones
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Raleigh, North Carolina 27602

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Sincerely,

for J. V. Wambach
A. Schwencer, Chief
Operating Reactors Branch #1
Division of Operating Reactors

Enclosures and cc:
See next page

October 14, 1977

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No. B-71
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

CAROLINA POWER & LIGHT COMPANY

DOCKET NO. 50-325

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 9
License No. DPR-71

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Carolina Power & Light Company (the licensee) dated September 23, 1976, and supplements thereto dated January 7, March 3, April 7 and April 26, 1977, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, paragraphs 2.B.(5) and 2.C.(2) of Facility Operating License No. DPR-71 are hereby amended to read as follows:

"2.B.(5) Pursuant to the Act and 10 CFR Parts 30 and 70 to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of Brunswick Steam Electric Plant, Unit Nos. 1 and 2, and H. B. Robinson Steam Electric Plant, Unit No. 2.

2.C.(2) Technical Specifications

The Technical Specifications contained in Appendices A, A-Prime and B, attached hereto, as revised through Amendment No. 9, are hereby incorporated in this license. Appendix A shall be effective from the date of issuance of the Unit 1 operating license until the Appendix A-Prime becomes effective on or before the initial criticality of Brunswick Unit 2 following its initial refueling outage. Carolina Power & Light Company shall operate the facility in accordance with the Technical Specifications as indicated above. The licensee shall inform the Office of Inspection and Enforcement, Region II, of the date that the Appendix A-Prime becomes effective."

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Karl R. Goller

Karl R. Goller, Assistant Director
for Operating Reactors
Division of Operating Reactors

Date of Issuance: October 14, 1977



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

Docket Nos. 50-324
50-325

AMENDMENT TO INDEMNITY AGREEMENT NO. B-71

AMENDMENT NO. 7

Effective October 14, 1977 Indemnity Agreement No. B-71, between Carolina Power & Light Company, and the Atomic Energy Commission, dated January 14, 1974, as amended, is hereby further amended by modifying Article I, paragraph 9 to read as follows:

" 'The radioactive material' means source, special nuclear, and byproduct material which: (1) is used, was used, or will be used in, or is irradiated, was irradiated or will be irradiated by, the nuclear reactors licensed under DPR-62 and DPR-71, or (2) was used in, or was irradiated in the nuclear reactor licensed under DPR-23 and subsequently is transported to the site of the nuclear reactors licensed under DPR-62 and DPR-71 for the purposes of storage, or (3) which is produced as the result of operation of the nuclear reactors licensed under DPR-62 and DPR-71."

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

A handwritten signature in dark ink, appearing to read "Jerome Saltzman", is written over the typed name.

Jerome Saltzman, Chief
Antitrust & Indemnity Group
Nuclear Reactor Regulation

Accepted October 14, 1977

By CAROLINA POWER AND LIGHT COMPANY



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

CAROLINA POWER & LIGHT COMPANY

DOCKET NO. 50-324

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 34
License No. DPR-62

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Carolina Power & Light Company (the licensee) dated September 23, 1976, and supplements thereto dated January 7, March 3, April 7 and April 26, 1977, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, paragraphs 2.B.(6) and 2.C.(2) of Facility Operating License No. DPR-62 are hereby amended to read as follows:

"2.B.(6) Pursuant to the Act and 10 Parts 30 and 70 to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of Brunswick Steam Electric Plant, Unit Nos. 1 and 2, and H. B. Robinson Steam Electric Plant, Unit No. 2.

2.C.(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 34, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications."

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Karl R. Goller, Assistant Director
for Operating Reactors
Division of Operating Reactors

Date of Issuance: October 14, 1977



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

Docket Nos. 50-324
50-325

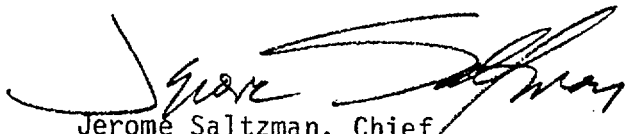
AMENDMENT TO INDEMNITY AGREEMENT NO. B-71

AMENDMENT NO. 7

Effective October 14, 1977, Indemnity Agreement No. B-71, between Carolina Power & Light Company, and the Atomic Energy Commission, dated January 14, 1974, as amended, is hereby further amended by modifying Article I, paragraph 9 to read as follows:

" 'The radioactive material' means source, special nuclear, and byproduct material which: (1) is used, was used, or will be used in, or is irradiated, was irradiated or will be irradiated by, the nuclear reactors licensed under DPR-62 and DPR-71, or (2) was used in, or was irradiated in the nuclear reactor licensed under DPR-23 and subsequently is transported to the site of the nuclear reactors licensed under DPR-62 and DPR-71 for the purposes of storage, or (3) which is produced as the result of operation of the nuclear reactors licensed under DPR-62 and DPR-71."

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION


Jerome Saltzman, Chief
Antitrust & Indemnity Group
Nuclear Reactor Regulation

Accepted October 14, 1977

By CAROLINA POWER AND LIGHT COMPANY

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-325 AND 50-324

CAROLINA POWER & LIGHT COMPANY

NOTICE OF ISSUANCE OF AMENDMENTS TO FACILITY
OPERATING LICENSES, NEGATIVE DECLARATION

AND
AMENDMENT TO INDEMNITY AGREEMENT

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment Nos. 9 and 34 to Facility Operating License Nos. DPR-71 and DPR-62, respectively, and Amendment No. 7 to Indemnity Agreement No. B-71, issued to Carolina Power & Light Company, which revised the licenses and the indemnity agreement for operation of the Brunswick Steam Electric Plant, Unit Nos. 1 and 2 (the facilities) located in Brunswick County, North Carolina. The amendments are effective as of the date of their issuance.

The amendments to the operating licenses authorize Carolina Power & Light Company to store irradiated fuel from the company's H. B. Robinson Steam Electric Plant Unit No. 2 in either spent fuel storage pool at the Brunswick Steam Electric Plant. The amendment to the indemnity agreement redefines the term "the radioactive material" in the indemnity agreement for the Brunswick facilities to provide indemnity coverage for storage at Brunswick of spent fuel generated by the Robinson facility.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made

appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Notice of Proposed Issuance of Amendments to Facility Operating Licenses in connection with this action was published in the FEDERAL REGISTER on November 26, 1976 (41FR 52113). Notice of Intent to Modify Indemnity Agreement No. B-71 was published in the FEDERAL REGISTER on September 6, 1977 (42FR 44617). No request for a hearing or petition for leave to intervene was filed following notice of these proposed actions.

The Commission has prepared an environmental impact appraisal associated with this action and has concluded that an environmental impact statement is not warranted because there will be no significant environmental impact attributable to the action. A negative declaration to this effect is appropriate.

For further details with respect to this action, see (1) the application for amendments dated September 23, 1976, as supplemented January 7, March 3, April 7 and 26, 1977, (2) Amendment No. 8 to License No. DPR-71, (3) Amendment No. 30 to License No. DPR-62, (4) the Commission's related Safety Evaluation, (5) the Commission's related Environmental Impact Appraisal, (6) Amendment No. 9 to License No. DPR-71, (7) Amendment No. 34 to License No. DPR-62, and (8) the Commission's related letter to the licensee dated October 14, 1977. All of these items are available for public inspection at the

Commission's Public Document, 1717 H Street, NW., Washington, D.C.
and at the Southport-Brunswick County Library, 109 West Moore Street,
Southport, North Carolina 28461. A copy of items (2) through (8)
may be obtained upon request addressed to the U.S. Nuclear Regulatory
Commission, Washington, D.C. 20555, Attention: Director, Division of
Operating Reactors.

Dated at Bethesda, Maryland, this 14th day of October 1977.

FOR THE NUCLEAR REGULATORY COMMISSION

Thomas V. Wambach

Thomas V. Wambach, Acting Chief
Operating Reactors Branch #1
Division of Operating Reactors