

July 1, 1998

Mr. D. E. Young, Vice President  
Carolina Power & Light Company  
H. B. Robinson Steam Electric Plant,  
Unit No. 2  
3581 West Entrance Road  
Hartsville, South Carolina 29550

SUBJECT: H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT 2, REQUEST FOR  
AMENDMENT RE: ULTIMATE HEAT SINK (TAC NO. MA2180)

Dear Mr. Young:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing." This notice relates to your application for amendment dated June 26, 1998, which would revise Technical Specification 3.7.8, "Ultimate Heat Sink," to provide a "Required Action" and "Completion Time" to restore the ultimate heat sink temperature should the temperature exceed its design limit.

Sincerely,

Original signed by Ram Subbaratnam for:

Joseph W. Shea, Project Manager  
Project Directorate II-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket No. 50-261

Enclosure: Federal Register Notice

cc w/encl: See next page

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Mr. D. E. Young  
Carolina Power & Light Company

cc:

Mr. William D. Johnson  
Vice President and Senior Counsel  
Carolina Power & Light Company  
Post Office Box 1551  
Raleigh, North Carolina 27602

Ms. Karen E. Long  
Assistant Attorney General  
State of North Carolina  
Post Office Box 629  
Raleigh, North Carolina 27602

U.S. Nuclear Regulatory Commission  
Resident Inspector's Office  
H. B. Robinson Steam Electric Plant  
2112 Old Camden Road  
Hartsville, South Carolina 29550

Regional Administrator, Region II  
U.S. Nuclear Regulatory Commission  
Atlanta Federal Center  
61 Forsyth Street, SW, Suite 23T85  
Atlanta, Georgia 30303

Mr. J. W. Moyer  
Director of Site Operations  
Carolina Power & Light Company  
H. B. Robinson Steam Electric Plant  
Unit No. 2  
3581 West Entrance Road  
Hartsville, South Carolina 29550

Public Service Commission  
State of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

Mr. H. K. Chernoff  
Supervisor, Licensing/Regulatory Programs  
Carolina Power & Light Company  
H. B. Robinson Steam Electric Plant,  
Unit No. 2  
3581 West Entrance Road  
Hartsville, South Carolina 29550

H. B. Robinson Steam Electric  
Plant, Unit No. 2

Mr. Mel Fry, Director  
N.C. Department of Environment  
and Natural Resources  
Division of Radiation Protection  
3825 Barrett Dr.  
Raleigh, North Carolina 27609-7721

Mr. Robert P. Gruber  
Executive Director  
Public Staff - NCUC  
Post Office Box 29520  
Raleigh, North Carolina 27626-0520

Mr. Max Batavia, Chief  
South Carolina Department of Health  
Bureau of Radiological Health  
and Environmental Control  
2600 Bull Street  
Columbia, South Carolina 29201

Ms. D. B. Alexander  
Manager  
Performance Evaluation and  
Regulatory Affairs CPB 9  
Carolina Power & Light Company  
Post Office Box 1551  
Raleigh, North Carolina 27602-1551

Chief, Reactor Projects Branch 4  
U. S. Nuclear Regulatory Commission  
Atlanta Federal Center  
61 Forsyth St., SW, Suite 23T85  
Atlanta, Georgia 30303

Mr. T. M. Wilkerson  
Manager - Regulatory Affairs  
Carolina Power & Light Company  
H. B. Robinson Steam Electric Plant,  
Unit No. 2  
3581 West Entrance Road  
Hartsville, South Carolina 29550-0790

UNITED STATES NUCLEAR REGULATORY COMMISSION

CAROLINA POWER & LIGHT

DOCKET NO. 50-261

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSE. PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-23, issued to Carolina Power & Light (CP&L or the licensee), for operation of the H.B. Robinson Steam Electric Plant, Unit 2, located in Darlington County, South Carolina.

The proposed amendment would revise Technical Specification (TS) 3.7.8, "Ultimate Heat Sink (UHS)," to permit an 8-hour delay in UHS temperature restoration period prior to entering the plant shutdown required actions. Also, for the duration of the restoration, service water system (SWS) temperature will be monitored hourly, and should the temperature exceed 99 degrees F, the plant will enter TS 3.7.8 required action A.1, and be in MODE 3 within 6 hours.

Before 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.

Pursuant to 10 CFR 50.91(a)(6), for amendments to be granted under exigent circumstances, the NRC staff must determine 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 amendment 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. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

Carolina Power & Light (CP&L) Company has evaluated the proposed Technical Specification change and has concluded that it does not involve a significant hazards consideration. The conclusion is in accordance with the criteria set forth in 10 CFR 50.92. The bases for the conclusion that the proposed change does not involve a significant hazards consideration are discussed below.

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed change does not involve any physical alteration of plant systems, structures or components. The proposed change provides an allowed time for the plant condition resulting from service water temperature in excess of the design limit of 95°F. The Service Water System (SWS) temperature is not assumed to be an initiating condition of any accident analysis evaluated in the safety analysis report. Therefore, the allowance of a limited time for service water temperature to be in excess of the design limit does not involve an increase in the probability of an accident previously evaluated in the safety analysis report (SAR). The SWS supports operability of safety related systems used to mitigate the consequences of an accident. An increase in service water temperature in excess of the design limit is expected to be small due to the limited time allowed by the proposed change in conjunction with the generally slow rate of temperature increase experienced from thermal changes in Lake Robinson. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated in the SAR.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed change does not involve any physical alteration of plant systems, structures or components. The temperature of the service water when near or slightly above the service water design temperature does not introduce new failure mechanisms for systems, structures or components not already considered in the SAR. Therefore, the possibility of a new or different kind of accident from any accident previously evaluated is not created.

3. Does this change involve a significant reduction in a margin of safety?

The proposed change will allow a small increase in service water temperature above the design basis limit for the service water system and delay the requirement to shutdown the plant when the service water system design limit is exceeded by 8 hours. There are design margins associated with systems, structures and components that are cooled by the service water system that are affected. The service water system temperature is an input assumption for mitigating the effects of design basis accidents. However, an increase in service water temperature in excess of design limit is expected to be small due to the limited time allowed by the proposed change in conjunction with the slow rate of temperature increase experienced from thermal changes in Lake Robinson. Therefore, there is no significant reduction in margin of safety associated with this change.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 14 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 14-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 14-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 in the FEDERAL REGISTER a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By August 7, 1998, 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 request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition 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. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Hartsville Memorial Library, 147 West College Avenue, Hartsville, South Carolina 29550. 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 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 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. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a

concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. 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 the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, 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 immediately 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 request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.



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, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to William D. Johnson, Vice President and Senior Counsel, Carolina Power & Light Company, Post Office Box 1551, Raleigh, North Carolina 27602, 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 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 26, 1998, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room, located at the Hartsville Memorial Library, 147 West College Avenue, Hartsville, South Carolina 29550.

Dated at Rockville, Maryland, this 1st day of July 1998.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "Ram Subbaratnam", with a long, sweeping horizontal stroke extending to the right.

Ram Subbaratnam, Project Manager  
Project Directorate II-1  
Division of Reactor Projects -I/II  
Office of Nuclear Reactor Regulation