

JUN 20 1988

DISTRIBUTION

Docket File
NRC PDR
Local PDR
PD21 r/f
S. Varga (14E4)
G. Lainas
E. Adensam
P. Anderson
B. Buckley
OGC
D. Hagan (MNBB 3302)
ACRS (10)
GPA/PA

Docket No. 50-400

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

Dear Mr. Utley:

SUBJECT: TRANSMITTAL OF NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT
TO FACILITY OPERATING LICENSE AND OPPORTUNITY FOR HEARING FOR
SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1 (TAC NO. 68105)

The Nuclear Regulatory Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration and Opportunity for Hearing."

This notices relates to your application dated May 10, 1988, which would revise the operability requirements of Technical Specification 3.3.3.7, Chlorine Detection Systems.

Sincerely,

151

BB06290330 BB0620
PDR ADDCK 05000400
P PDR

Bart C. Buckley, Project Manager
Project Directorate II-1
Division of Reactor Projects I/II

Enclosure:
Notice

cc w/enclosure:
See next page

OFC	:LA	:PD21	:DRPR	:PM	:PD21	:DRPR	:D	:PD21	:DRPR	:	:	:	:
NAME	: PAnderson	:	: BBuckley	: ch	: EAdensam	:	:	:	:	:	:	:	:
DATE	: 6/16/88	:	: 6/17/88	:	: 6/17/88	:	:	:	:	:	:	:	:

Mr. E. E. Utley
Carolina Power & Light Company

Shearon Harris

cc:

Mr. R. E. Jones, General Counsel
Carolina Power & Light Company
P. O. Box 1551
Raleigh, North Carolina 27602

Ms. Carol Love
100 Park Drive
P.O. Box 12276
Research Triangle Park, NC 27709

Mr. D. E. Hollar
Associate General Counsel
Carolina Power & Light Company
P.O. Box 1551
Raleigh, North Carolina 27602

Regional Administrator, Region II
U.S. Nuclear Regulatory Commission
101 Marietta Street
Suite 3100
Atlanta, Georgia 30323

Resident Inspector/Harris NPS
c/o U.S. Nuclear Regulatory Commission
Route 1, Box 315B
New Hill, North Carolina 27562

Mr. J. L. Willis
Plant General Manager
Harris Nuclear Plant
P.O. Box 165
New Hill North Carolina 27562

Mr. R. A. Watson
Vice President
Harris Nuclear Plant
P.O. Box 165
New Hill, North Carolina 27562

Mr. Dwayne H. Brown, Chief
Radiation Protection Section
Division of Facility Services
N.C. Department of Human Resources
701 Barbour Drive
Raleigh, North Carolina 27603-2008

UNITED STATES NUCLEAR REGULATORY COMMISSION
CAROLINA POWER & LIGHT COMPANY
DOCKET NO. 50-400
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U. S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-63, issued to Carolina Power & Light Company (the licensee), for operation of the Shearon Harris Nuclear Power Plant, located in Wake and Chatham Counties, North Carolina.

The amendment would revise the operability requirements of Technical Specification 3.3.3.7, Chlorine Detection Systems. The current specification requires that two independent chlorine detector trains be operable in all modes with each train consisting of a detector at each control room area ventilation system intake (both normal and emergency) and a detector at the chlorine storage area. The proposed change will require the detectors at the chlorine storage area to be operable only when there is liquified chlorine in amounts in excess of 20 pounds stored at the chlorine storage area. The operability requirements for the chlorine detectors located in the control room intakes are not affected by the proposed amendment.

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.

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 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. The basis for this proposed determination is provided below.

Operation in accordance with the proposed amendment involves no significant hazards consideration because the changes will not:

- (1) involve a significant increase in the probability or consequences of an accident previously evaluated because the only change is that the chlorine detectors located at the chlorine storage area are not required to be operable when 20 pounds or less of liquified chlorine is stored at the chlorine storage area. Moreover, the inoperability, per se, of the chlorine detectors cannot increase the probability of previously analyzed accidents. Currently, Regulatory Guide 1.95 exempts from consideration those circumstances where liquified chlorine in amounts not to exceed 20 pounds are located at the plant. Consequently, storage of up to 20 pounds of liquified chlorine, without the requirement for chlorine detectors, at various locations throughout the plant site is currently allowed. Thus, there is no significant increase in the consequences of any accident previously

evaluated. Therefore, the proposed change does not involve a significant increase in the probability or consequences of any accidents previously evaluated;

- (2) create the possibility of a new or different kind of accident from any accident previously evaluated because currently the storage of liquified chlorine in quantities of 20 pounds or less at various locations at the plant site is permitted without the requirement for attendant chlorine detection systems. Thus, the accident scenarios associated with the proposed amendment would be the same as those associated with the other similar smaller liquified chlorine sources at the plant site. In addition, the chlorine detectors are still required to be operable when liquified chlorine in amounts greater than 20 pounds are stored at the chlorine storage area; or
- (3) involve a significant reduction in the margin of safety because previously, it was anticipated that liquified chlorine far in excess of 20 pounds would be stored at the chlorine storage area. Therefore, in accordance with Regulatory Guide 1.95, chlorine detectors were required to be installed to isolate the control room in the event of an accident release from the chlorine storage area. This protective function is unaffected by this proposed change, i.e., the chlorine detectors will be required to be operable whenever liquified chlorine is stored in quantities greater than 20 pounds at the chlorine storage area. The proposed amendment would not require the subject chlorine detectors to be operable whenever liquified chlorine in the amount of 20 pounds or less is stored at the chlorine storage area. The effect of the accidental release of 20 pounds or

less of chlorine from the chlorine storage is comparable to that from the release of the same amount of chlorine that may be stored at the plant site without any chlorine detectors. Thus, with the requirement that the chlorine detectors be operable whenever liquified chlorine in excess of 20 pounds is stored at the chlorine storage area to isolate the control room, if required, the proposed amendment would not involve a significant reduction in the margin of safety.

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.

Written comments may be submitted by mail to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration and Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of the FEDERAL REGISTER notice. Written comments may also be delivered to Room 4000, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland, from 8:15 a.m. to 5:00 p.m. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street, N.W., Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By JUL 21 1988 , 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. 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 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 request 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 amendment before the expiration of the 30-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 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 1 (800) 325-6000 (in Missouri 1 (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Elinor G. Adensam: 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 Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Mr. R. E. Jones, Carolina Power & Light Company, P. O. 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 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 May 10, 1988, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555, and at the Richard B. Harrison Library, 1313 New Bern Avenue, Raleigh, North Carolina 27610.

Dated at Rockville, Maryland, this 16th day of June 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

151

Elinor G. Adensam, Director
Project Directorate II-1
Division of Reactor Projects I/II

OFC	:LA:PD21:DRPR:PM:BCB:DRPR:	OGC	: D:PD21:DRPR:	:	:
NAME	: PAnderson : BBuckley:ch:		: EAdensam	:	:
DATE	: 6/15/88 : 6/15/88 : 6/ /88)		: 6/15/88	:	: