March 28, 2006

Mr. Dhiaa Jamil
Vice President
Catawba Nuclear Station
Duke Energy Corporation
4800 Concord Road
York, SC 29745

SUBJECT: CATAWBA NUCLEAR STATION, UNITS 1 AND 2, (CATAWBA) REVISION REQUEST TO NUREG-0737, ITEM II.F.1, FOR CONTAINMENT HYDROGEN MONITORS (TAC NOS. MC8442 AND MC8443)

Dear Mr. Jamil:

In your letter dated September 7, 2005, you requested approval from the Nuclear Regulatory Commission (NRC) to revise the time by which hydrogen monitors are required to be in service at Catawba. The guidance provided by Item II.F.1, Attachment 6, in NUREG-0737, "Clarification of TMI [Three Mile Island] Action Plan Requirements," specifies that indication and recording of hydrogen concentrations in the containment building shall be functioning within 30 minutes of safety injection.

For plants operating at the time of the TMI accident, Orders were issued to licensees confirming their commitments related to the action plan requirements described in NUREG-0737, including the timing of hydrogen monitoring in Item II.F.1, Attachment 6. An example of such a Confirmatory Order is the one issued on March 18, 1983, to Duke Power Company for Oconee. For some other plants, the NUREG-0737 items may have been included as conditions in the facility operating licenses. For the most recently licensed plants, the plant designs and operating practices related to some of the NUREG-0737 items, including the timing of hydrogen monitoring, were reviewed during the initial licensing process but specific regulatory requirements were not imposed by Order, license condition, regulation, or other mechanism such as technical specifications. Broader requirements to have the monitoring function were included in the technical specifications before their removal by license amendments. However, specific design features (e.g., the 30-minute criterion for having indication and recording of hydrogen concentration) for the most recently licensed plants may have been captured only in supporting documents such as the Updated Final Safety Analysis Report (UFSAR).

The need for and method of NRC approval for revising the timing to establish monitoring of hydrogen concentrations in containment depends on how that capability was incorporated into the licensing basis for the facility. In the case of Oconee and several other plants, the NRC issued an Order (i.e., the Order dated November 29, 1999, for Oconee) that revised that part of the 1983 Order related to hydrogen monitors. For those plants whose operating license includes a condition related to Item II.F.1, Attachment 6, a license amendment using the process described in Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.90, "Application for amendment of license or construction permit," would be the likely method for

seeking NRC approval. For those plants that were not subject to a post-TMI Order or condition in the operating license, the description of the hydrogen monitoring functions, including the capability of having it available within 30 minutes of safety injection, are likely described in the UFSAR or in procedures as described in the UFSAR. The appropriate change control procedure for these plants includes the process described in 10 CFR 50.59, "Changes, tests and experiments." A proposed change to the hydrogen monitoring capability would also require review of emergency planning or emergency response documents using the appropriate regulatory and administrative procedures.

Given that you have not identified an issued Order or license condition that establishes the 30-minute criterion from NUREG-0737, Item II.F.1, Attachment 6, as a regulatory requirement for Catawba, the staff has determined that our review and approval of a proposed change may not be necessary. While NRC approval is required to revise requirements imposed by Order or license condition, NRC review for other plants would be required only if the change exceeds applicable thresholds in regulations such as 10 CFR 50.59 and 50.54(q). If a licensee determines that NRC approval is required under those regulations, application should be submitted in accordance with 10 CFR 50.90, 50.54(q), or other appropriate regulation.

Sincerely,

/RA/

John Stang, Senior Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-413 and 50-414

cc: See next page

seeking NRC approval. For those plants that were not subject to a post-TMI Order or condition in the operating license, the description of the hydrogen monitoring functions, including the capability of having it available within 30 minutes of safety injection, are likely described in the UFSAR or in procedures as described in the UFSAR. The appropriate change control procedure for these plants includes the process described in 10 CFR 50.59, "Changes, tests and experiments." A proposed change to the hydrogen monitoring capability would also require review of emergency planning or emergency response documents using the appropriate regulatory and administrative procedures.

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Sincerely,

/RA/
John Stang, Senior Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
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