UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 18, 2011

Mr. Preston Gillespie
Site Vice President
Oconee Nuclear Station
Duke Energy Carolinas, LLC
7800 Rochester Highway
Seneca, SC 29672

SUBJECT: OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3 - PUBLIC NOTICE OF APPLICATION FOR AMENDMENT TO FACILITY OPERATING LICENSE (TAC NOS. ME6854, ME6855, AND ME6856)

Dear Mr. Gillespie:

The enclosed public notice was forwarded to *The Greenville News* newspaper, located in Greenville, South Carolina, for publication. This public notice relates to your application dated August 12, 2011, as supplemented by letter dated August 16, 2011, for amendment to Facility Operating License Nos. DPR-38, DPR-47, and DPR-55. The proposed amendment would allow a one-time change to the completion time of Technical Specification Section 3.10.1, "Standby Shutdown Facility (SSF)," Condition F.

Please contact me at (301) 415-1345 if you have any questions on this issue.

Sincerely,

John H Thompson
for

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

Docket Nos. 50-269, 50-270, and 50-287

Enclosure:
Public Notice

cc w/encl: Distribution via Listserv

PUBLIC NOTICE
NRC STAFF PROPOSES TO AMEND OPERATING LICENSES AT THE
OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3

The U.S. Nuclear Regulatory Commission (NRC) staff has received an application dated August 12, 2011, as supplemented by letter dated August 16, 2011, from Duke Energy Carolinas, LLC (the licensee), for an exigent amendment to the operating license for the Oconee Nuclear Station, Units 1, 2, and 3 located in Seneca, South Carolina.

The proposed amendment would allow a one-time change to the completion time (CT) of Technical Specification (TS) Section 3.10.1, "Standby Shutdown Facility (SSF)," Condition F. The proposed change extends the CT of TS 3.10.1, Required Action (RA) F.1 by 10 days. The SSF is a standby system that provides additional "defense in-depth" protection by serving as a backup to existing safety systems. The SSF provides an alternate means to achieve and maintain hot standby (Mode 3) with an average reactor coolant system (RCS) temperature greater than or equal to 525 °F and less than or equal to 555 °F, and the RCS pressure of approximately 2155 pounds per square inch gage (psig). The SSF serves as a backup for the following postulated events when the normal safety systems are unavailable: 1) Fire, 2) Sabotage, 3) Internal Flooding, 4) Station Blackout, and 5) High winds.

On July 8, 2011, the licensee entered TS 3.10.1, Condition A due to concerns associated with the SSF pressurizer heaters circuit breakers located in containment of all three Oconee Units. Since maintenance activities being performed to restore the SSF to operable status were not completed prior to the end of the CT of Required Action A.1, Condition F of TS 3.10.1 was entered on July 15, 2011. Required action (RA) F.1 requires the SSF to be restored to operable status within 45 days from discovery of initial inoperability (by August 22, 2011). The concern was that the SSF pressurizer heater circuit breakers would prematurely trip on their overload protection device during elevated containment temperatures. Testing of replacement breakers has not been successful. As a result, a modification to replace the existing in-containment breakers with fuses and fuse blocks is being installed to provide equivalent pressurizer heater cable circuit protection. At this time, fuses and fuse blocks to replace the circuit breakers are undergoing testing to ensure they will perform under containment environment following any of the above events the SSF is designed to mitigate. The testing may require additional time, up to September 1, 2011, 10 days beyond the 45 days permitted by the CT of TS 3.10.1, RA F.1.

As discussed in the licensee's application dated August 12, 2011, the licensee requested that the proposed amendment be processed by the NRC on an exigent basis in accordance with the provisions in Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.91(a)(6), because if the Commission does not issue the proposed change to the TSs prior to August 22, 2011, the licensee will have to shutdown all three Oconee Units.

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:

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

Response: No.

Duke Energy requests the Nuclear Regulatory Commission (NRC) to review and approve a one-time extension to the Completion Time for Technical Specification (TS) 3.10.1, Required Action F.1 to allow time for testing fuses in the in-containment Standby Shutdown Facility (SSF) controlled pressurizer heater circuits. Prior to entering the extended completion time, the fuses will be installed and available. The extension will allow Duke Energy to continue to operate ONS Units 1, 2, and 3 while completing fuse testing to demonstrate SSF ASW [auxiliary service water] TS operability. During the extended period of TS SSF inoperability, several compensatory measures will be used to manage risk. Since the SSF is available during the extended completion time and compensatory measures are to be used to manage risk, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of [accident] from any accident previously evaluated?

Response: No.

This change does not create the possibility of a new or different kind of accident from any accident previously evaluated. No new accident causal mechanisms are created as a result of the NRC granting of this proposed change. The one-time extension to the Completion Time of TS 3.10.1, Required Action F.1 to allow time for testing of the fuses for the in-containment SSF controlled pressurizer heater circuits and return the SSF ASW System to OPERABLE status do not introduce any changes to the plant which will introduce any new or different accident causal mechanisms.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The margin of safety is related to the confidence in the ability of the fission product barriers to perform their design functions during and following an accident situation. The Reactor Coolant System is that barrier that is directly associated with this change. The performance of this fission product barrier will not be significantly impacted by the proposed change because the extension of the Completion Time of TS 3.10.1, Required Action F.1 does not introduce any change in performance of those barriers to perform their design functions. The

events that will require SSF mitigation have been previously analyzed and do not affect the fission product barriers' ability to perform.

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 by 4:15 p.m. on August 19, 2011, will be considered in reaching a final determination. The final determination will consider all public and State comments received.

If the proposed determination that the requested license amendment involves no significant hazards consideration becomes final, the staff will issue the amendments without first offering an opportunity for a public hearing. An opportunity for a hearing will be published in the *Federal Register* at a later date and any hearing request will not delay the effective date of the amendment.

If the staff decides in its final determination that the amendment does involve a significant hazards consideration, a notice of opportunity for a prior hearing will be published in the *Federal Register* and, if a hearing is granted, it will be held before the amendment is issued.

Comments on the proposed determination of no significant hazards consideration may be (1) telephoned to Gloria Kulesa, Chief, Plant Licensing Branch 2-1, by collect call to 301-415-6011, or by facsimile to 301-415-1222, (2) e-mailed to Gloria.Kulesa@nrc.gov, or (3) submitted in writing to the Chief, Rules, Announcements and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. All comments received by 4:15 p.m. on August 19, 2011, will be considered in reaching a final determination. A copy of the application may be examined electronically through the NRC's Agencywide Documents Access and Management System (ADAMS) in the NRC Library at http://www.nrc.gov/reading-rm/adams.html and at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737, or by e-mail to pdr.resource@nrc.gov.

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/RA/ by JThompson for

John F. Stang, Senior Project Manager
Plant Licensing Branch II-1
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