



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

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Docket File (3) ✓
ORB#4 Rdg
Ringram

February 20, 1979

Docket NoS: 50-269/270/287

Docketing and Service Section
Office of the Secretary of the Commission

SUBJECT: **OCONEE UNITS NOS. 1, 2 AND 3**

Two signed originals of the Federal Register Notice identified below are enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (12) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s): Time for Submission of Views on Antitrust Matters.
- Notice of Availability of Applicant's Environmental Report.
- Notice of Proposed Issuance of Amendment to Facility Operating License. *
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Other: *Please insert date on the first page, fourth paragraph of this notice for a 30-day intervention period, and call Ruth on extension 27435 to inform her of the date inserted. Referenced documents have been provided PDR.

Division of Operating Reactors, ORB#4
Office of Nuclear Reactor Regulation

Enclosure:
As Stated

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Item 02

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NOS. 50-269, 50-270 AND 50-287DUKE POWER COMPANYNOTICE OF PROPOSED ISSUANCE OF AMENDMENTS
TO FACILITY OPERATING LICENSES

The U. S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating Licenses Nos. DPR-38, DPR-47 and DPR-55 issued to Duke Power Company (the licensee), for operation of the Oconee Nuclear Station, Units Nos. 1, 2 and 3 (the facility), located in Oconee County, South Carolina.

The amendments would revise the provisions in the Station's common Technical Specifications to permit the expansion of the spent fuel storage capacity at the Oconee Units 1 and 2 common pool from 336 to 750 storage locations, in accordance with the licensee's application for amendments dated February 2, 1979.

Prior to issuance of the proposed license amendments, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

By APRIL 5 1979, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses 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 the 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.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Docketing and Service Section, 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 or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (In Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Robert Reid: (petitioner's name and telephone number); (date petition was mailed); (Ocone); and (publication date and page number of this FEDERAL REGISTER Notice). A copy of the petition

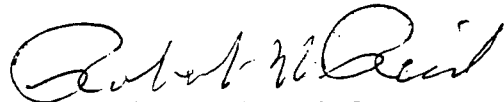
should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D. C. 20555, and to William L. Porter, Duke Power Company, P. O. Box 2178, 422 South Church Street, Charlotte, North Carolina, attorney for the licensee.

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)(i)-(v) and §2.714(d).

For further details with respect to this action, see the application for amendments dated February 2, 1979, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C., and at the Oconee County Library, 201 South Spring Street, Walhalla, South Carolina.

Dated at Bethesda, Maryland this 16th day of February 1979.

FOR THE NUCLEAR REGULATORY COMMISSION


Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Operating Reactors