

DUKE POWER COMPANY
POWER BUILDING, BOX 2178, CHARLOTTE 1, N. C.

Regulatory Formal File Cy.

WILLIAM S. LEE
VICE PRESIDENT, ENGINEERING

July 7, 1967



Dr. Peter A. Morris, Director
Division of Reactor Licensing
U. S. Atomic Energy Commission
Washington, D. C. 20545

In Re: Duke Power Company
Docket Nos. 50-269,
50-270, and 50-287

Dear Dr. Morris:

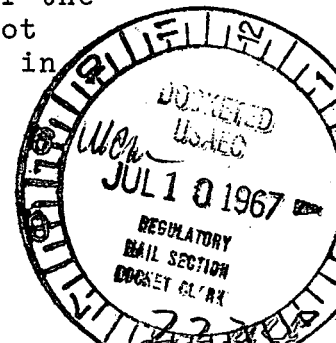
Duke Power Company has submitted its application to the Atomic Energy Commission in the captioned matter for a construction permit and operating license for its proposed Oconee Nuclear Station Units 1, 2 and 3. Construction of access roads and site grading has been under way since March, 1967. Characteristics of the site are such that preliminary site work will consist almost exclusively of grading and excavation. Foundations for the reactor buildings are of granite gneiss rock and will not require pilings.

It is anticipated that rock excavation will be completed by the end of August, 1967. At about that time Duke Power desires to place--but not attach--reinforcing steel for the base slab of the Unit 1 reactor building. It was held on March 9, 1967, In the Matter of Northern States Power Company (Docket No. 50-263) that

"The provisions of 10 CFR 50.10(b) do not proscribe the...placement of reinforcing steel in the reactor building excavation."

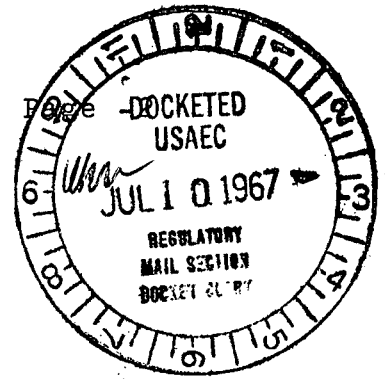
A similar conclusion was reached on April 14, 1967, In the Matter of Virginia Electric and Power Company (Docket Nos. 50-280 and 281).

Design of the Oconee containment structures is such that the tendon access and inspection galleries (see PSAR Vol. 1, Figure 5-1) must be completed before reinforcing steel for the base slabs may be placed. The gallery of each unit is physically below the base slab and is not a structural part of the containment structure. The containment structure does not depend upon the access gallery for support. The two are in fact physically separated by a compressible joint.



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Each access gallery has reinforced concrete walls and floors about 12 inches nominal thickness and is designed to conventional reinforced concrete specifications. It is approximately five feet wide, eight feet high, and three hundred and seventy-five feet in circumference. The gallery may be compared generally to a conventional reinforced concrete drainage culvert of the same dimensions costing some \$50,000.

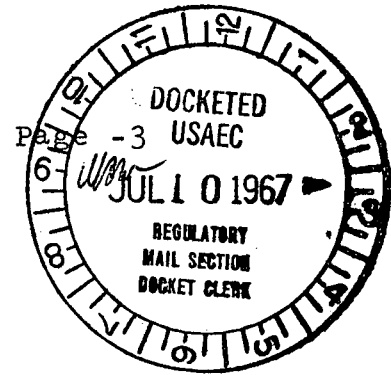
The gallery is a service facility that can be demolished, altered or removed if necessary. It is an entirely different structure and situation than is involved in the "pouring the foundations for, or the installation of, any portion of the permanent facility". The function of the gallery does not require it to be designed to the same codes and criteria as the eight foot thick base slab and the containment walls since the gallery is not a part of the engineered safeguards or containment of the power reactor facility. Rather, it will be designed and built according to standard practice, as will the conventional portions of the power plant. Based on the accessory function to be served by the gallery, we are of the opinion that this item of the Oconee project can properly be construed as "preparation of the site for construction of the facility" as provided for in 10 CFR 50.10(b)(1).

Should, however, the Commission conclude that the gallery does not come within the provisions of 10 CFR 50.10(b)(1), an exemption under 10 CFR 50.12 is justified. The granting of such an exemption will not endanger life or property or the common defense and security. Duke Power Company further believes that an exemption would be in the public interest. Construction of the gallery is a minor phase of the overall project. However, its scheduling is critical and must occur at an early stage. Otherwise the placing of the steel for the base slab cannot be undertaken and the start of construction of the Oconee facility will be delayed some six weeks after the issuance of a construction permit.

Accordingly, the applicant respectfully requests an opinion by the Commission that completion of the access gallery for Unit 1 as set forth in this letter properly falls within the provisions of 10 CFR 50.10(b)(1). Alternatively, the applicant respectfully requests a specific exemption by the Commission as provided in 10 CFR 50.12.

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Duke Power Company understands, of course, that action by the Commission on the request contained in this letter will have no effect on the subsequent granting or denial of construction permits for the proposed Oconee nuclear project.

Sincerely yours,

W. S. Lee
Vice President