

UNITED STATES OF AMERICA
ATOMIC ENERGY COMMISSION

In the Matter of
DUKE POWER COMPANY

} DOCKET NOS. 50-269, 270, 287

CERTIFICATE OF SERVICE

I hereby certify that copies of NOTICE OF HEARING ON APPLICATION FOR PROVISIONAL CONSTRUCTION PERMIT dated July 24, 1967, were served on the following by deposit in the United States Mail, air or first class, this twenty-fourth day of July 1967:

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Washington, D.C. 20545

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cc: Jensch
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UNITED STATES OF AMERICA

ATOMIC ENERGY COMMISSION

In the Matter of	)	
	)	
DUKE POWER COMPANY	)	Docket Nos. 50-269
	)	50-270
(Oconee Nuclear Station, Units	)	50-287
1, 2 and 3)	)	

NOTICE OF HEARING ON APPLICATION
FOR PROVISIONAL CONSTRUCTION PERMIT

Pursuant to the Atomic Energy Act of 1954, as amended, and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities", and Part 2, "Rules of Practice", notice is hereby given that a hearing will be held at 10:00 a.m., local time, on August 29, 1967, at the Oconee County Courthouse, Main Street, Walhalla, South Carolina, to consider the application filed under § 104 b. of the Act by Duke Power Company for provisional construction permits for three pressurized water reactors, each designed to initially operate at 2452 megawatts (thermal), to be located at its site in Oconee County, South Carolina, approximately eight miles northeast of Seneca, South Carolina.

The hearing will be conducted by the Atomic Safety and Licensing Board designated by the Atomic Energy Commission consisting of Dr. John Henry Buck, Phoenixville, Pennsylvania, Dr. Hugh Paxton, Los Alamos, New Mexico, and Samuel W. Jensch, Esq., Chairman, Washington, D. C. Dr. Clarke Williams, Upton, Long Island, New York, has been designated as a technically qualified alternate.

A prehearing conference will be held by the Board at 10:00 a.m., local time, on August 15, 1967, at the Oconee County Courthouse, Main Street, Walhalla, South Carolina, to consider the matters provided for consideration by § 2.752 of 10 CFR, Part 2 and Section II of Appendix "A" to 10 CFR Part 2.

The Director of Regulation proposes to make affirmative findings on Item Numbers 1 - 3 and a negative finding on Item 4 specified below as the basis for the issuance of provisional construction permits to the applicant substantially in the form proposed in Appendices "A", "B", and "C" hereto.

1. Whether in accordance with the provisions of 10 CFR

§ 50.35(a)

- (a) The applicant has described the proposed design of the facilities, including, but

not limited to, the principal architectural and engineering criteria for the design and has identified the major features or components incorporated therein for the protection of the health and safety of the public;

- (b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis reports;
- (c) Safety features or components, if any, which require research and development have been described by the applicant and the applicant has identified, and there will be conducted, a research and development program reasonably designed to resolve any safety questions associated with such features or components; and
- (d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest dates stated in the

application for completion of construction of the proposed facilities and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facilities can be constructed and operated at the proposed location without undue risk to the health and safety of the public;

2. Whether the applicant is technically qualified to design and construct the proposed facilities;
3. Whether the applicant is financially qualified to design and construct the proposed facilities; and
4. Whether the issuance of permits for the construction of the facilities will be inimical to the common defense and security or to the health and safety of the public.

In the event that this proceeding is not a contested proceeding, as defined by § 2.4 of the Commission's "Rules of Practice", 10 CFR Part 2, the Board will, without conducting a de novo evaluation of the application, consider the issues of whether the application and the record of the proceeding contain sufficient information, and the review by the Commission's regulatory staff has been adequate, to support the findings proposed to be made and the provisional construction permits proposed to be issued by the Director of Regulation.

In the event that this proceeding becomes a contested proceeding, the Board will consider and initially decide, as the issues in this proceeding, Item Numbers 1 through 4 above as the basis for determining whether the provisional construction permits should be issued to the applicant. As they become available, the application, the report of the Commission's Advisory Committee on Reactor Safeguards (ACRS), and the Safety Evaluation by the Commission's regulatory staff will be placed in the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C., where they will be available for inspection by members of the public. Copies of the ACRS report and the regulatory staff's Safety Evaluation may be obtained by request to the Director of the Division of Reactor Licensing, United States Atomic Energy Commission, Washington, D. C. 20545.

Petitions for leave to intervene, pursuant to the provisions of § 2.714 of the Commission's "Rules of Practice", must be received in the Office of the Secretary, United States Atomic Energy Commission, Germantown, Maryland, or the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C., not later than August 11, 1967, or in the event of a postponement of the specific hearing date, at such time as the Board may specify.

Any person who wishes to make an oral or written statement setting forth his position on the issues specified, but who does not wish to file a petition to intervene, may request permission to make a limited appearance pursuant to the provisions of § 2.715 of the Commission's "Rules of Practice". Limited appearances will be permitted at the time of the hearing in the discretion of the Board, within such limits and on such conditions as may be fixed by the Board. Persons desiring to make a limited appearance are requested to inform the Secretary, United States Atomic Energy Commission, Washington, D. C. 20545, by August 11, 1967.

Answers to this notice, pursuant to the provisions of § 2.705 of the Commission's "Rules of Practice" must be filed by the applicant on or before August 11, 1967.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary, United States Atomic Energy Commission, Washington, D. C. 20545, or may be filed by delivery to the Office of the Secretary, United States Atomic Energy Commission, Germantown, Maryland, or the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C.

Pending further order of the Board, parties are required to file, pursuant to the provisions of § 2.708 of the Commission's "Rules of Practice", an original and twenty conformed copies of each such paper with the Commission.

UNITED STATES ATOMIC ENERGY COMMISSION

By:

F. T. Hobbs

F. T. Hobbs
Acting Secretary to the Commission

Dated at Washington, D. C.

this 24th day of July , 1967.

APPENDIX "A"

DUKE POWER COMPANY

(Oconee Nuclear Station, Unit 1)

DOCKET NO. 50-269

PROVISIONAL CONSTRUCTION PERMIT

Construction Permit No. _____

1. Pursuant to § 104 b. of the Atomic Energy Act of 1954, as amended, (the Act) and Title 10, Chapter 1, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities", and pursuant to the order of the Atomic Safety and Licensing Board, the Atomic Energy Commission (the Commission) hereby issues a provisional construction permit to Duke Power Company (the applicant) for a utilization facility (the facility), designed to operate at 2452 megawatts (thermal), described in the application and amendments thereto filed in this matter by the applicant and as more fully described in the evidence received at the public hearing upon that application. The facility, known as Oconee Nuclear Station, Unit 1 will be located at the applicant's site in Oconee County, South Carolina, approximately eight miles northeast of Seneca, South Carolina.

2. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act, and rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the conditions specified or incorporated below:

- A. The earliest date for the completion of the facility is October 1, 1970, and the latest date for completion of the facility is February 28, 1971.
- B. The facility shall be constructed and located at the site as described in the application, as amended, in Oconee County, about eight miles northeast of Seneca, South Carolina.
- C. This construction permit authorizes the applicant to construct the facility described in the application and the hearing record in accordance with the principal architectural and engineering criteria set forth therein.

3. This permit is provisional to the extent that a license authorizing operation of the facility will not be issued by

the Commission unless (a) the applicant submits to the Commission, by amendment to the application, the complete final safety analysis report, portions of which may be submitted and evaluated from time to time; (b) the Commission finds that the final design provides reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility in accordance with procedures approved by it in connection with the issuance of said license; and (c) the applicant submits proof of financial protection and the execution of an indemnity agreement as required by § 170 of the Act.

FOR THE ATOMIC ENERGY COMMISSION

APPENDIX "B"

DUKE POWER COMPANY

(Oconee Nuclear Station, Unit 2)

DOCKET NO. 50-270

PROVISIONAL CONSTRUCTION PERMIT

Construction Permit No. _____

1. Pursuant to § 104 b. of the Atomic Energy Act of 1954, as amended, (the Act) and Title 10, Chapter 1, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities", and pursuant to the order of the Atomic Safety and Licensing Board, the Atomic Energy Commission (the Commission) hereby issues a provisional construction permit to Duke Power Company (the applicant) for a utilization facility (the facility), designed to operate at 2452 megawatts (thermal), described in the application and amendments thereto filed in this matter by the applicant and as more fully described in the evidence received at the public hearing upon that application. The facility, known as Oconee Nuclear Station, Unit 2 will be located at the applicant's site in Oconee County, South Carolina, approximately eight miles northeast of Seneca, South Carolina.

2. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act, and rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the conditions specified or incorporated below:

- A. The earliest date for the completion of the facility is October 1, 1971, and the latest date for completion of the facility is February 28, 1972.
- B. The facility shall be constructed and located at the site as described in the application, as amended, in Oconee County, about eight miles northeast of Seneca, South Carolina.
- C. This construction permit authorizes the applicant to construct the facility described in the application and the hearing record in accordance with the principal architectural and engineering criteria set forth therein.

3. This permit is provisional to the extent that a license authorizing operation of the facility will not be issued by

the Commission unless (a) the applicant submits to the Commission, by amendment to the application, the complete final safety analysis report, portions of which may be submitted and evaluated from time to time; (b) the Commission finds that the final design provides reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility in accordance with procedures approved by it in connection with the issuance of said license; and (c) the applicant submits proof of financial protection and the execution of an indemnity agreement as required by § 170 of the Act.

FOR THE ATOMIC ENERGY COMMISSION

APPENDIX "C"

DUKE POWER COMPANY

(Oconee Nuclear Station, Unit 3)

DOCKET NO. 50-287

PROVISIONAL CONSTRUCTION PERMIT

Construction Permit No. _____

1. Pursuant to § 104 b. of the Atomic Energy Act of 1954, as amended, (the Act) and Title 10, Chapter 1, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities", and pursuant to the order of the Atomic Safety and Licensing Board, the Atomic Energy Commission (the Commission) hereby issues a provisional construction permit to Duke Power Company (the applicant) for a utilization facility (the facility), designed to operate at 2452 megawatts (thermal), described in the application and amendments thereto filed in this matter by the applicant and as more fully described in the evidence received at the public hearing upon that application. The facility, known as Oconee Nuclear Station, Unit 3 will be located at the applicant's site in Oconee County, South Carolina, approximately eight miles northeast of Seneca, South Carolina.

2. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the Act, and rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the conditions specified or incorporated below:

- A. The earliest date for the completion of the facility is November 1, 1972, and the latest date for completion of the facility is August 1, 1973.
- B. The facility shall be constructed and located at the site as described in the application, as amended, in Oconee County, about eight miles northeast of Seneca, South Carolina.
- C. This construction permit authorizes the applicant to construct the facility described in the application ; and the hearing record in accordance with the principal architectural and engineering criteria set forth therein.

3. This permit is provisional to the extent that a license authorizing operation of the facility will not be issued by

the Commission unless (a) the applicant submits to the Commission, by amendment to the application, the complete final safety analysis report, portions of which may be submitted and evaluated from time to time; (b) the Commission finds that the final design provides reasonable assurance that the health and safety of the public will not be endangered by the operation of the facility in accordance with procedures approved by it in connection with the issuance of said license; and (c) the applicant submits proof of financial protection and the execution of an indemnity agreement as required by § 170 of the Act.

FOR THE ATOMIC ENERGY COMMISSION
