

UNITED STATES OF AMERICA  
ATOMIC ENERGY COMMISSION

In the Matter of )  
DUKE POWER COMPANY )  
(Oconee Nuclear Station, Units 2 and 3 )

Docket Nos. 50-270 and  
50-287

NOTICE OF CONSIDERATION OF ISSUANCE OF FACILITY OPERATING  
LICENSES AND NOTICE OF OPPORTUNITY FOR HEARING PURSUANT TO  
10 CFR PART 50, APPENDIX D, SECTION C

The Atomic Energy Commission (the Commission) will consider the issuance of facility operating licenses to the Duke Power Company (the licensee) which would authorize the licensee to possess, use, and operate the Oconee Nuclear Station, Units 2 and 3, pressurized water nuclear reactors (the facilities), located on the licensee's Oconee Nuclear Station site in eastern Oconee County, approximately eight miles northeast of Seneca, South Carolina, at steady-state power levels not to exceed 2568 megawatts thermal for each unit in accordance with the provisions of the licenses and the Technical Specifications appended thereto, upon the receipt of a report on the application by the Advisory Committee on Reactor Safeguards, the submission of a favorable Safety Evaluation on the application by the Commission's Directorate of Licensing, the completion of the environmental review required by the Commission's regulations in 10 CFR Part 50, Appendix D, and a finding by the Commission that the application for the facility licenses (as amended) complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Chapter 1. Construction of the

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facilities was authorized by Provisional Construction Permits Nos. CPPR-34, and CPPR-35, issued by the Commission on November 6, 1967.

Prior to issuance of any operating licenses, the Commission will inspect the facilities to determine whether they have been constructed in accordance with the application, as amended, and the provisions of Provisional Construction Permits Nos. CPPR-34 and CPPR-35. In addition, the licenses will not be issued until the Commission has made the findings, reflecting its review of the application under the Atomic Energy Act of 1954, as amended, which will be set forth in the proposed licenses, and has concluded that the issuance will not be inimical to the common defense and security or to the health and safety of the public. Upon issuance of the licenses, the licensee will be required to execute an indemnity agreement as required by Section 170 of the Act and 10 CFR Part 140 of the Commission's regulations.

The facilities are subject to the provisions of Section C of Appendix D to 10 CFR Part 50, which sets forth procedures applicable to review of environmental considerations for production and utilization facilities for which construction permits were issued prior to January 1, 1970. Notice is hereby given, pursuant to 10 CFR Part 2, "Rules of Practice," and Appendix D to 10 CFR Part 50, "Licensing of Production and Utilization Facilities," that the Commission is providing an opportunity for hearing with respect to whether, considering those matters covered by Appendix D to 10 CFR Part 50, the provisional construction permits in the captioned proceeding should be continued, modified, terminated, or appropriately conditioned to protect environmental values.

Within thirty (30) days from the date of publication of this notice in the FEDERAL REGISTER, Duke Power Company may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene (1) with respect to whether, considering those matters covered by Appendix D to 10 CFR Part 50, the provisional construction permits should be continued, modified, terminated, or appropriately conditioned to protect environmental values; and (2) with respect to the issuance of the facility operating licenses. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order. In accordance with 10 CFR §2.714, a petition for leave to intervene which is not timely filed will be dismissed unless the petitioner shows good cause for failure to file it on time.

For further details pertinent to the matters under consideration, see the application for the facility operating licenses dated May 29, 1969, as amended, and the licensee's Environmental Report dated July 10, 1970, the Supplemental Environmental Review dated October 18, 1971, Revision No. 1 thereto dated November 2, 1971, and the Commission's Final Environmental statement dated March 1972, for the Oconee Nuclear Station, Units 1, 2, and 3, pursuant to 10 CER Part 50, Appendix D. A notice of availability of the Final Environmental Statement, was published in the FEDERAL REGISTER on April 1, 1972, 37 F.R. 6702. The above documents are 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 S. Spring Street, Walhalla, South Carolina. As they become available, the following documents also will be available at the above locations: (1) the report of the Advisory Committee on Reactor Safeguards on the application for facility operating licenses for the Oconee Nuclear Station, Units 2 and 3, (2) the Safety Evaluation prepared by the Directorate of Licensing, (3) the proposed facility operating licenses, and (4) the Technical Specifications, which will be attached as Appendix A to the proposed facility operating licenses.

Copies of the Commission's Final Environmental Statement pursuant to 10 CFR Part 50, Appendix D, and items (1), (2), and (3) may be obtained by request to the United States Atomic Energy Commission, Washington, D. C. 20545, Attention: Deputy Director for Reactor Projects, Directorate of Licensing.

FOR THE ATOMIC ENERGY COMMISSION

Original signed by A. Giambusso

A. Giambusso, Deputy Director  
for Reactor Projects  
Directorate of Licensing

Dated at Bethesda, Maryland  
this 2<sup>nd</sup> day of August 1972.