

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
DUKE POWER COMPANY )  
NORTH CAROLINA MUNICIPAL POWER )  
AGENCY NUMBER 1 )  
NORTH CAROLINA ELECTRIC MEMBERSHIP )  
CORPORATION )  
SALUDA RIVER ELECTRIC COOPERATIVE, )  
INC. )  
(Catawba Nuclear Station, )  
Units 1 & 2) )

Docket Nos. 50-413  
50-414

NOTICE OF RECEIPT OF APPLICATION FOR FACILITY OPERATING LICENSES;  
NOTICE OF AVAILABILITY OF APPLICANTS' ENVIRONMENTAL REPORT;  
NOTICE OF CONSIDERATION OF ISSUANCE OF FACILITY OPERATING LICENSES;  
AND NOTICE OF OPPORTUNITY FOR HEARING

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Notice is hereby given that the Nuclear Regulatory Commission (the Commission) has received an application for facility operating licenses from Duke Power Company, for itself and as agent for North Carolina Municipal Power Agency Number 1, North Carolina Electric Membership Corporation, and Saluda River Electric Cooperative, Inc. (the applicants), to possess, use, and operate the Catawba Nuclear Station, Units 1 and 2, two pressurized water nuclear reactors (the facilities), located on the shore of Lake Wylie in York County, South Carolina. The reactors are designed to operate at a steady-state power level of 3411 megawatts thermal, with an equivalent net electrical output of approximately 1145 megawatts.

The applicants have also filed, pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in 10 CFR Part 51, an environmental report which discusses environmental considerations related to the proposed operation of the facilities. This report is being made available at the State Clearinghouse, Office of the State Auditor, P. O. Box 11333, Columbia, South Carolina 29211, and at the Catawba Regional Planning Council, P.O. Box 862, Rock Hill, South Carolina 29730.

After the environmental report has been analyzed by the Commission's staff, a draft environmental statement will be prepared. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER, a notice of availability of the draft statement, requesting comments from interested persons on the draft statement. The notice will also contain a statement to the effect that any comments of Federal agencies and State and local officials will be made available when received. The draft environmental statement will focus only on any matters which differ from those previously discussed in the final environmental statement prepared in connection with the issuance of the construction permits. Upon consideration of comments submitted with respect to the draft environmental statement, the Commission's staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

The Commission will consider the issuance of facility operating licenses for Catawba Unit 1 to Duke Power Company, North Carolina Electric Membership Corporation and Saluda River Electric Cooperative, Inc., and for Catawba Unit 2 to Duke Power Company and North Carolina Municipal Power Agency Number 1. These licenses would authorize the applicants to possess, use and operate the Catawba Nuclear Station in accordance with the provisions of the licenses and the technical specifications appended thereto, upon: (1) the completion of a favorable safety evaluation of the application by the Commission's staff; (2) the completion of the environmental review required by the Commission's regulations in 10 CFR Part 51; (3) the receipt of a report on the applicants' application for facility operating licenses by the Advisory Committee on Reactor Safeguards; and (4) 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 (the Act), and the Commission's regulations in 10 CFR Chapter 1. Construction of the facilities was authorized by Construction Permit Nos. CPPR-116 and CPPR-117, issued by the Commission on August 7, 1975. Construction of Unit 1 is anticipated to be completed by March 1, 1984, and Unit 2 by September 1, 1985.

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 the construction permits. In addition, the licenses will not be issued until the Commission has made the findings reflecting its review of the application under the Act, which will be set forth in the proposed licenses, and has concluded that the issuance of the licenses 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 applicants 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.

By July 27, 1981, the applicants may file a request for a hearing with respect to issuance of the facility operating licenses and any person whose interest may be affected by this proceeding may file a 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 of the Commission, or 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 his petition, 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, the 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.

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.

A request for a hearing or a petition for leave to intervene must 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 July 27, 1981. 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 J. Michael McGarry, III, Esq., Debevoise and Liberman, 1200 Seventeenth Street, N. W., Washington, D. C. 20036, attorney for the applicants. Any questions or requests for additional information regarding the content of this notice should be addressed to the Chief Hearing Counsel, Office of the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555.

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)(1)(i)-(v) and §2.714(d).



For further details pertinent to the matters under consideration, see the application for the facility operating licenses and the applicants' environmental report dated June 8, 1981, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the York County Library, 325 South Oakland Avenue, Rock Hill, S. C. 29730. As they become available, the following documents may be inspected at the above locations: (1) the safety evaluation report prepared by the Commission's staff; (2) the draft environmental statement; (3) the final environmental statement; (4) the report of the Advisory Committee on Reactor Safeguards on the application for facility operating licenses; (5) the proposed facility operating licenses; and (6) the technical specifications, which will be attached to the proposed facility operating licenses.

Copies of the proposed operating licenses and the ACRS report, when available, may be obtained by request to the Director, Division of Licensing, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555. Copies of the Commission's staff safety evaluation report and final environmental statement, when available, may be purchased at current rates, from the National Technical Information Service, Department of Commerce, 5285 Port Royal Road, Springfield, Va. 22161.

FOR THE NUCLEAR REGULATORY COMMISSION



Elinor G. Adensam, Acting Chief  
Licensing Branch #4  
Division of Licensing

Dated at Bethesda, Maryland  
this 12th day of June, 1981

NOTICE OF OPPORTUNITY FOR PUBLIC PARTICIPATION IN PROPOSED  
NRC LICENSING ACTION FOR CATAWBA NUCLEAR STATION, UNITS 1 & 2

The United States Nuclear Regulatory Commission is giving public notice that it is considering issuance of operating licenses to Duke Power Company, North Carolina Municipal Power Agency Number 1, North Carolina Electric Membership Corporation, and Saluda River Electric Cooperative, Inc. for operation of the Catawba Nuclear Station, Units 1 and 2, two pressurized water nuclear reactors located on the shore of Lake Wylie in York County, South Carolina.

The notice provides that within 30 days after publication of notice in the FEDERAL REGISTER on June 25, 1981, any member of the public whose interest may be affected by the proceeding may file a request for a public hearing in the form of a petition for leave to intervene with respect to whether operating licenses should be issued.

Petitions for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Such petitions must be filed in accordance with the above-referenced FEDERAL REGISTER Notice and must be filed with the Secretary of the Commission, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Docketing and Service Section, by July 27, 1981. A copy of the petition and/or request for hearing should be sent to the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, and to J. Michael McGarry, III, Esq., Debevoise and Liberman,

1200 Seventeenth Street, N. W., Washington, D. C. 20036, attorney for the applicants. Any questions or requests for additional information regarding the content of this notice should be addressed to the Chief Hearing Counsel, Office of the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, the 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.

All petitions will be acted upon by the Commission or the Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, that person becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, that person may present evidence and cross-examine witnesses.

A copy of the FEDERAL REGISTER Notice is available for public inspection at the York County Library, 325 South Oakland Avenue, Rock Hill, South Carolina 29730, Monday, Wednesday, Friday and Saturday, between the hours of 9:00 AM and 6:00 PM, and Tuesday and Thursday, 9:00 AM and 9:00 PM, and the Commission has arranged for other documents and correspondence relating to the licensing of these facilities to be kept at the same location.