

**DUKE POWER COMPANY**

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HAL B. TUCKER  
VICE PRESIDENT  
NUCLEAR PRODUCTION

TELEPHONE  
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July 16, 1984

Mr. Harold K. Denton, Director  
Office of Nuclear Reactor Regulation  
U. S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Re: Catawba Nuclear Station, Unit 1  
Docket No. 50-413

Subject: Applicants' Application for Partial  
Exemption from GDC 1

Dear Mr. Denton:

Pursuant to 10 CFR §50.12, Duke Power Company, et al. (Applicants) hereby request an exemption from the requirement of 10 CFR Part 50, Appendix A General Design Criterion (GDC) 1, as such relates to fuel load and pre-critical testing activities.

By letter dated October 26, 1983 the Applicants proposed to upgrade the pressurizer PORVs and steam generator PORVs to safety-related and to design them to safety grade criteria in order to comply with the criteria of RSB BTP 5-1, that cold shutdown can be achieved from the Control Room using only safety-related equipment, and in order to take credit for them in the steam generator tube rupture analysis. In order to allow sufficient time to implement these modifications, Applicants requested that the modifications be installed during the first refueling outage for the unit. The staff agreed in Supplement 2 to the Catawba Safety Evaluation Report that this was an acceptable schedule.

In order to support fuel loading and pre-critical testing activities Applicants request that an exemption to GDC 1 be issued that relates to this time period. If necessary, Applicants will supplement this request at a later date to cover the period between criticality and the first refueling outage.

As discussed in previous exemption requests, there will be no fission product inventory in the core and, thus, no decay heat during this time period. Therefore, there would be no need to expeditiously proceed to cold shutdown in the event of certain operational occurrences while operating above cold shutdown. Based on this analysis, it is Applicant's position that the proposed mode of operation would be as safe as that were the Applicant to fully comply with the regulations at the time of license issuance.

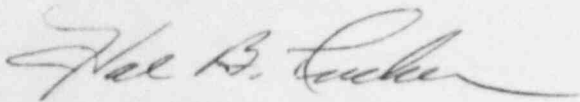
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By letters dated June 20 and June 28, 1984 Applicants requested a partial exemption from GDC 17 in order to permit the diesel generators for Unit 1 to be inoperable until initial criticality. It is considered that the information regarding exigent circumstances supporting that request also encompass the situation presented in this application. Therefore, Applicants hereby request that the Commission issue an exemption to GDC 1 that would allow the above-referenced condition to exist prior to initial criticality.

Very truly yours,



Hal B. Tucker

NAR:slb

cc: Mr. J. P. O'Reilly, Regional Administrator  
U. S. Nuclear Regulatory Commission  
Region II  
101 Marietta Street, NW, Suite 2900  
Atlanta, Georgia 30323

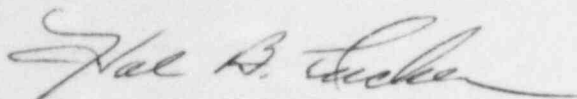
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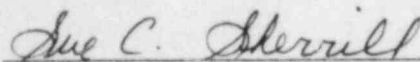
NRC Resident Inspector  
Catawba Nuclear Station

HAL B. TUCKER, being duly sworn, states that he is Vice President of Duke Power Company; that he is authorized on the part of said Company to sign and file with the Nuclear Regulatory Commission this Application for Partial Exemption from GDC-1, and that all statements and matters set forth therein are true and correct to the best of his knowledge.



Hal B. Tucker, Vice President

Subscribed and sworn to before me this 16th day of July, 1984



Notary Public

My Commission Expires:

