

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NOS. 50-413 AND 50-414

DUKE POWER COMPANY, ET AL.

CATAWBA NUCLEAR STATION, UNITS 1 AND 2

RECEIPT OF PETITION FOR DIRECTOR'S DECISION UNDER 10 CFR 2.206

Notice is hereby given that by letter dated February 13, 1996, Mr. C. Morris submitted a Petition pursuant to 10 CFR 2.206 requesting the U.S. Nuclear Regulatory Commission (NRC or the Commission) to take action with regard to the Catawba Nuclear Station (CNS), Units 1 and 2.

The Petitioner requests that the operating licenses for CNS and "some ten other licensees with uncoordinated breakers" (not specifically identified in the Petition) be suspended until the lack of circuit breaker coordination has been remedied, that enforcement conferences be held on these aforementioned cases, and that the CNS be defueled. The Petitioner also requests that the NRC take enforcement action against CNS for operating with a "known safety deficiency of which they did not inform the NRC ..."

As bases for the requests, the Petitioner has submitted documentation that included a memorandum to William T. Russell, Director of the Office of Nuclear Reactor Regulation, dated May 6, 1994, wherein the Petitioner expressed a differing professional view (DPV) regarding the resolution of a breaker coordination issue identified during an electrical distribution system functional inspection (EDSFI) conducted at CNS during January-February 1992, and an NRC memorandum dated July 21, 1994, responding to the Petitioner's DPV.

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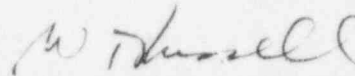
The NRC memorandum of July 21 confirmed that the CNS licensee's analysis prepared during the inspection, showed that the breaker coordination at CNS did not satisfy the CNS Final Safety Analysis Report (FSAR). The Petitioner also included a memorandum to James M. Taylor, Executive Director for Operations, dated July 28, 1994, wherein the Petitioner expressed a differing professional opinion concerning the uncoordinated breakers at CNS, based on the Petitioner's concern that the staff was inclined to accept a licensee proposal to change the FSAR commitment rather than the circuit breakers without adequate justification or documentation to support such acceptance.

By letter dated April 2, 1996, the Director denied the Petitioner's request for immediate suspension of the CNS license and the defueling of CNS. The letter also indicated that no action is being taken on the Petitioner's request for suspension of operating licenses for "some ten other licensees with uncoordinated breakers" based on a lack of specificity and factual basis to support the concern.

The Petition is being treated pursuant to 10 CFR 2.206 of the Commission's regulations and has been referred to the Director of the Office of Nuclear Reactor Regulation. As provided by 10 CFR 2.206, appropriate action with regard to the Petitioner's request will be taken within a reasonable time.

A copy of the Petition is available for inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the York County Library, 138 East Black Street, Rock Hill, South Carolina.

FOR THE NUCLEAR REGULATORY COMMISSION



William T. Russell, Director
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 2nd day of April 1996

DISTRIBUTION FOR C. MORRIS 2.206 LETTER DATED April 2, 1996

Docket Files (w/inc)

LNorton, OIG

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KBohrer (GT96045)

EDO #96045

EDO Reading

WRussell/FMiraglia

JTaylor

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HThompson

SEbner, RII

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BSheron

JCalvo

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CJamerson

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OPA

CThomas

PDII-2 RF (w/inc)

RMartin

HBerkow

LBerry

OCA

JGoldberg, OGC

CNorsworthy, DRPE

EMerschhoff, RII

RCrljenjak, RII

JLieberman, OE

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To receive