

DUKE POWER COMPANY

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VICE PRESIDENT
NUCLEAR PRODUCTION

TELEPHONE
(704) 373-4531

July 30, 1985

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

Attention: Ms. E. G. Adensam, Chief
Licensing Branch No. 4

Re: Catawba Nuclear Station, Unit 2
Docket No. 50-414

Dear Mr. Denton:

During the licensing process for Catawba Unit 1, Duke Power Company (Duke) requested exemptions from certain Commission regulations, pursuant to 10 CFR §50.12. The requested exemptions were granted by the NRC with the issuance of Facility Operating Licenses NPF-31, -33 and -35.

It is now anticipated that a number of the same exemptions will be needed for Catawba Unit 2. The attached table identifies the exemptions, the requested duration, the SER reference and the reference to the initial exemption request.

As noted in the referenced Catawba SER Sections, each of the requested exemptions, except the exemption to Appendix E, were granted for Catawba Unit 1 in accordance with the Commission decision on Shoreham, CLI-84-8 and 10 CFR 50.12a. The NRC recently published a Proposed Rule on Specific Exemptions (50 FR 16506). The proposed rule appears to retain the existing criteria of §50.12(a) in a slightly modified form and does not include the more stringent "exigent circumstances" and "as safe as" criteria that were previously used in granting many of the Catawba Unit 1 exemptions. Prior to issuance of a Final Rule, the Proposed Rule directed the Staff to follow pre-Shoreham criteria in evaluating exemptions. It is therefore our conclusion that the evaluations currently contained in the Catawba SER adequately cover extension of the requested exemptions for Catawba Unit 2 except as noted below.

By letter dated April 5, 1985, Duke requested an exemption to 10 CFR 50, Appendix J.III.A.(d), Type A test requirement for venting and draining certain piping penetrations. A list of affected penetrations was attached to the exemption request. One additional penetration was recently identified (Significant Deficiency Report No. 414/85-03) as falling into the same category. A copy of the revised list of penetrations is attached. It is requested that Table 6.1 of Catawba SER Supplement 3 be revised to include the additional penetration. A request for amendment to license NPF-35 will be submitted prior to the next scheduled Type A test for Catawba Unit 1.

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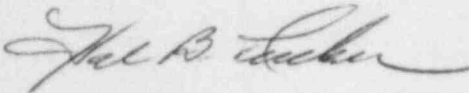
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Therefore, based on the above discussions and the previous referenced submittals, it is requested that the exemptions identified in Attachment 1 be granted as a part of the Facility Operating License for Catawba Unit 2.

It is also requested that exemptions to GDC-4 and 10 CFR 70.24 previously granted in the Catawba Unit 2 Construction Permit (CPPR-117) and the Special Nuclear Materials License (SNM-1949), respectively, be carried over to the Facility Operating License for Catawba Unit 2.

Very truly yours,



Hal B. Tucker

ROS:slb

Attachment

cc: Dr. J. Nelson Grace, Regional Administrator
U. S. Nuclear Regulatory Commission
Region II
101 Marietta Street, NW, Suite 2900
Atlanta, Georgia 30323

NRC Resident Inspector
Catawba Nuclear Station

Robert Guild, Esq.
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Charleston, South Carolina 29412

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2135½ Devine Street
Columbia, South Carolina 29205

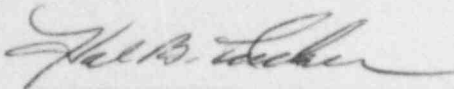
Mr. Jesse L. Riley
Carolina Environmental Study Group
854 Henley Place
Charlotte, North Carolina 28207

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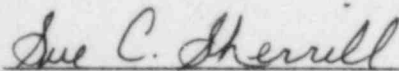
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HAL B. TUCKER, being duly sworn, states that he is Vice President of Duke Power Company; that he is authorized on the part of said Company to sign and file with the Nuclear Regulatory Commission this application; and that all statements and matters 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 30th day of July, 1985.



Notary Public

My Commission Expires:

September 20, 1989

ATTACHMENT 1
CATAWBA NUCLEAR STATION - UNIT 2

REQUESTED EXEMPTIONS

<u>Regulation</u>	<u>Description</u>	<u>Requested Duration</u>	<u>CNS-SER Reference</u>	<u>Submittal Reference</u>
1. GDC-16, -38 and -50	Completion of ice loading	Initial Entry Into Mode 4	6.2.1 (SSER-3)	7/13/84
2. Appendix J	Testing of air locks	Plant life	6.2.6 (SSER-3)	7/11/84 7/13/84 9/19/84 10/16/84
3. Appendix J	Venting and draining of penetrations for Type A test	Plant life	6.2.6 (SSER-3)	4/05/84 7/13/84
4. Appendix J	Testing of penetration bellows	Plant life	6.2.6 (SER and SSER-3)	7/13/84
5. Appendix E	General Office participation in annual drills	Plant life	13.3 (SSER-4)	10/03/84

Attachment 2

Exempted Penetrations

<u>Item # (Note 1)</u>	<u>Press. Valves</u>	<u>Penetration Function</u>	<u>"Reverse Check Valve"</u>
07	NV89A, 91B	RCP Seal Water Return	NV90
45	WL805A, 807B	NCDT Pump Disch.	WL806
46	WL867A, 869B	VUCDT	WL868
47	WL825A, 827B	Con't Floor Sump Pumps	WL321
48	WLA24, WLA21	S/G Drain Pump	WLA22
63	KC424B, 425A	Component Cooling Return	KC279
68	RN484A, 487B	Lower Con't Return Hdr.	RN485
70	RN429A, 432B	Upper Con't Return Hdr.	RN430

1. Item number provides cross-reference with Catawba FSAR Table 6.2.4-1