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Project #1-6

NOV 10 1977

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APPLICANT: Duke Power Company

FACILITY: McGUIRE NUCLEAR STATION

SUMMARY OF MEETING HELD WITH DUKE POWER CO.
TO DISCUSS STORAGE OF OCONEE NUCLEAR STATION SPENT FUEL
AT THE McGUIRE NUCLEAR STATION

Purpose:

A meeting was held on October 25, 1977 at 7915 Eastern Avenue, Silver Spring, Md. between Duke Power Company personnel and NRC staff (see attached list) to discuss a possible application by Duke to store spent fuel from its Oconee Nuclear Station in the spent fuel storage pool of its McGuire Nuclear Station under a 10 CFR Part 70 license.

Background:

A letter dated July 22, 1977 was sent to Dr. Clifford V. Smith, Jr., Director, NMSS, by William O. Parker, Vice President, Steam Production, Duke Power Company, requesting NMSS to review the possibility of storage of Oconee fuel at McGuire prior to its obtaining an operating license under 10 CFR Part 50. Duke subsequently requested a meeting with NRC staff and on October 19, 1977 a meeting on October 25, 1977 was set.

Discussion:

Duke Power Company is considering the use of the spent fuel storage pool at its McGuire Nuclear Station (now under construction) to store spent fuel from its Oconee Nuclear Station. In response to staff questioning Duke personnel indicated their belief that they had a need for such storage space and that other alternatives were not feasible within the limited time available before Oconee fuel pools were full in about March 1979 (see enclosed Duke Power Company statement). While Duke projects that McGuire Nuclear Station will begin loading fuel in January 1979, if this date should slip, a Part 70 license would be necessary to store Oconee fuel at the McGuire pool. Staff passed out copies of the October 18, 1977 "Nuclear Fuels Policy" statement noting that this may or may not, depending upon the timing of its implementation, have an effect on a justification of need by Duke.

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Oconee fuel storage at the McGuire pool has been considered in the FSAR for McGuire (for the Part 50 application). Such storage has not been considered in the environmental review.

In response to staff questioning it was noted that there is little difference between Oconee and McGuire fuels. Both stations are PWR. Oconee uses B&W 15 by 15 pin assemblies and McGuire Westinghouse 17 by 17 pin assemblies. Initial fuel enrichment and final burnup are about the same for both. Such differences that do exist then appear to be in handling of the assemblies and the need to place a bottom spacer under any Oconee assembly placed in the McGuire pool to raise it up slightly to facilitate handling.

Construction workers' presence at the McGuire Station site, in the event of any storage of Oconee fuel at McGuire was noted. However, construction workers will be present at McGuire after the first unit is operational. They will be engaged in second unit construction. Their presence has been considered in the environmental review under the Part 50 application.

Staff noted that while there were no technical or legal impediments to applying for a Part 70 license to store Oconee spent fuel at the McGuire pool, questions do arise concerning indemnification under a transition to a Part 50 license. Under a Part 70 license there is no Price Anderson indemnification. Under a subsequent Part 50 license whether such protection would exist for Oconee spent fuel would probably depend on whether the Commissioners chose to use their discretionary authority as in the Robinson-Brunswick case. Staff noted that a study of the Price Anderson indemnification was underway and would be presented to the Commission in May 1978.

With respect to a Part 70 application, the staff advised Duke personnel to reference applicable work completed under their Part 50 application to expedite licensing review. The Part 70 application from Duke Power Company is expected in January 1978.

/s/
John P. Roberts
Fuel Reprocessing and
Recycle Branch
Division of Fuel Cycle
and Material Safety

cc: Mr. Greg Pollack, Duke Power Co.
Mr. G. A. Copp " " "
Mr. D. C. Holt

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DATE	10/27/77	10/10/77				

MEETING ATTENDEES

NRC

Richard W. Starostecki
John P. Roberts
Ralph A. Birkel
Jerry Carter

Duke Power Company

Greg Pollack
G. A. Copp
D. C. Holt

MCGUIRE NUCLEAR STATION
RECEIPT OF OCONEE NUCLEAR STATION SPENT FUEL

Schedule

McGuire 1 Fuel Loading
Oconee Initial Fuel Shipment

~~January~~
February, 1979
March, 1979

Concern

Potential for differential schedule changes and resulting adverse impact on capability to assure continued Oconee operation makes it necessary to consider licensing McGuire as an independent spent fuel storage facility for some interim period of time.

Considerations

Type of License Required
Content and Format of Application
Use of Existing References
Indemnity Provisions
Security Requirements
Key Personnel - Duke
 - NRC

10/24/77