



**Duke Power Company**  
*A Duke Energy Company*  
EC07H  
526 South Church Street  
P.O. Box 1006  
Charlotte, NC 28201-1006

**M. S. Tuckman**  
*Executive Vice President*  
*Nuclear Generation*

(704) 382-2200 OFFICE  
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January 27, 2000

U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, D.C. 20555

Subject: Duke Energy Corporation  
Oconee Nuclear Station, Units 1, 2, and 3  
Docket Numbers 50-269, 50-270, and 50-287  
License Amendment Request for  
Facility Operating Licenses  
Elimination of Unnecessary Provisions

Pursuant to 10 CFR 50.90, Duke Energy Corporation is submitting a license amendment request (LAR) to the Oconee Nuclear Station (ONS) Facility Operating Licenses (FOLs). This LAR is being submitted in order to update the Oconee FOLs. Specifically, this amendment will 1) delete existing license conditions which have been fulfilled by completed Duke actions, 2) change other sections of the FOLs which have been superseded by current plant status and 3) make additional administrative changes to the FOLs.

The contents of this amendment request package are as follows:

Attachment 1 provides marked copies of the FOLs showing the proposed changes. The entire FOLs have been included to facilitate review.

Attachment 2 contains reprinted pages of the FOLs including revision marks.

Attachment 3 provides a description of the proposed changes and technical justification.

Pursuant to 10 CFR 50.92, Attachment 4 documents the determination that the amendment contains No Significant Hazards Considerations.

Pursuant to 10 CFR 51.22(c)(9), Attachment 5 provides the basis for the categorical exclusion from performing an Environmental Assessment/Impact Statement.

A001

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Implementation of this amendment to the Oconee Facility Operating Licenses will not impact the Oconee Updated Final Safety Analysis Reports (UFSARs).

Pursuant to 10 CFR 50.91, a copy of the proposed amendment is being sent to the State of South Carolina.

In accordance with Duke administrative procedures and the Quality Assurance Program Topical Report, this proposed LAR has been previously reviewed and approved by the Oconee Plant Operations Review Committee and the Duke Corporate Nuclear Safety Review Board.

Inquiries on this matter should be directed to L. B. Jones at (704) 382-4753.

Very truly yours,



M. S. Tuckman

Attachments

AFFIDAVIT

M. S. Tuckman, being duly sworn, states that he is Executive Vice President of Duke Energy Corporation; that he is authorized on the part of said corporation to sign and file with the Nuclear Regulatory Commission this amendment to the Oconee Nuclear Station Facility Operating License Numbers DPR-38, DPR-47, and DPR-55 and that all statements and matters set forth herein are true and correct to the best of his knowledge.

M.S. Tuck

M. S. Tuckman, Executive Vice President

Subscribed and sworn to me: JAN 27, 2000  
Date

Mary P. Dolmus  
Notary Public

My commission expires: JAN 22, 2001  
Date

SEAL

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xc (with attachments):

L. A. Reyes  
U.S. Nuclear Regulatory Commission  
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Atlanta Federal Center  
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M. C. Shannon  
Senior Resident Inspector  
U.S. Nuclear Regulatory Commission  
Occonee Nuclear Station

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V. R. Autry, Director  
Division of Radioactive Waste Management  
Bureau of Land and Waste Management  
Department of Health and Environmental Control  
2600 Bull St.  
Columbia, SC 29201

**ATTACHMENT 1**

**MARKED-UP FACILITY OPERATING LICENSES FOR OCONEE**

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DUKE ENERGY CORPORATION

DOCKET NO. 50-269

OCONEE NUCLEAR STATION, UNIT 1

FACILITY OPERATING LICENSE

LICENSE NO. DPR-38

The Atomic Energy Commission (the commission) having found that:

- a. The application for license filed by Duke Energy Corporation (the applicant) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made; and
- b. Construction of the Oconee Nuclear Station, Unit 1 (the facility) has been substantially completed in conformity with Provisional Construction Permit No. CPPR-33 and the application, as amended, the provisions of the Act and the rules and regulations of the commission; and
- c. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission; and
- d. There is reasonable assurance (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission; and
- e. The applicant is technically and financially qualified to engage in the activities authorized by the operating license in accordance with the rules and regulations of the Commission; and
- f. The applicant has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations; and
- g. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public; and
- h. After weighing the environmental, economic, technical and other benefits of the facility against environmental costs and considering available alternatives, the issuance of Facility Operating License No. DPR-38 (subject to the conditions for protection of the environment set forth herein) is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied; and

Amendment No. 226

- i. Pursuant to Section 105c(8) of the Act, the Commission has consulted with the Attorney General regarding the issuance of this operating license. After said consultation, the Commission has determined that the issuance of this license subject to the conditions set forth in this subparagraph i, in advance of consideration of and findings with respect to matters covered in Section 105c of the Act, is necessary in the public interest to avoid unnecessary delay in the operation of the facility. At the time this operating license is being issued an antitrust proceeding has been noticed but antitrust hearings have not commenced. The Commission, accordingly, has made no determination with respect to matters covered in Section 105c of the Act, including conditions, if any which may be appropriate as a result of the outcome of any antitrust proceeding. On the basis of its findings made as a result of an antitrust proceeding, the Commission may continue this license as issued, rescind this license or amend this license to include such conditions as the Commission deems appropriate. Duke Energy Corporation and others who may be affected hereby are accordingly on notice that the granting of this license is without prejudice to any subsequent licensing action, including the imposition of appropriate conditions, which may be taken by the Commission as a result of the outcome of any antitrust proceeding. In the course of its planning and other activities, Duke Energy Corporation will be expected to conduct itself accordingly; and
- j. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23 and 70.31.

Facility Operating License No. DPR-38 is hereby issued to the Duke Energy Corporation (the applicant), to read as follows:

1. This license applies to the Oconee Nuclear Station, Unit 1, a pressurized water reactor and associated equipment (the facility) owned by the Duke Energy Corporation. The facility is located in eastern Oconee County, about eight miles northeast of Seneca, South Carolina, and is described in the "Final Safety Analysis Report" as supplemented and amended (~~Amendments 1 through 47~~) and the Environmental Report as supplemented and amended (Supplement 1).
2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Duke Energy Corporation (the licensee):
  - A. Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility at the designated location on the Oconee Nuclear Station Site in accordance with the procedures and limitations set forth in this license;

- B. Pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report as supplemented and amended;
  - C. Pursuant to the Act and 10 CFR Part 30, 40 and 70 to receive, possess, and use at any time byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration and as fission detectors in amounts as required;
  - D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components.
  - E. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Oconee Nuclear Station, Units 1, 2 and 3.
3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I, Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50 and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

A. Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2568 megawatts thermal.

B. Technical Specifications

The Technical Specifications contained in Appendices <sup>X</sup>A and B, as revised through Amendment No. 307, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.



C. This license is subject to the following conditions for the protection of the environment:

1. The licensee shall accumulate information required to establish baselines for the evaluation of thermal, chemical and radiological effects of station operation on terrestrial biota and aquatic biota in Lakes Keowee and Hartwell.
2. The licensee shall develop and implement a comprehensive monitoring program that will permit surveillance during plant operation of thermal, chemical, and radiological effects on terrestrial biota and on aquatic biota in Lakes Keowee and Hartwell.

Deleted

D. This license is subject to the following antitrust conditions:

Applicant makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants, such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction.

Accordingly, applicant will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to applicant. There are net benefits in a transaction if applicant recovers the cost of the transaction (as defined in ¶1(d) hereof) and there is no demonstrable net detriment to applicant arising from that transaction.

1. As used herein:

- (a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.

*No changes this page*

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- (b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of the following criteria: (1) its existing or proposed facilities are economically and technically feasible of interconnection with those of the applicant and (2) with the exception of municipalities, cooperatives, governmental agencies or authorities, and associations, it is, or upon commencement of operations will be, a public utility and subject to regulation with respect to rates and service under the laws of North Carolina or South Carolina or under the Federal Power Act; provided, however, that as to associations, each member of such association is either a public utility as discussed in this clause (2) or a municipality, a cooperative or a governmental agency or authority.
  - (c) Where the phrase "neighboring entity" is intended to include entities engaging or proposing to engage only in the distribution of electricity, this is indicated by adding the phrase "including distribution systems".
  - (d) "Cost" means any appropriate operating and maintenance expenses, together with all other costs, including a reasonable return on applicant's investment, which are reasonably allocable to a transaction. However, no value shall be included for loss of revenues due to the loss of any wholesale or retail customer as a result of any transaction hereafter described.
- 2.
- (a) Applicant will interconnect and coordinate reserves by means of the sale and exchange of emergency and scheduled maintenance bulk power with any neighboring entity(ies), when there are net benefits to each party, on terms that will provide for all of applicant's properly assignable costs as may be determined by the Federal Power Commission and consistent with such cost assignment will allow the other party the fullest possible benefits of such coordination.
  - (b) Emergency service and/or scheduled maintenance service to be provided by each party will be furnished to the fullest extent available from the supplying party and desired by the party in need. Applicant and each party will provide to the other emergency service and/or scheduled maintenance

*No changes this page*

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service if and when available from its own generation and, in accordance with recognized industry practice, from generation of others to the extent it can do so without impairing service to its customers, including other electric systems to whom it has firm commitments.

- (c) Each party to a reserve coordination arrangement will establish its own reserve criteria, but in no event shall the minimum installed reserve on each system be less than 15%, calculated as a percentage of estimated peak load responsibility. Either party, if it has, or has firmly planned, installed reserves in excess of the amount called for by its own reserve criterion, will offer any such excess as may in fact be available at the time for which it is sought and for such period as the selling party shall determine for purchase in accordance with reasonable industry practice by the other party to meet such other party's own reserve requirement. The parties will provide such amounts of spinning reserve as may be adequate to avoid the imposition of unreasonable demands on the other party(ies) in meeting the normal contingencies of operating its (their) system(s). However, in no circumstances shall such spinning reserve requirement exceed the installed reserve requirement.
- (d) Interconnections will not be limited to low voltages when higher voltages are available from applicant's installed facilities in the area where interconnection is desired and when the proposed arrangement is found to be technically and economically feasible.
- (e) Interconnection and reserve coordination agreements will not embody provisions which impose limitations upon the use or resale of power and energy sold or exchanges pursuant to the agreement. Further, such arrangements will not prohibit the participants from entering into other interconnection and coordination arrangements, but may include appropriate provisions to assure that (i) applicant receives adequate notice of such additional interconnection or coordination, (ii) the parties will jointly consider and agree upon such measures, if any, as are reasonably necessary to protect the reliability of the interconnected systems and to prevent undue burdens from being imposed on any system, and (iii) applicant will be fully compensated for its costs. Reasonable industry practice as developed in the area from time to time will satisfy this provision.

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3. Applicant currently has on file, and may hereafter file, with the Federal Power Commission contracts with neighboring entity(ies) providing for the sale and exchange of short-term power and energy, limited term power and energy, economy energy, non-displacement energy, and emergency capacity and energy. Applicant will enter into contracts providing for the same or for like transactions with any neighboring entity on terms which enable applicant to recover the full costs allocable to such transaction.
4. Applicant currently sells capacity and energy in bulk on a full requirements basis to several entities engaging in the distribution of electric power at retail. In addition, applicant supplies electricity directly to ultimate users in a number of municipalities. Should any such entity(ies) or municipality(ies) desire to become a neighboring entity as defined in ¶1(b) hereof (either alone or through combination with other), applicant will assist in facilitating the necessary transition through the sale of partial requirements firm power and energy. The provision of such firm partial requirements service shall be under such rates, terms and conditions as shall be found by the Federal Power Commission to provide for the recovery of applicant's costs. Applicant will sell capacity and energy in bulk on a full requirements basis to any municipality currently served by applicant when such municipality lawfully engages in the distribution of electric power at retail.
5. (a) Applicant will facilitate the exchange of electric power in bulk in wholesale transactions over its transmission facilities (1) between or among two or more neighboring entities, including distribution systems with which it is interconnected or may be interconnected in the future, and (2) between any such entity(ies) and any other electric system engaging in bulk power supply between whose facilities applicant's transmission lines and other transmission lines would form a continuous electric path, provided that permission to utilize such other transmission lines has been obtained. Such transaction shall be undertaken provided that the particular transaction reasonably can be accommodated by applicant's transmission system from a functional and technical standpoint and does not constitute the wheeling of power to a retail customer. Such transmission shall be on terms that fully compensate applicant for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable notice of its (their) schedule and requirements.

*No changes this page*

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- (b) Applicant will include in its planning and construction program, sufficient transmission capacity as required for the transactions referred to in subparagraph (a) of this paragraph, provided that (1) the neighboring entity(ies) gives applicant sufficient advance notice as may be necessary reasonably to accommodate its (their) requirements from a functional and technical standpoint and (2) that such entity(ies) fully compensates applicant for its cost. In carrying out this subparagraph (b), however, applicant shall not be required to construct or add transmission facilities which (a) will be of no demonstrable present or future benefit to applicant, or (b) which could be constructed by the requesting entity(ies) without duplicating any portion of applicant's existing transmission lines; or (c) which would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements. Where regulatory or environmental approvals are required for the construction or addition of transmission facilities, needed for the transactions referred to in subparagraph (a) of this paragraph, it shall be the responsibility of the entity(ies) seeking the transaction to participate in obtaining such approvals, including sharing in the cost thereof.
6. To increase the possibility of achieving greater reliability and economy of electric generation and transmission facilities, applicant will discuss load projections and system development plans with any neighboring entity(ies)
7. When applicant's plans for future nuclear generating units (for which application will hereafter be made to the Atomic Energy Commission) have reached the stage of serious planning, but before firm decisions have been made as to the size and desired completion date of the proposed nuclear units, applicant will notify all neighboring entities, including distribution systems with peak loads smaller than applicant's, that applicant plans to construct such nuclear units. Neither the timing nor the information provided need be such as to jeopardize obtaining the required site at the lowest possible cost.
8. The foregoing commitments shall be implemented in a manner consistent with the provisions of the Federal Power Act and all other lawful local, state and Federal regulation and authority. Nothing in these commitments is intended to determine in advance

the resolution of issues which are properly raised at the Federal Power Commission concerning such commitments, including allocation of costs or the rates to be charged. Applicant will negotiate (including the execution of a contingent statement of intent) with respect to the foregoing commitments with any neighboring entity including distribution systems where applicable engaging in or proposing to engage in bulk power supply transactions, but applicant shall not be required to enter into any final arrangement prior to resolution of any substantial questions as to the lawful authority of an entity to engage in the transactions. In addition, applicant shall not be obligated to enter into a given bulk power supply transaction if: (1) to do so would violate, or incapacitate it from performing any existing lawful contract it has with a third party; (2) there is contemporaneously available to it, a competing or alternative arrangement which affords it greater benefits which would be mutually exclusive of such arrangement; (3) to do so would adversely affect its system operations or the reliability of power supply to its customers, or (4) if to do so would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements.

E. Fire Protection

Duke Energy Corporation shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the SER's dated August 11, 1978, and April 28, 1983; October 5, 1978, and June 9, 1981 Supplements to the SER dated August 11, 1978; and Exemptions dated February 2, 1982; August 31, 1983; December 27, 1984; December 5, 1988; and August 21, 1989 subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

F. Physical Protection

Duke Energy Corporation shall fully implement and maintain in effect all provisions of the Commission-approved (physical) security, guard training and qualification, ~~and safeguards contingency plans~~ including ~~and~~ amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected

plans

nuclear

and contingency

5

April 26, 1999

The plan which does not contain safeguards information is entitled,

and Contingency  
Security  
August 18, 1999.

under 10 CFR 73.21, are entitled: "~~Oconee Nuclear Station~~ Security Plan," with revisions submitted through ~~January 15, 1986~~; "~~Oconee Nuclear Station~~ Training and Qualification Plan," with revisions submitted through ~~May 16, 1986~~; and "~~Oconee Nuclear Station~~ Safeguards Contingency Plan," with revisions submitted through ~~March 18, 1987~~. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

G.

The licensee shall implement a secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include:

1. Identification of a sampling schedule for the critical parameters and control points for the parameters;
2. Identification of the procedures used to measure the values of the critical parameters;
3. Identification of process sampling points;
4. Procedure for the recording and management of data;
5. Procedures defining corrective actions of off control point chemistry conditions; and
6. A procedure identifying (a) the authority responsible for the interpretation of the data, and (b) the sequence and timing of administrative events required to initiate corrective action.

Deleted

H.

Systems Integrity

The licensee shall implement a program to reduce leakage from systems outside containment that would or could contain highly radioactive fluids during a serious transient or accident to as low as practical levels. This program shall include the following:

1. Provisions establishing preventive maintenance and periodic visual inspection requirements, and
2. Integrated leak test requirements for each system at a frequency not to exceed refueling cycle intervals.

Deleted

I. Iodine Monitoring

The licensee shall implement a program which will ensure the capability to accurately determine the airborne iodine concentration in vital areas under accident conditions. This program shall include the following:

1. Training of personnel,
2. Procedures for monitoring, and
3. Provisions for maintenance of sampling and analysis equipment.

Deleted

J. Backup Method for Determining Subcooling Margin

The licensee shall implement a program which will ensure the capability to accurately monitor the Reactor Coolant System subcooling margin. This program shall include the following:

1. Training of personnel, and
2. Procedures for monitoring.

Deleted

K. Additional Conditions

The Additional Conditions contained in Appendix C, as revised through Amendment No. 300, are hereby incorporated into this license. Duke Energy Corporation shall operate the facility in accordance with the Additional Conditions.

Deleted

4. This license amendment is effective as of the date of issuance and shall expire at midnight, February 6, 2013.

FOR THE ATOMIC ENERGY COMMISSION

(Original Signed By)

Voss A. Moore, Assistant Director  
for Light Water Reactors, Group 2  
Directorate of Licensing

Attachments:

~~Change No. 13 to Appendices A and B~~  
Technical Specifications License No. DPR-38

~~2) Appendix B - Deleted~~

Date of issuance: July 19, 1974

~~3) Appendix C - Additional Conditions - Deleted~~

Amendment No. ~~300~~



APPENDIX C

ADDITIONAL CONDITIONS

FACILITY OPERATING LICENSE NO. DPR-38

Duke Energy Corporation shall comply with the following conditions on the schedules noted below:

<u>Amendment Number</u>	<u>Additional Conditions</u>	<u>Implementation Date</u>
224	This amendment authorizes the licensee to incorporate in the Updated Final Safety Analysis Report certain changes to the main turbine-generated missile protection criteria. Implementation of this amendment is the incorporation of these changes as described in the licensee's application dated April 29, 1997, and evaluated in the staff's Safety Evaluation dated May 16, 1997.	May 16, 1997
225	This amendment authorizes the licensee to provide in the Oconee Updated Final Safety Analysis Report the prescribed lower limit and the minimum required value of tendon forces for each group of tendons prior to performing the seventh tendon surveillance for Unit 1. In addition, the portion of the Selected Licensee Commitment Manual related to the establishment of these limits will be submitted as soon as available. Implementation of this amendment is the incorporation of these commitments as described in the licensee's application dated October 30, 1996, as supplemented by letters dated April 22 and July 2, 1997, and evaluated in the staff's Safety Evaluation attached to this amendment.	September 15, 1997

Amendment  
Number

Additional Conditions

Implementation  
Date

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The licensee will:

Condition 1:  
July 15, 1998

(1) Provide comparisons of critical characteristics for the new equipment that is installed by the ECCW upgrade with data from testing or from recorded earthquakes, in accordance with Section 2.3.4, Part I of GIP-2 and Section 1.2.3.4, paragraphs 2, 3, and 4 of the staff's SSER dated May 22, 1992, that is needed by the staff to complete its review of associated seismic issues or will qualify the new equipment using the existing methods in Section 3 of the Oconee UFSAR.

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(2) Add the Oconee Unit 2 equipment in the ECCW System that is necessary for safe shutdown per GIP-2 to the USI A-46 SSEL and include its evaluation in a revision to the USI A-46 submittal.

Condition 2:  
4 months of the completion of the Unit 2 refueling outage.

300

The licensee is authorized to relocate certain requirements included in Appendix A to licensee-controlled documents. Implementation of this amendment shall include the relocation of these requirements to the appropriate documents, as described in the licensee's letters dated October 28, 1997, and March 26, May 20, July 29, August 13, October 1, October 21, October 28, November 23, and December 3, 1998, evaluated in the NRC staff's Safety Evaluation enclosed with this amendment.

Following completion of the associated training program, but no later than April 30, 1999.

Amendment  
Number

Additional Conditions

Implementation  
Date

300

For Surveillance Requirements (SRs) that are new in Amendment 300, the first performance is due at the end of the first surveillance interval that begins at implementation of Amendment 300, except as noted below. For SRs that existed prior to Amendment 300, including SRs with modified acceptance criteria and SRs for which intervals of performance are being extended, the first performance is due at the end of the first surveillance interval that begins on the date the surveillance was last performed prior to implementation of Amendment 300. For SRs that existed prior to Amendment 300, for which intervals of performance are being reduced, each surveillance may be performed at the existing interval until completion of the first surveillance after implementation of Amendment 300. Subsequent performance of SRs with reduced intervals shall be performed at the reduced interval.

Following completion of the associated training program, but no later than April, 30, 1999.

300

For SRs that are new in Amendment 300 and require verification of correct valve position, the first performance for those valves that are inaccessible (e.g., due to high radiation, high temperature, proximity to operating equipment, or safety concerns), is due at the end of the next refueling outage following implementation of Amendment 300.

Following completion of the associated training program, but no later than April 30, 1999.

*No changes this page*

DUKE ENERGY CORPORATION

DOCKET NO. 50-270

OCONEE NUCLEAR STATION, UNIT 2

FACILITY OPERATING LICENSE

LICENSE NO. DPR-47

The Atomic Energy Commission (the commission) having found that:

- a. The application for license filed by Duke Energy Corporation (the licensee) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;
- b. Construction of the Oconee Nuclear Station, Unit 2 (the facility) has been substantially completed in conformity with Provisional Construction Permit No. CPPR-34 and the application, as amended, the provisions of the Act and the rules and regulations of the commission;
- c. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
- d. There is reasonable assurance (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
- e. The licensee is technically and financially qualified to engage in the activities authorized by the operating license in accordance with the rules and regulations of the Commission;
- f. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
- g. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public;
- h. After weighing the environmental, economic, technical and other benefits of the facility against environmental costs and considering available alternatives, the issuance of Facility Operating License No. DPR-47 (subject to the conditions for protection of the environment set forth herein) is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied; and

- i. Pursuant to Section 105c(8) of the Act, the Commission has consulted with the Attorney General regarding the issuance of this operating license. After said consultation, the Commission has determined that the issuance of this license subject to the conditions set forth in this subparagraph i, in advance of consideration of and findings with respect to matters covered in Section 105c of the Act, is necessary in the public interest to avoid unnecessary delay in the operation of the facility. At the time this operating license is being issued an antitrust proceeding has been noticed but antitrust hearings have not commenced. The Commission, accordingly, has made no determination with respect to matters covered in Section 105c of the Act, including conditions, if any which may be appropriate as a result of the outcome of any antitrust proceeding. On the basis of its findings made as a result of an antitrust proceeding, the Commission may continue this license as issued, rescind this license or amend this license to include such conditions as the Commission deems appropriate. Duke Energy Corporation and others who may be affected hereby are accordingly on notice that the granting of this license is without prejudice to any subsequent licensing action, including the imposition of appropriate conditions, which may be taken by the Commission as a result of the outcome of any antitrust proceeding. In the course of its planning and other activities, Duke Energy Corporation will be expected to conduct itself accordingly; and
- j. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23 and 70.31.

Facility Operating License No. DPR-47 is hereby issued to the Duke Energy Corporation (the licensee), to read as follows:

1. This license applies to the Oconee Nuclear Station, Unit 2, a pressurized water reactor and associated equipment (the facility) owned by the Duke Energy Corporation. The facility is located in eastern Oconee County, about eight miles northeast of Seneca, South Carolina, and is described in the "Final Safety Analysis Report" as supplemented and amended (~~Amendments 1 through 47~~) and the Environmental Report as supplemented and amended (Supplement 1).
2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Duke Energy Corporation (the licensee):
  - A. Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility at the designated location on the Oconee Nuclear Station Site in accordance with the procedures and limitations set forth in this license;

- B. Pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report as supplemented and amended;
  - C. Pursuant to the Act and 10 CFR Part 30, 40 and 70 to receive, possess, and use at any time byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration and as fission detectors in amounts as required;
  - D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components.
  - E. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Oconee Nuclear Station, Units 1, 2 and 3.
3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I, Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50 and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

A. Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2568 megawatts thermal.

B. Technical Specifications

The Technical Specifications contained in Appendices <sup>Y</sup>A and B, as revised through Amendment No. 307, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. This license is subject to the following conditions for the protection of the environment:

1. The licensee shall accumulate information required to establish baselines for the evaluation of thermal, chemical and radiological effects of station operation on terrestrial biota and aquatic biota in Lakes Keowee and Hartwell.
2. The licensee shall develop and implement a comprehensive monitoring program that will permit surveillance during plant operation thermal, chemical, and radiological effects on terrestrial biota and on aquatic biota in Lakes Keowee and Hartwell.

Deleted

D. This license is subject to the following antitrust conditions:

Applicant makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants, such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction. Accordingly, applicant will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to applicant. There are net benefits in a transaction if applicant recovers the cost of the transaction (as defined in ¶1(d) hereof) and there is no demonstrable net detriment to applicant arising from that transaction.

1. As used herein:

- (a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.

*No changes this page*

- (b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of the following criteria: (1) its existing or proposed facilities are economically and technically feasible of interconnection with those of the applicant and (2) with the exception of municipalities, cooperatives, governmental agencies or authorities, and associations, it is, or upon commencement of operations will be, a public utility and subject to regulation with respect to rates and service under the laws of North Carolina or South Carolina or under the Federal Power Act; provided, however, that as to associations, each member of such association is either a public utility as discussed in this clause (2) or a municipality, a cooperative or a governmental agency or authority.
  - (c) Where the phrase "neighboring entity" is intended to include entities engaging or proposing to engage only in the distribution of electricity, this is indicated by adding the phrase "including distribution systems".
  - (d) "Cost" means any appropriate operating and maintenance expenses, together with all other costs, including a reasonable return on applicant's investment, which are reasonably allocable to a transaction. However, no value shall be included for loss of revenues due to the loss of any wholesale or retail customer as a result of any transaction hereafter described.
- 2.
- (a) Applicant will interconnect and coordinate reserves by means of the sale and exchange of emergency and scheduled maintenance bulk power with any neighboring entity(ies), when there are net benefits to each party, on terms that will provide for all of applicant's properly assignable costs as may be determined by the Federal Power Commission and consistent with such cost assignment will allow the other party the fullest possible benefits of such coordination.
  - (b) Emergency service and/or scheduled maintenance service to be provided by each party will be furnished to the fullest extent available from the supplying party and desired by the party in need. Applicant and each party will provide to the other emergency service and/or scheduled maintenance



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service if and when available from its own generation and, in accordance with recognized industry practice, from generation of others to the extent it can do so without impairing service to its customers, including other electric systems to whom it has firm commitments.

- (c) Each party to a reserve coordination arrangement will establish its own reserve criteria, but in no event shall the minimum installed reserve on each system be less than 15%, calculated as a percentage of estimated peak load responsibility. Either part, if it has, or has firmly planned, installed reserves in excess of the amount called for by its own reserve criterion, will offer any such excess as may in fact be available at the time for which it is sought and for such period as the selling party shall determine for purchase in accordance with reasonable industry practice by the other party to meet such other party's own reserve requirement. The parties will provide such amounts of spinning reserve as may be adequate to avoid the imposition of unreasonable demands on the other party(ies) in meeting the normal contingencies of operating its (their) system(s). However, in no circumstances shall such spinning reserve requirement exceed the installed reserve requirement.
- (d) Interconnections will not be limited to low voltages when higher voltages are available from applicant's installed facilities in the area where interconnection is desired and when the proposed arrangement is found to be technically and economically feasible.
- (e) Interconnection and reserve coordination agreements will not embody provisions which impose limitations upon the use or resale of power and energy sold or exchanged pursuant to the agreement. Further, such arrangements will not prohibit the participants from entering into other interconnection and coordination arrangements, but may include appropriate provisions to assure that (i) applicant receives adequate notice of such additional interconnection or coordination, (ii) the parties will jointly consider and agree upon such measures, if any, as are reasonably necessary to protect the reliability of the interconnected systems and to prevent undue burdens from being imposed on any system, and (iii) applicant will be fully compensated for its costs. Reasonable industry practice as developed in the area from time to time will satisfy this provision.

*No changes this page*

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3. Applicant currently has on file, and may hereafter file, with the Federal Power Commission contracts with neighboring entity(ies) providing for the sale and exchange of short-term power and energy, limited term power and energy, economy energy, non-displacement energy, and emergency capacity and energy. Applicant will enter into contracts providing for the same or for like transactions with any neighboring entity on terms which enable applicant to recover the full costs allocable to such transaction.
4. Applicant currently sells capacity and energy in bulk on a full requirements basis to several entities engaging in the distribution of electric power at retail. In addition, applicant supplies electricity directly to ultimate users in a number of municipalities. Should any such entity(ies) or municipality(ies) desire to become a neighboring entity as defined in ¶1(b) hereof (either alone or through combination with other), applicant will assist in facilitating the necessary transition through the sale of partial requirements firm power and energy. The provision of such firm partial requirements service shall be under such rates, terms and conditions as shall be found by the Federal Power Commission to provide for the recovery of applicant's costs. Applicant will sell capacity and energy in bulk on a full requirements basis to any municipality currently served by applicant when such municipality lawfully engages in the distribution of electric power at retail.
5. (a) Applicant will facilitate the exchange of electric power in bulk in wholesale transactions over its transmission facilities (1) between or among two or more neighboring entities, including distribution systems with which it is interconnected or may be interconnected in the future, and (2) between any such entity(ies) and any other electric system engaging in bulk power supply between whose facilities applicant's transmission lines and other transmission lines would form a continuous electric path, provided that permission to utilize such other transmission lines has been obtained. Such transaction shall be undertaken provided that the particular transaction reasonably can be accommodated by applicant's transmission system from a functional and technical standpoint and does not constitute the wheeling of power to a retail customer. Such transmission shall be on terms that fully compensate applicant for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable notice of its (their) schedule and requirements.

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- (b) Applicant will include in its planning and construction program, sufficient transmission capacity as required for the transactions referred to in subparagraph (a) of this paragraph, provided that (1) the neighboring entity(ies) gives applicant sufficient advance notice as may be necessary reasonably to accommodate its (their) requirements from a functional and technical standpoint and (2) that such entity(ies) fully compensates applicant for its cost. In carrying out this subparagraph (b), however, applicant shall not be required to construct or add transmission facilities which (a) will be of no demonstrable present or future benefit to applicant, or (b) which could be constructed by the requesting entity(ies) without duplicating any portion of applicant's existing transmission lines, or (c) which would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements. Where regulatory or environmental approvals are required for the construction or addition of transmission facilities, needed for the transactions referred to in subparagraph (a) of this paragraph, it shall be the responsibility of the entity(ies) seeking the transaction to participate in obtaining such approvals, including sharing in the cost thereof.
6. To increase the possibility of achieving greater reliability and economy of electric generation and transmission facilities, applicant will discuss load projections and system development plans with any neighboring entity(ies)
7. When applicant's plans for future nuclear generating units (for which application will hereafter be made to the Atomic Energy Commission) have reached the stage of serious planning, but before firm decisions have been made as to the size and desired completion date of the proposed nuclear units, applicant will notify all neighboring entities, including distribution systems with peak loads smaller than applicant's, that applicant plans to construct such nuclear units. Neither the timing nor the information provided need be such as to jeopardize obtaining the required site at the lowest possible cost.
8. The foregoing commitments shall be implemented in a manner consistent with the provisions of the Federal Power Act and all other lawful local, state and Federal regulation and authority. Nothing in these commitments is intended to determine in advance

the resolution of issues which are properly raised at the Federal Power Commission concerning such commitments, including allocation of costs or the rates to be charged. Applicant will negotiate (including the execution of a contingent statement of intent) with respect to the foregoing commitments with any neighboring entity including distribution systems where applicable engaging in or proposing to engage in bulk power supply transactions, but applicant shall not be required to enter into any final arrangement prior to resolution of any substantial questions as to the lawful authority of an entity to engage in the transactions. In addition, applicant shall not be obligated to enter into a given bulk power supply transaction if: (1) to do so would violate, or incapacitate it from performing any existing lawful contract it has with a third party; (2) there is contemporaneously available to it, a competing or alternative arrangement which affords it greater benefits which would be mutually exclusive of such arrangement; (3) to do so would adversely affect its system operations or the reliability of power supply to its customers, or (4) if to do so would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements.

E. Fire Protection

Duke Energy Corporation shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the SER's dated August 11, 1978, and April 28, 1983; October 5, 1978, and June 9, 1981 Supplements to the SER dated August 11, 1978; and Exemptions dated February 2, 1982; August 31, 1983; December 27, 1984; December 5, 1988; and August 21, 1989 subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

F. Physical Protection

Duke Energy Corporation shall fully implement and maintain in effect all provisions of the Commission-approved plans nuclear and contingency physical security guard training and qualification and safeguards contingency plans including and amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans which contain Safeguards Information protected

The plan which does not contain safeguards information is entitled,

April 26, 1999

and Contingency

Security

August 18, 1999

under 10 CFR 73.21, are entitled: "Ocopee Nuclear Station Security Plan," with revisions submitted through January 15, 1988; "Ocopee Nuclear Station Training and Qualification Plan," with revisions submitted through May 16, 1986; and "Ocopee Nuclear Station Safeguards Contingency Plan," with revisions submitted through March 18, 1987. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

G.

The licensee shall implement a secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include:

1. Identification of a sampling schedule for the critical parameters and control points for the parameters;
2. Identification of the procedures used to measure the values of the critical parameters;
3. Identification of process sampling points;
4. Procedure for the recording and management of data;
5. Procedures defining corrective actions of off control point chemistry conditions; and
6. A procedure identifying (a) the authority responsible for the interpretation of the data, and (b) the sequence and timing of administrative events required to initiate corrective action.

Deleted

H.

Systems Integrity

The licensee shall implement a program to reduce leakage from systems outside containment that would or could contain highly radioactive fluids during a serious transient or accident to as low as practical levels. This program shall include the following:

1. Provisions establishing preventive maintenance and periodic visual inspection requirements, and
2. Integrated leak test requirements for each system at a frequency not to exceed refueling cycle intervals.

Deleted

I. Iodine Monitoring

The licensee shall implement a program which will ensure the capability to accurately determine the airborne iodine concentration in vital areas under accident conditions. This program shall include the following:

1. Training of personnel
2. Procedures for monitoring, and
3. Provisions for maintenance of sampling and analysis equipment.

Deleted

J. Backup Method for Determining Subcooling Margin

The licensee shall implement a program which will ensure the capability to accurately monitor the Reactor Coolant System subcooling margin. This program shall include the following:

1. Training of personnel, and
2. Procedures for monitoring.

Deleted

K. Additional Conditions

The Additional Conditions contained in Appendix C, as revised through Amendment No. 300, are hereby incorporated into this license. Duke Energy Corporation shall operate the facility in accordance with the Additional Conditions.

Deleted

4. This license amendment is effective as of the date of issuance and shall expire at midnight, October 6, 2013.

FOR THE ATOMIC ENERGY COMMISSION

(Original Signed By)

Voss A. Moore, Assistant Director  
for Light Water Reactors, Group 2  
Directorate of Licensing

Attachments:

~~Change No. 8 to Appendices A and B~~

Technical Specifications License No. DPR-47

~~Appendix B - Deleted~~

Date of issuance: July 19, 1974

~~Appendix C - Additional Conditions - Deleted~~

Amendment No. 300

APPENDIX C

ADDITIONAL CONDITIONS

FACILITY OPERATING LICENSE NO. DPR-47

Duke Energy Corporation shall comply with the following conditions on the schedules noted below:

<u>Amendment Number</u>	<u>Additional Conditions</u>	<u>Implementation Date</u>
224	This amendment authorizes the licensee to incorporate in the Updated Final Safety Analysis Report certain changes to the main turbine-generated missile protection criteria. Implementation of this amendment is the incorporation of these changes as described in the licensee's application dated April 29, 1997, and evaluated in the staff's Safety Evaluation dated May 16, 1997.	May 16, 1997
225	This amendment authorizes the licensee to provide in the Oconee Updated Final Safety Analysis Report the prescribed lower limit and the minimum required value of tendon forces for each group of tendons prior to performing the seventh tendon surveillance for Unit 1. In addition, the portion of the Selected Licensee Commitment Manual related to the establishment of these limits will be submitted as soon as available. Implementation of this amendment is the incorporation of these commitments as described in the licensee's application dated October 30, 1996, as supplemented by letters dated April 22 and July 2, 1997, and evaluated in the staff's Safety Evaluation attached to this amendment.	September 15, 1997

<u>Amendment Number</u>	<u>Additional Conditions</u>	<u>Implementation Date</u>
230	<p>The licensee will:</p> <p>(1) Provide comparisons of critical characteristics for the new equipment that is installed by the ECCW upgrade with data from testing or from recorded earthquakes, in accordance with Section 2.3.4, Part I of GIP-2 and Section I.2.3.4, paragraphs 2, 3, and 4 of the staff's SSER dated May 22, 1992, that is needed by the staff to complete its review of associated seismic issues or will qualify the new equipment using the existing methods in Section 3 of the Oconee UFSAR.</p>	Condition 1: July 15, 1998
230	<p>(2) Add the Oconee Unit 2 equipment in the ECCW System that is necessary for safe shutdown per GIP-2 to the USI A-46 SSEL and include its evaluation in a revision to the USI A-46 submittal.</p>	Condition 2: 4 months of the completion of the Unit 2 refueling outage.
300	<p>The licensee is authorized to relocate certain requirements included in Appendix A to licensee-controlled documents. Implementation of this amendment shall include the relocation of these requirements to the appropriate documents, as described in the licensee's letters dated October 28, 1997, and March 26, May 20, July 29, August 13, October 1, October 21, October 28, November 23, and December 3, 1998, evaluated in the NRC staff's Safety Evaluation enclosed with this amendment.</p>	Following completion of the associated training program, but no later than April 30, 1999.



Amendment  
Number

Additional Conditions

Implementation  
Date

300

For Surveillance Requirements (SRs) that are new in Amendment 300, the first performance is due at the end of the first surveillance interval that begins at implementation of Amendment 300, except as noted below. For SRs that existed prior to Amendment 300, including SRs with modified acceptance criteria and SRs for which intervals of performance are being extended, the first performance is due at the end of the first surveillance interval that begins on the date the surveillance was last performed prior to implementation of Amendment 300. For SRs that existed prior to Amendment 300, for which intervals of performance are being reduced, each surveillance may be performed at the existing interval until completion of the first surveillance after implementation of Amendment 300. Subsequent performance of SRs with reduced intervals shall be performed at the reduced interval.

Following completion of the associated training program, but no later than April, 30, 1999.

300

For SRs that are new in Amendment 300 and require verification of correct valve position, the first performance for those valves that are inaccessible (e.g., due to high radiation, high temperature, proximity to operating equipment, or safety concerns), is due at the end of the next refueling outage following implementation of Amendment 300.

Following completion of the associated training program, but no later than April 30, 1999.

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DUKE ENERGY CORPORATION

DOCKET NO. 50-287

OCONEE NUCLEAR STATION, UNIT 3

FACILITY OPERATING LICENSE

LICENSE NO. DPR-55

The Atomic Energy Commission (the Commission) having found that:

- a. The application for license filed by Duke Energy Corporation (the licensee) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;
- b. Construction of the Oconee Nuclear Station, Unit 3 (the facility) has been substantially completed in conformity with Construction Permit No. CPPR-35 and the application, as amended, the provisions of the Act and the rules and regulations of the Commission;
- c. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
- d. There is reasonable assurance (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
- e. The licensee is technically and financially qualified to engage in the activities authorized by the operating license in accordance with the rules and regulations of the Commission;
- f. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
- g. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public;
- h. After weighing the environmental, economic, technical and other benefits of the facility against environmental costs and considering available alternatives, the issuance of Facility Operating License No. DPR-55 (subject to the conditions for protection of the environment set forth herein) is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied;

Amendment No. 223

- i. Pursuant to Section 105c(8) of the Act, the Commission has consulted with the Attorney General regarding the issuance of this operating license. After said consultation, the Commission has determined that the issuance of this license, subject to the conditions set forth in this subparagraph i, in advance of consideration of and findings with respect to matters covered in Section 105c of the Act, is necessary in the public interest to avoid unnecessary delay in the operation of the facility. At the time this operating license is being issued an antitrust proceeding has been noticed but antitrust hearings have not been concluded. The Commission, accordingly, has made no determination with respect to matters covered in Section 105c of the Act, except to the extent of the conditions noted herein which the Atomic Safety Licensing Board has ordered be included herein after said conditions were negotiated and agreed to by the applicant, the Department of Justice, and the Regulatory staff. On the basis of its findings made as a result of the conclusion of the antitrust proceeding, the Commission may continue this license as issued, rescind this license or amend this license to include such additional conditions as the Commission deems appropriate. Duke Energy Corporation and others who may be affected hereby are accordingly on notice that the granting of this license is without prejudice to any subsequent licensing action, including the imposition of additional appropriate conditions, which may be taken by the Commission as a result of the outcome of any antitrust proceeding. In the course of its planning and other activities, Duke Energy Corporation will be expected to conduct itself accordingly; and
- j. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23 and 70.31.

Facility Operating License No. DPR-55 is hereby issued to the Duke Energy Corporation (the licensee), to read as follows:

1. This license applies to the Oconee Nuclear Station, Unit 3, a pressurized water reactor and associated equipment (the facility) owned by the Duke Power Company. The facility is located in eastern Oconee County, about eight miles northeast of Seneca, South Carolina, and is described in the "Final Safety Analysis Report" as supplemented and amended (~~Amendments 1 through 47~~) and the Environmental Report as supplemented and amended (Supplement 1).
2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Duke Energy Corporation (the licensee):

- A. Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility at the designated location on the Oconee Nuclear Station Site in accordance with the procedures and limitations set forth in this license;
  - B. Pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report as supplemented and amended;
  - C. Pursuant to the Act and 10 CFR Part 30, 40 and 70 to receive, possess, and use at any time byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration and as fission detectors in amounts as required;
  - D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components.
  - E. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Oconee Nuclear Station, Units 1, 2 and 3.
3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I, Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50 and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

A. Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2568 megawatts thermal.

B. Technical Specifications

The Technical Specifications contained in Appendices <sup>(X)</sup> A and B, as revised through Amendment No. 307, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. This license is subject to the following additional conditions for the protection of the environment:

1. The licensee shall accumulate information required to establish baselines for the evaluation of thermal, chemical and radiological effects of station operation on terrestrial biota and aquatic biota in Lakes Keowee and Hartwell.
2. The licensee shall develop and implement a comprehensive monitoring program that will permit surveillance during plant operation of thermal, chemical, and radiological effects on terrestrial biota and on aquatic biota in Lakes Keowee and Hartwell.

Deleted

D. This license is subject to the following antitrust conditions:

Applicant makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants, such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction.

Accordingly, applicant will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to applicant. There are net benefits in a transaction if applicant recovers the cost of the transaction (as defined in ¶1(d) hereof) and there is no demonstrable net detriment to applicant arising from that transaction.

1. As used herein:

- (a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.

*No changes this page*

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- (b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of the following criteria: (1) its existing or proposed facilities are economically and technically feasible of interconnection with those of the applicant and (2) with the exception of municipalities, cooperatives, governmental agencies or authorities, and associations, it is, or upon commencement of operations will be, a public utility and subject to regulation with respect to rates and service under the laws of North Carolina or South Carolina or under the Federal Power Act; provided, however, that as to associations, each member of such association is either a public utility as discussed in this clause (2) or a municipality, a cooperative or a governmental agency or authority.
  - (c) Where the phrase "neighboring entity" is intended to include entities engaging or proposing to engage only in the distribution of electricity, this is indicated by adding the phrase "including distribution systems".
  - (d) "Cost" means any appropriate operating and maintenance expenses, together with all other costs, including a reasonable return on applicant's investment, which are reasonably allocable to a transaction. However, no value shall be included for loss of revenues due to the loss of any wholesale or retail customer as a result of any transaction hereafter described.
- 2.
- (a) Applicant will interconnect and coordinate reserves by means of the sale and exchange of emergency and scheduled maintenance bulk power with any neighboring entity(ies), when there are net benefits to each party, on terms that will provide for all of applicant's properly assignable costs as may be determined by the Federal Power Commission and consistent with such cost assignment will allow the other party the fullest possible benefits of such coordination.
  - (b) Emergency service and/or scheduled maintenance service to be provided by each party will be furnished to the fullest extent available from the supplying party and desired by the party in need. Applicant and each party will provide to the other emergency service and/or scheduled maintenance

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service if and when available from its own generation and, in accordance with recognized industry practice, from generation of others to the extent it can do so without impairing service to its customers, including other electric systems to whom it has firm commitments.

- (c) Each party to a reserve coordination arrangement will establish its own reserve criteria, but in no event shall the minimum installed reserve on each system be less than 15%, calculated as a percentage of estimated peak load responsibility. Either part, if it has, or has firmly planned, installed reserves in excess of the amount called for by its own reserve criterion, will offer any such excess as may in fact be available at the time for which it is sought and for such period as the selling party shall determine for purchase in accordance with reasonable industry practice by the other party to meet such other party's own reserve requirement. The parties will provide such amounts of spinning reserve as may be adequate to avoid the imposition of unreasonable demands on the other party(ies) in meeting the normal contingencies of operating its (their) system(s). However, in no circumstances shall such spinning reserve requirement exceed the installed reserve requirement.
- (d) Interconnections will not be limited to low voltages when higher voltages are available from applicant's installed facilities in the area where interconnection is desired and when the proposed arrangement is found to be technically and economically feasible.
- (e) Interconnection and reserve coordination agreements will not embody provisions which impose limitations upon the use or resale of power and energy sold or exchanges pursuant to the agreement. Further, such arrangements will not prohibit the participants from entering into other interconnection and coordination arrangements, but may include appropriate provisions to assure that (i) applicant receives adequate notice of such additional interconnection or coordination, (ii) the parties will jointly consider and agree upon such measures, if any, as are reasonably necessary to protect the reliability of the interconnected systems and to prevent undue burdens from being imposed on any system, and (iii) applicant will be fully compensated for its costs. Reasonable industry practice as developed in the area from time to time will satisfy this provision.

*No changes this page*

3. Applicant currently has on file, and may hereafter file, with the Federal Power Commission contracts with neighboring entity(ies) providing for the sale and exchange of short-term power and energy, limited term power and energy, economy energy, non-displacement energy, and emergency capacity and energy. Applicant will enter into contracts providing for the same or for like transactions with any neighboring entity on terms which enable applicant to recover the full costs allocable to such transaction.
4. Applicant currently sells capacity and energy in bulk on a full requirements basis to several entities engaging in the distribution of electric power at retail. In addition, applicant supplies electricity directly to ultimate users in a number of municipalities. Should any such entity(ies) or municipality(ies) desire to become a neighboring entity as defined in ¶1(b) hereof (either alone or through combination with other), applicant will assist in facilitating the necessary transition through the sale of partial requirements firm power and energy. The provision of such firm partial requirements service shall be under such rates, terms and conditions as shall be found by the Federal Power Commission to provide for the recovery of applicant's costs. Applicant will sell capacity and energy in bulk on a full requirements basis to any municipality currently served by applicant when such municipality lawfully engages in the distribution of electric power at retail.
5. (a) Applicant will facilitate the exchange of electric power in bulk in wholesale transactions over its transmission facilities (1) between or among two or more neighboring entities, including distribution systems with which it is interconnected or may be interconnected in the future, and (2) between any such entity(ies) and any other electric system engaging in bulk power supply between whose facilities applicant's transmission lines and other transmission lines would form a continuous electric path, provided that permission to utilize such other transmission lines has been obtained. Such transaction shall be undertaken provided that the particular transaction reasonably can be accommodated by applicant's transmission system from a functional and technical standpoint and does not constitute the wheeling of power to a retail customer. Such transmission shall be on terms that fully compensate applicant for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable notice of its (their) schedule and requirements.



*No changes this page*

- (b) Applicant will include in its planning and construction program, sufficient transmission capacity as required for the transactions referred to in subparagraph (a) of this paragraph, provided that (1) the neighboring entity(ies) gives applicant sufficient advance notice as may be necessary reasonably to accommodate its (their) requirements from a functional and technical standpoint and (2) that such entity(ies) fully compensates applicant for its cost. In carrying out this subparagraph (b), however, applicant shall not be required to construct or add transmission facilities which (a) will be of no demonstrable present or future benefit to applicant, or (b) which could be constructed by the requesting entity(ies) without duplicating any portion of applicant's existing transmission lines, or (c) which would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements. Where regulatory or environmental approvals are required for the construction or addition of transmission facilities, needed for the transactions referred to in subparagraph (a) of this paragraph, it shall be the responsibility of the entity(ies) seeking the transaction to participate in obtaining such approvals, including sharing in the cost thereof.
6. To increase the possibility of achieving greater reliability and economy of electric generation and transmission facilities, applicant will discuss load projections and system development plans with any neighboring entity(ies)
7. When applicant's plans for future nuclear generating units (for which application will hereafter be made to the Atomic Energy Commission) have reached the stage of serious planning, but before firm decisions have been made as to the size and desired completion date of the proposed nuclear units, applicant will notify all neighboring entities, including distribution systems with peak loads smaller than applicant's, that applicant plans to construct such nuclear units. Neither the timing nor the information provided need be such as to jeopardize obtaining the required site at the lowest possible cost.
8. The foregoing commitments shall be implemented in a manner consistent with the provisions of the Federal Power Act and all other lawful local, state and Federal regulation and authority. Nothing in these commitments is intended to determine in advance

the resolution of issues which are properly raised at the Federal Power Commission concerning such commitments, including allocation of costs or the rates to be charged. Applicant will negotiate (including the execution of a contingent statement of intent) with respect to the foregoing commitments with any neighboring entity including distribution systems where applicable engaging in or proposing to engage in bulk power supply transactions, but applicant shall not be required to enter into any final arrangement prior to resolution of any substantial questions as to the lawful authority of an entity to engage in the transactions. In addition, applicant shall not be obligated to enter into a given bulk power supply transaction if: (1) to do so would violate, or incapacitate it from performing any existing lawful contract it has with a third party; (2) there is contemporaneously available to it, a competing or alternative arrangement which affords it greater benefits which would be mutually exclusive of such arrangement; (3) to do so would adversely affect its system operations or the reliability of power supply to its customers, or (4) if to do so would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements.

E. Fire Protection

Duke Energy Corporation shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the SER's dated August 11, 1978, and April 28, 1983; October 5, 1978, and June 9, 1981 Supplements to the SER dated August 11, 1978; and Exemptions dated February 2, 1982; August 31, 1983; December 27, 1984; December 5, 1988; and August 21, 1989 subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

F. Physical Protection

Duke Energy Corporation shall fully implement and maintain in effect all provisions of the Commission-approved physical security guard training and qualification and safeguards contingency plans including and amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans which contain Safeguards Information protected

plans

nuclear

and contingency

and

5

The plan which does not contain safeguards information is entitled, "

-10- April 26, 1999.

and Contingency

Security

August 18, 1999.

under 10 CFR 73.21, are entitled: "Oconee Nuclear Station Security Plan," with revisions submitted through January 15, 1988; "Oconee Nuclear Station Training and Qualification Plan," with revisions submitted through May 16, 1986; and "Oconee Nuclear Station Safeguards Contingency Plan," with revisions submitted through March 18, 1987. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

G. The licensee shall implement a secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include:

1. Identification of a sampling schedule for the critical parameters and control points for the parameters;
2. Identification of the procedures used to measure the values of the critical parameters;
3. Identification of process sampling points;
4. Procedure for the recording and management of data;
5. Procedures defining corrective actions of off control point chemistry conditions; and
6. A procedure identifying (a) the authority responsible for the interpretation of the data, and (b) the sequence and timing of administrative events required to initiate corrective action.

Deleted

H. Systems Integrity

The licensee shall implement a program to reduce leakage from systems outside containment that would or could contain highly radioactive fluids during a serious transient or accident to as low as practical levels. This program shall include the following:

1. Provisions establishing preventive maintenance and periodic visual inspection requirements, and
2. Integrated leak test requirements for each system at a frequency not to exceed refueling cycle intervals.

Deleted

I. Iodine Monitoring

The licensee shall implement a program which will ensure the capability to accurately determine the airborne iodine concentration in vital areas under accident conditions. This program shall include the following:

Deleted

1. Training of personnel,
2. Procedures for monitoring, and
3. Provisions for maintenance of sampling and analysis equipment.

J. Backup Method for Determining Subcooling Margin

The licensee shall implement a program which will ensure the capability to accurately monitor the Reactor Coolant System subcooling margin. This program shall include the following:

Deleted

1. Training of personnel, and
2. Procedures for monitoring.

K. Additional Conditions

The Additional Conditions contained in Appendix C as revised through Amendment No. 300, are hereby incorporated into this license. Duke Energy Corporation shall operate the facility in accordance with the Additional Conditions.

Deleted

4. This license amendment is effective as of the date of issuance and shall expire at midnight, July 19, 2014.

FOR THE ATOMIC ENERGY COMMISSION

(Original Signed By)

A. Giambusso, Deputy Director  
for Reactor Projects  
Directorate of Licensing

Attachments: <sup>(K)</sup>

① Appendices A and B -  
Technical Specifications

② Appendix B - Deleted

→ Date of issuance: July 19, 1974

③ Appendix C - Additional Conditions - Deleted

Amendment No. <sup>(300)</sup>

APPENDIX C

ADDITIONAL CONDITIONS

FACILITY OPERATING LICENSE NO. DPR-55

Duke Energy Corporation shall comply with the following conditions on the schedules noted below:

<u>Amendment Number</u>	<u>Additional Conditions</u>	<u>Implementation Date</u>
221	This amendment authorizes the licensee to incorporate in the Updated Final Safety Analysis Report certain changes to the main turbine-generated missile protection criteria. Implementation of this amendment is the incorporation of these changes as described in the licensee's application dated April 29, 1997, and evaluated in the staff's Safety Evaluation dated May 16, 1997.	May 16, 1997
222	This amendment authorizes the licensee to provide in the Oconee Updated Final Safety Analysis Report the prescribed lower limit and the minimum required value of tendon forces for each group of tendons prior to performing the seventh tendon surveillance for Unit 1. In addition, the portion of the Selected Licensee Commitment Manual related to the establishment of these limits will be submitted as soon as available. Implementation of this amendment is the incorporation of these commitments as described in the licensee's application dated October 30, 1996, as supplemented by letters dated April 22 and July 2, 1997, and evaluated in the staff's Safety Evaluation attached to this amendment.	September 15, 1997

Amendment  
Number

Additional Conditions

Implementation  
Date

226

The licensee will:

(1) Provide comparisons of critical characteristics for the new equipment that is installed by the ECCW upgrade with data from testing or from recorded earthquakes in accordance with Section 2.3.4, Part I of GIP-2 and Section I.2.3.4, paragraphs 2, 3, and 4 of the staff's SSER dated May 22, 1992, that is needed by the staff to complete its review of associated seismic issues or will qualify the new equipment using the existing methods in Section 3 of the Oconee UFSAR.

Condition 1:  
July 15, 1998

226

(2) Add the Oconee Unit 2 equipment in the ECCW System that is necessary for safe shutdown per GIP-2 to the USI A-46 SSEL and include its evaluation in a revision to the USI A-46 submittal.

Condition 2:  
4 months of the completion of the Unit 2 refueling outage.

300

The licensee is authorized to relocate certain requirements included in Appendix A to licensee-controlled documents. Implementation of this amendment shall include the relocation of these requirements to the appropriate documents, as described in the licensee's letters dated October 28, 1997, and March 26, May 20, July 29, August 13, October 1, October 21, October 28, November 23, and December 3, 1998, evaluated in the NRC staff's Safety Evaluation enclosed with this amendment.

Following completion of the associated training program, but no later than April 30, 1999.

Amendment  
Number

Additional Conditions

Implementation  
Date

300

For Surveillance Requirements (SRs) that are new in Amendment 300, the first performance is due at the end of the first surveillance interval that begins at implementation of Amendment 300, except as noted below. For SRs that existed prior to Amendment 300, including SRs with modified acceptance criteria and SRs for which intervals of performance are being extended, the first performance is due at the end of the first surveillance interval that begins on the date the surveillance was last performed prior to implementation of Amendment 300. For SRs that existed prior to Amendment 300, for which intervals of performance are being reduced, each surveillance may be performed at the existing interval until completion of the first surveillance after implementation of Amendment 300. Subsequent performance of SRs with reduced intervals shall be performed at the reduced interval.

Following completion of the associated training program, but no later than April, 30, 1999.

300

For SRs that are new in Amendment 300 and require verification of correct valve position, the first performance for those valves that are inaccessible (e.g., due to high radiation, high temperature, proximity to operating equipment, or safety concerns), is due at the end of the next refueling outage following implementation of Amendment 300.

Following completion of the associated training program, but no later than April 30, 1999.

**ATTACHMENT 2**

**REPRINTED FACILITY OPERATING LICENSES FOR OCONEE**



DUKE ENERGY CORPORATION

DOCKET NO. 50-269

OCONEE NUCLEAR STATION, UNIT 1

FACILITY OPERATING LICENSE

LICENSE NO. DPR-38

The Atomic Energy Commission (the commission) having found that:

- a. The application for license filed by Duke Energy Corporation (the applicant) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made; and
- b. Construction of the Oconee Nuclear Station, Unit 1 (the facility) has been substantially completed in conformity with Provisional Construction Permit No. CPPR-33 and the application, as amended, the provisions of the Act and the rules and regulations of the commission; and
- c. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission; and
- d. There is reasonable assurance (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission; and
- e. The applicant is technically and financially qualified to engage in the activities authorized by the operating license in accordance with the rules and regulations of the Commission; and
- f. The applicant has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations; and
- g. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public; and
- h. After weighing the environmental, economic, technical and other benefits of the facility against environmental costs and considering available alternatives, the issuance of Facility Operating License No. DPR-38 (subject to the conditions for protection of the environment set forth herein) is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied; and

Amendment No. 226

- i. Pursuant to Section 105c(8) of the Act, the Commission has consulted with the Attorney General regarding the issuance of this operating license. After said consultation, the Commission has determined that the issuance of this license subject to the conditions set forth in this subparagraph i, in advance of consideration of and findings with respect to matters covered in Section 105c of the Act, is necessary in the public interest to avoid unnecessary delay in the operation of the facility. At the time this operating license is being issued an antitrust proceeding has been noticed but antitrust hearings have not commenced. The Commission, accordingly, has made no determination with respect to matters covered in Section 105c of the Act, including conditions, if any which may be appropriate as a result of the outcome of any antitrust proceeding. On the basis of its findings made as a result of an antitrust proceeding, the Commission may continue this license as issued, rescind this license or amend this license to include such conditions as the Commission deems appropriate. Duke Energy Corporation and others who may be affected hereby are accordingly on notice that the granting of this license is without prejudice to any subsequent licensing action, including the imposition of appropriate conditions, which may be taken by the Commission as a result of the outcome of any antitrust proceeding. In the course of its planning and other activities, Duke Energy Corporation will be expected to conduct itself accordingly; and
- j. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23 and 70.31.

Facility Operating License No. DPR-38 is hereby issued to the Duke Energy Corporation (the applicant), to read as follows:

1. This license applies to the Oconee Nuclear Station, Unit 1, a pressurized water reactor and associated equipment (the facility) owned by the Duke Energy Corporation. The facility is located in eastern Oconee County, about eight miles northeast of Seneca, South Carolina, and is described in the "Final Safety Analysis Report" as supplemented and amended and the Environmental Report as supplemented and amended (Supplement 1).
2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Duke Energy Corporation (the licensee):
  - A. Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility at the designated location on the Oconee Nuclear Station Site in accordance with the procedures and limitations set forth in this license;

- B. Pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report as supplemented and amended;
  - C. Pursuant to the Act and 10 CFR Part 30, 40 and 70 to receive, possess, and use at any time byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration and as fission detectors in amounts as required;
  - D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components.
  - E. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Oconee Nuclear Station, Units 1, 2 and 3.
3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I, Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50 and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- A. Maximum Power Level  
The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2568 megawatts thermal.
  - B. Technical Specifications  
The Technical Specifications contained in Appendix A, as revised through Amendment No. \_\_\_\_\_, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. Deleted

D. This license is subject to the following antitrust conditions:

Applicant makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants, such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction. Accordingly, applicant will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to applicant. There are net benefits in a transaction if applicant recovers the cost of the transaction (as defined in ¶1(d) hereof) and there is no demonstrable net detriment to applicant arising from that transaction.

1. As used herein:

- (a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.
- (b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of the following criteria: (1) its existing or proposed facilities are economically and technically feasible of interconnection with those of the applicant and (2) with the exception of municipalities, cooperatives, governmental agencies or authorities, and associations, it is, or upon commencement of operations will be, a public utility and subject to regulation with respect to rates and service under

the laws of North Carolina or South Carolina or under the Federal Power Act; provided, however, that as to associations, each member of such association is either a public utility as discussed in this clause (2) or a municipality, a cooperative or a governmental agency or authority.

- (c) Where the phrase "neighboring entity" is intended to include entities engaging or proposing to engage only in the distribution of electricity, this is indicated by adding the phrase "including distribution systems".
  - (d) "Cost" means any appropriate operating and maintenance expenses, together with all other costs, including a reasonable return on applicant's investment, which are reasonably allocable to a transaction. However, no value shall be included for loss of revenues due to the loss of any wholesale or retail customer as a result of any transaction hereafter described.
2. (a) Applicant will interconnect and coordinate reserves by means of the sale and exchange of emergency and scheduled maintenance bulk power with any neighboring entity(ies), when there are net benefits to each party, on terms that will provide for all of applicant's properly assignable costs as may be determined by the Federal Power Commission and consistent with such cost assignment will allow the other party the fullest possible benefits of such coordination.
- (b) Emergency service and/or scheduled maintenance service to be provided by each party will be furnished to the fullest extent available from the supplying party and desired by the party in need. Applicant and each party will provide to the other emergency service and/or scheduled maintenance service if and when available from its own generation and, in accordance with recognized industry practice, from generation of others to the extent it can do so without impairing service to its customers, including other electric systems to whom it has firm commitments.

- (c) Each party to a reserve coordination arrangement will establish its own reserve criteria, but in no event shall the minimum installed reserve on each system be less than 15%, calculated as a percentage of estimated peak load responsibility. Either part, if it has, or has firmly planned, installed reserves in excess of the amount called for by its own reserve criterion, will offer any such excess as may in fact be available at the time for which it is sought and for such period as the selling party shall determine for purchase in accordance with reasonable industry practice by the other party to meet such other party's own reserve requirement. The parties will provide such amounts of spinning reserve as may be adequate to avoid the imposition of unreasonable demands on the other party(ies) in meeting the normal contingencies of operating its (their) system(s). However, in no circumstances shall such spinning reserve requirement exceed the installed reserve requirement.
- (d) Interconnections will not be limited to low voltages when higher voltages are available from applicant's installed facilities in the area where interconnection is desired and when the proposed arrangement is found to be technically and economically feasible.
- (e) Interconnection and reserve coordination agreements will not embody provisions which impose limitations upon the use or resale of power and energy sold or exchanges pursuant to the agreement. Further, such arrangements will not prohibit the participants from entering into other interconnection and coordination arrangements, but may include appropriate provisions to assure that (i) applicant receives adequate notice of such additional interconnection or coordination, (ii) the parties will jointly consider and agree upon such measures, if any, as are reasonably necessary to protect the reliability of the interconnected systems and to prevent undue burdens from being imposed on any system, and (iii) applicant will be fully compensated for its costs. Reasonable industry practice as developed in the area from time to time will satisfy this provision.

3. Applicant currently has on file, and may hereafter file, with the Federal Power Commission contracts with neighboring entity(ies) providing for the sale and exchange of short-term power and energy, limited term power and energy, economy energy, non-displacement energy, and emergency capacity and energy. Applicant will enter into contracts providing for the same or for like transactions with any neighboring entity on terms which enable applicant to recover the full costs allocable to such transaction.
4. Applicant currently sells capacity and energy in bulk on a full requirements basis to several entities engaging in the distribution of electric power at retail. In addition, applicant supplies electricity directly to ultimate users in a number of municipalities. Should any such entity(ies) or municipality(ies) desire to become a neighboring entity as defined in ¶11(b) hereof (either alone or through combination with other), applicant will assist in facilitating the necessary transition through the sale of partial requirements firm power and energy. The provision of such firm partial requirements service shall be under such rates, terms and conditions as shall be found by the Federal Power Commission to provide for the recovery of applicant's costs. Applicant will sell capacity and energy in bulk on a full requirements basis to any municipality currently served by applicant when such municipality lawfully engages in the distribution of electric power at retail.
5. (a) Applicant will facilitate the exchange of electric power in bulk in wholesale transactions over its transmission facilities (1) between or among two or more neighboring entities, including distribution systems with which it is interconnected or may be interconnected in the future, and (2) between any such entity(ies) and any other electric system engaging in bulk power supply between whose facilities applicant's transmission lines and other transmission lines would form a continuous electric path, provided that permission to utilize such other transmission lines has been obtained. Such transaction shall be undertaken provided that the particular transaction reasonably can be accommodated by applicant's transmission system from a functional and technical standpoint and does not constitute the wheeling of power to a retail customer. Such transmission shall be on terms that fully compensate applicant for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable notice of its (their) schedule and requirements.

- (b) Applicant will include in its planning and construction program, sufficient transmission capacity as required for the transactions referred to in subparagraph (a) of this paragraph, provided that (1) the neighboring entity(ies) gives applicant sufficient advance notice as may be necessary reasonably to accommodate its (their) requirements from a functional and technical standpoint and (2) that such entity(ies) fully compensates applicant for its cost. In carrying out this subparagraph (b), however, applicant shall not be required to construct or add transmission facilities which (a) will be of no demonstrable present or future benefit to applicant, or (b) which could be constructed by the requesting entity(ies) without duplicating any portion of applicant's existing transmission lines, or (c) which would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements. Where regulatory or environmental approvals are required for the construction or addition of transmission facilities, needed for the transactions referred to in subparagraph (a) of this paragraph, it shall be the responsibility of the entity(ies) seeking the transaction to participate in obtaining such approvals, including sharing in the cost thereof.
6. To increase the possibility of achieving greater reliability and economy of electric generation and transmission facilities, applicant will discuss load projections and system development plans with any neighboring entity(ies)
7. When applicant's plans for future nuclear generating units (for which application will hereafter be made to the Atomic Energy Commission) have reached the stage of serious planning, but before firm decisions have been made as to the size and desired completion date of the proposed nuclear units, applicant will notify all neighboring entities, including distribution systems with peak loads smaller than applicant's, that applicant plans to construct such nuclear units. Neither the timing nor the information provided need be such as to jeopardize obtaining the required site at the lowest possible cost.
8. The foregoing commitments shall be implemented in a manner consistent with the provisions of the Federal Power Act and all other lawful local, state and Federal regulation and authority. Nothing in these commitments is intended to determine in advance



the resolution of issues which are properly raised at the Federal Power Commission concerning such commitments, including allocation of costs or the rates to be charged. Applicant will negotiate (including the execution of a contingent statement of intent) with respect to the foregoing commitments with any neighboring entity including distribution systems where applicable engaging in or proposing to engage in bulk power supply transactions, but applicant shall not be required to enter into any final arrangement prior to resolution of any substantial questions as to the lawful authority of an entity to engage in the transactions. In addition, applicant shall not be obligated to enter into a given bulk power supply transaction if: (1) to do so would violate, or incapacitate it from performing any existing lawful contract it has with a third party; (2) there is contemporaneously available to it, a competing or alternative arrangement which affords it greater benefits which would be mutually exclusive of such arrangement; (3) to do so would adversely affect its system operations or the reliability of power supply to its customers, or (4) if to do so would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements.

E. Fire Protection

Duke Energy Corporation shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the SER's dated August 11, 1978, and April 28, 1983; October 5, 1978, and June 9, 1981 Supplements to the SER dated August 11, 1978; and Exemptions dated February 2, 1982; August 31, 1983; December 27, 1984; December 5, 1988; and August 21, 1989 subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

F. Physical Protection

Duke Energy Corporation shall fully implement and maintain in effect all provisions of the Commission-approved nuclear security and contingency and guard training and qualification plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plan, which contains Safeguards Information protected under 10 CFR 73.21,

Amendment No.

is entitled: "Nuclear Security and Contingency Plan," with revisions submitted through April 26, 1999. The plan which does not contain safeguards information is entitled, "Nuclear Security Training and Qualification Plan," with revisions submitted through August 18, 1999. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

G. Deleted

H. Deleted

I. Deleted

J. Deleted

K. Deleted

4. This license amendment is effective as of the date of issuance and shall expire at midnight, February 6, 2013.

FOR THE ATOMIC ENERGY COMMISSION

(Original Signed By)

Voss A. Moore, Assistant Director  
for Light Water Reactors, Group 2  
Directorate of Licensing

Attachments:

- 1) Appendix A – Technical Specifications License No. DPR-38
- 2) Appendix B – Deleted
- 3) Appendix C – Additional Conditions - Deleted

Date of issuance: July 19, 1974

DUKE ENERGY CORPORATION

DOCKET NO. 50-270

OCONEE NUCLEAR STATION, UNIT 2

FACILITY OPERATING LICENSE

LICENSE NO. DPR-47

The Atomic Energy Commission (the commission) having found that:

- a. The application for license filed by Duke Energy Corporation (the licensee) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;
- b. Construction of the Oconee Nuclear Station, Unit 2 (the facility) has been substantially completed in conformity with Provisional Construction Permit No. CPPR-34 and the application, as amended, the provisions of the Act and the rules and regulations of the commission;
- c. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
- d. There is reasonable assurance (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
- e. The licensee is technically and financially qualified to engage in the activities authorized by the operating license in accordance with the rules and regulations of the Commission;
- f. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
- g. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public;
- h. After weighing the environmental, economic, technical and other benefits of the facility against environmental costs and considering available alternatives, the issuance of Facility Operating License No. DPR-47 (subject to the conditions for protection of the environment set forth herein) is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied; and

- i. Pursuant to Section 105c(8) of the Act, the Commission has consulted with the Attorney General regarding the issuance of this operating license. After said consultation, the Commission has determined that the issuance of this license subject to the conditions set forth in this subparagraph i, in advance of consideration of and findings with respect to matters covered in Section 105c of the Act, is necessary in the public interest to avoid unnecessary delay in the operation of the facility. At the time this operating license is being issued an antitrust proceeding has been noticed but antitrust hearings have not commenced. The Commission, accordingly, has made no determination with respect to matters covered in Section 105c of the Act, including conditions, if any which may be appropriate as a result of the outcome of any antitrust proceeding. On the basis of its findings made as a result of an antitrust proceeding, the Commission may continue this license as issued, rescind this license or amend this license to include such conditions as the Commission deems appropriate. Duke Energy Corporation and others who may be affected hereby are accordingly on notice that the granting of this license is without prejudice to any subsequent licensing action, including the imposition of appropriate conditions, which may be taken by the Commission as a result of the outcome of any antitrust proceeding. In the course of its planning and other activities, Duke Energy Corporation will be expected to conduct itself accordingly; and
- j. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23 and 70.31.

Facility Operating License No. DPR-47 is hereby issued to the Duke Energy Corporation (the licensee), to read as follows:

1. This license applies to the Oconee Nuclear Station, Unit 2, a pressurized water reactor and associated equipment (the facility) owned by the Duke Energy Corporation. The facility is located in eastern Oconee County, about eight miles northeast of Seneca, South Carolina, and is described in the "Final Safety Analysis Report" as supplemented and amended and the Environmental Report as supplemented and amended (Supplement 1).
2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Duke Energy Corporation (the licensee):
  - A. Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility at the designated location on the Oconee Nuclear Station Site in accordance with the procedures and limitations set forth in this license;

- B. Pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report as supplemented and amended;
  - C. Pursuant to the Act and 10 CFR Part 30, 40 and 70 to receive, possess, and use at any time byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration and as fission detectors in amounts as required;
  - D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components.
  - E. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Oconee Nuclear Station, Units 1, 2 and 3.
3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I, Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50 and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- A. Maximum Power Level  
The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2568 megawatts thermal.
  - B. Technical Specifications  
The Technical Specifications contained in Appendix A, as revised through Amendment No. \_\_\_\_\_, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. Deleted

D. This license is subject to the following antitrust conditions:

Applicant makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants, such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction.

Accordingly, applicant will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to applicant. There are net benefits in a transaction if applicant recovers the cost of the transaction (as defined in ¶1(d) hereof) and there is no demonstrable net detriment to applicant arising from that transaction.

1. As used herein:

(a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.

(b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of the following criteria: (1) its existing or proposed facilities are economically and technically feasible of interconnection with those of the applicant and (2) with the exception of municipalities, cooperatives, governmental agencies or authorities, and associations, it is, or upon commencement of operations will be, a public utility and subject to regulation with respect to rates and service under

the laws of North Carolina or South Carolina or under the Federal Power Act; provided, however, that as to associations, each member of such association is either a public utility as discussed in this clause (2) or a municipality, a cooperative or a governmental agency or authority.

- (c) Where the phrase "neighboring entity" is intended to include entities engaging or proposing to engage only in the distribution of electricity, this is indicated by adding the phrase "including distribution systems".
  - (d) "Cost" means any appropriate operating and maintenance expenses, together with all other costs, including a reasonable return on applicant's investment, which are reasonably allocable to a transaction. However, no value shall be included for loss of revenues due to the loss of any wholesale or retail customer as a result of any transaction hereafter described.
- 2.
- (a) Applicant will interconnect and coordinate reserves by means of the sale and exchange of emergency and scheduled maintenance bulk power with any neighboring entity(ies), when there are net benefits to each party, on terms that will provide for all of applicant's properly assignable costs as may be determined by the Federal Power Commission and consistent with such cost assignment will allow the other party the fullest possible benefits of such coordination.
  - (b) Emergency service and/or scheduled maintenance service to be provided by each party will be furnished to the fullest extent available from the supplying party and desired by the party in need. Applicant and each party will provide to the other emergency service and/or scheduled maintenance service if and when available from its own generation and, in accordance with recognized industry practice, from generation of others to the extent it can do so without impairing service to its customers, including other electric systems to whom it has firm commitments.

- (c) Each party to a reserve coordination arrangement will establish its own reserve criteria, but in no event shall the minimum installed reserve on each system be less than 15%, calculated as a percentage of estimated peak load responsibility. Either part, if it has, or has firmly planned, installed reserves in excess of the amount called for by its own reserve criterion, will offer any such excess as may in fact be available at the time for which it is sought and for such period as the selling party shall determine for purchase in accordance with reasonable industry practice by the other party to meet such other party's own reserve requirement. The parties will provide such amounts of spinning reserve as may be adequate to avoid the imposition of unreasonable demands on the other party(ies) in meeting the normal contingencies of operating its (their) system(s). However, in no circumstances shall such spinning reserve requirement exceed the installed reserve requirement.
- (d) Interconnections will not be limited to low voltages when higher voltages are available from applicant's installed facilities in the area where interconnection is desired and when the proposed arrangement is found to be technically and economically feasible.
- (e) Interconnection and reserve coordination agreements will not embody provisions which impose limitations upon the use or resale of power and energy sold or exchanges pursuant to the agreement. Further, such arrangements will not prohibit the participants from entering into other interconnection and coordination arrangements, but may include appropriate provisions to assure that (i) applicant receives adequate notice of such additional interconnection or coordination, (ii) the parties will jointly consider and agree upon such measures, if any, as are reasonably necessary to protect the reliability of the interconnected systems and to prevent undue burdens from being imposed on any system, and (iii) applicant will be fully compensated for its costs. Reasonable industry practice as developed in the area from time to time will satisfy this provision.



3. Applicant currently has on file, and may hereafter file, with the Federal Power Commission contracts with neighboring entity(ies) providing for the sale and exchange of short-term power and energy, limited term power and energy, economy energy, non-displacement energy, and emergency capacity and energy. Applicant will enter into contracts providing for the same or for like transactions with any neighboring entity on terms which enable applicant to recover the full costs allocable to such transaction.
4. Applicant currently sells capacity and energy in bulk on a full requirements basis to several entities engaging in the distribution of electric power at retail. In addition, applicant supplies electricity directly to ultimate users in a number of municipalities. Should any such entity(ies) or municipality(ies) desire to become a neighboring entity as defined in ¶11(b) hereof (either alone or through combination with other), applicant will assist in facilitating the necessary transition through the sale of partial requirements firm power and energy. The provision of such firm partial requirements service shall be under such rates, terms and conditions as shall be found by the Federal Power Commission to provide for the recovery of applicant's costs. Applicant will sell capacity and energy in bulk on a full requirements basis to any municipality currently served by applicant when such municipality lawfully engages in the distribution of electric power at retail.
5. (a) Applicant will facilitate the exchange of electric power in bulk in wholesale transactions over its transmission facilities (1) between or among two or more neighboring entities, including distribution systems with which it is interconnected or may be interconnected in the future, and (2) between any such entity(ies) and any other electric system engaging in bulk power supply between whose facilities applicant's transmission lines and other transmission lines would form a continuous electric path, provided that permission to utilize such other transmission lines has been obtained. Such transaction shall be undertaken provided that the particular transaction reasonably can be accommodated by applicant's transmission system from a functional and technical standpoint and does not constitute the wheeling of power to a retail customer. Such transmission shall be on terms that fully compensate applicant for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable notice of its (their) schedule and requirements.

- (b) Applicant will include in its planning and construction program, sufficient transmission capacity as required for the transactions referred to in subparagraph (a) of this paragraph, provided that (1) the neighboring entity(ies) gives applicant sufficient advance notice as may be necessary reasonably to accommodate its (their) requirements from a functional and technical standpoint and (2) that such entity(ies) fully compensates applicant for its cost. In carrying out this subparagraph (b), however, applicant shall not be required to construct or add transmission facilities which (a) will be of no demonstrable present or future benefit to applicant, or (b) which could be constructed by the requesting entity(ies) without duplicating any portion of applicant's existing transmission lines, or (c) which would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements. Where regulatory or environmental approvals are required for the construction or addition of transmission facilities, needed for the transactions referred to in subparagraph (a) of this paragraph, it shall be the responsibility of the entity(ies) seeking the transaction to participate in obtaining such approvals, including sharing in the cost thereof.
6. To increase the possibility of achieving greater reliability and economy of electric generation and transmission facilities, applicant will discuss load projections and system development plans with any neighboring entity(ies)
  7. When applicant's plans for future nuclear generating units (for which application will hereafter be made to the Atomic Energy Commission) have reached the stage of serious planning, but before firm decisions have been made as to the size and desired completion date of the proposed nuclear units, applicant will notify all neighboring entities, including distribution systems with peak loads smaller than applicant's, that applicant plans to construct such nuclear units. Neither the timing nor the information provided need be such as to jeopardize obtaining the required site at the lowest possible cost.
  8. The foregoing commitments shall be implemented in a manner consistent with the provisions of the Federal Power Act and all other lawful local, state and Federal regulation and authority. Nothing in these commitments is intended to determine in advance

the resolution of issues which are properly raised at the Federal Power Commission concerning such commitments, including allocation of costs or the rates to be charged. Applicant will negotiate (including the execution of a contingent statement of intent) with respect to the foregoing commitments with any neighboring entity including distribution systems where applicable engaging in or proposing to engage in bulk power supply transactions, but applicant shall not be required to enter into any final arrangement prior to resolution of any substantial questions as to the lawful authority of an entity to engage in the transactions. In addition, applicant shall not be obligated to enter into a given bulk power supply transaction if: (1) to do so would violate, or incapacitate it from performing any existing lawful contract it has with a third party; (2) there is contemporaneously available to it, a competing or alternative arrangement which affords it greater benefits which would be mutually exclusive of such arrangement; (3) to do so would adversely affect its system operations or the reliability of power supply to its customers, or (4) if to do so would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements.

E. Fire Protection

Duke Energy Corporation shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the SER's dated August 11, 1978, and April 28, 1983; October 5, 1978, and June 9, 1981 Supplements to the SER dated August 11, 1978; and Exemptions dated February 2, 1982; August 31, 1983; December 27, 1984; December 5, 1988; and August 21, 1989 subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

F. Physical Protection

Duke Energy Corporation shall fully implement and maintain in effect all provisions of the Commission-approved nuclear security and contingency and guard training and qualification plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plan, which contains Safeguards Information protected under 10 CFR 73.21,

is entitled: "Nuclear Security and Contingency Plan," with revisions submitted through April 26, 1999. The plan which does not contain safeguards information is entitled, "Nuclear Security Training and Qualification Plan," with revisions submitted through August 18, 1999. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

- G. Deleted
- H. Deleted
- I. Deleted
- J. Deleted
- K. Deleted

4. This license amendment is effective as of the date of issuance and shall expire at midnight, October 6, 2013.

FOR THE ATOMIC ENERGY COMMISSION

(Original Signed By)

Voss A. Moore, Assistant Director  
for Light Water Reactors, Group 2  
Directorate of Licensing

Attachments:

- 1) Appendix A – Technical Specifications License No. DPR-47
- 2) Appendix B – Deleted
- 3) Appendix C – Additional Conditions - Deleted

Date of issuance: July 19, 1974

DUKE ENERGY CORPORATION

DOCKET NO. 50-287

OCONEE NUCLEAR STATION, UNIT 3

FACILITY OPERATING LICENSE

LICENSE NO. DPR-55

The Atomic Energy Commission (the Commission) having found that:

- a. The application for license filed by Duke Energy Corporation (the licensee) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;
- b. Construction of the Oconee Nuclear Station, Unit 3 (the facility) has been substantially completed in conformity with Construction Permit No. CPPR-35 and the application, as amended, the provisions of the Act and the rules and regulations of the Commission;
- c. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
- d. There is reasonable assurance (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
- e. The licensee is technically and financially qualified to engage in the activities authorized by the operating license in accordance with the rules and regulations of the Commission;
- f. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
- g. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public;
- h. After weighing the environmental, economic, technical and other benefits of the facility against environmental costs and considering available alternatives, the issuance of Facility Operating License No. DPR-55 (subject to the conditions for protection of the environment set forth herein) is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied;

Amendment No. 223

- i. Pursuant to Section 105c(8) of the Act, the Commission has consulted with the Attorney General regarding the issuance of this operating license. After said consultation, the Commission has determined that the issuance of this license, subject to the conditions set forth in this subparagraph i, in advance of consideration of and findings with respect to matters covered in Section 105c of the Act, is necessary in the public interest to avoid unnecessary delay in the operation of the facility. At the time this operating license is being issued an antitrust proceeding has been noticed but antitrust hearings have not been concluded. The Commission, accordingly, has made no determination with respect to matters covered in Section 105c of the Act, except to the extent of the conditions noted herein which the Atomic Safety Licensing Board has ordered be included herein after said conditions were negotiated and agreed to by the applicant, the Department of Justice, and the Regulatory staff. On the basis of its findings made as a result of the conclusion of the antitrust proceeding, the Commission may continue this license as issued, rescind this license or amend this license to include such additional conditions as the Commission deems appropriate. Duke Energy Corporation and others who may be affected hereby are accordingly on notice that the granting of this license is without prejudice to any subsequent licensing action, including the imposition of additional appropriate conditions, which may be taken by the Commission as a result of the outcome of any antitrust proceeding. In the course of its planning and other activities, Duke Energy Corporation will be expected to conduct itself accordingly; and
- j. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23 and 70.31.

Facility Operating License No. DPR-55 is hereby issued to the Duke Energy Corporation (the licensee), to read as follows:

1. This license applies to the Oconee Nuclear Station, Unit 3, a pressurized water reactor and associated equipment (the facility) owned by the Duke Power Company. The facility is located in eastern Oconee County, about eight miles northeast of Seneca, South Carolina, and is described in the "Final Safety Analysis Report" as supplemented and amended and the Environmental Report as supplemented and amended (Supplement 1).
2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Duke Energy Corporation (the licensee):

- A. Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility at the designated location on the Oconee Nuclear Station Site in accordance with the procedures and limitations set forth in this license;
  - B. Pursuant to the Act and 10 CFR Part 70, to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report as supplemented and amended;
  - C. Pursuant to the Act and 10 CFR Part 30, 40 and 70 to receive, possess, and use at any time byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration and as fission detectors in amounts as required;
  - D. Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components.
  - E. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Oconee Nuclear Station, Units 1, 2 and 3.
3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I, Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50 and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- A. Maximum Power Level  
The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2568 megawatts thermal.
  - B. Technical Specifications  
The Technical Specifications contained in Appendix A, as revised through Amendment No. \_\_\_\_\_, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

C. Deleted

D. This license is subject to the following antitrust conditions:

Applicant makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants, such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction.

Accordingly, applicant will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to applicant. There are net benefits in a transaction if applicant recovers the cost of the transaction (as defined in ¶1(d) hereof) and there is no demonstrable net detriment to applicant arising from that transaction.

1. As used herein:

(a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.

(b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of the following criteria: (1) its existing or proposed facilities are economically and technically feasible of interconnection with those of the applicant and (2) with the exception of municipalities, cooperatives, governmental agencies or authorities, and associations, it is, or upon commencement of operations will be, a public utility and subject to regulation with respect to rates and service under



the laws of North Carolina or South Carolina or under the Federal Power Act; provided, however, that as to associations, each member of such association is either a public utility as discussed in this clause (2) or a municipality, a cooperative or a governmental agency or authority.

- (c) Where the phrase "neighboring entity" is intended to include entities engaging or proposing to engage only in the distribution of electricity, this is indicated by adding the phrase "including distribution systems".
  - (d) "Cost" means any appropriate operating and maintenance expenses, together with all other costs, including a reasonable return on applicant's investment, which are reasonably allocable to a transaction. However, no value shall be included for loss of revenues due to the loss of any wholesale or retail customer as a result of any transaction hereafter described.
2. (a) Applicant will interconnect and coordinate reserves by means of the sale and exchange of emergency and scheduled maintenance bulk power with any neighboring entity(ies), when there are net benefits to each party, on terms that will provide for all of applicant's properly assignable costs as may be determined by the Federal Power Commission and consistent with such cost assignment will allow the other party the fullest possible benefits of such coordination.
- (b) Emergency service and/or scheduled maintenance service to be provided by each party will be furnished to the fullest extent available from the supplying party and desired by the party in need. Applicant and each party will provide to the other emergency service and/or scheduled maintenance service if and when available from its own generation and, in accordance with recognized industry practice, from generation of others to the extent it can do so without impairing service to its customers, including other electric systems to whom it has firm commitments.

- (c) Each party to a reserve coordination arrangement will establish its own reserve criteria, but in no event shall the minimum installed reserve on each system be less than 15%, calculated as a percentage of estimated peak load responsibility. Either party, if it has, or has firmly planned, installed reserves in excess of the amount called for by its own reserve criterion, will offer any such excess as may in fact be available at the time for which it is sought and for such period as the selling party shall determine for purchase in accordance with reasonable industry practice by the other party to meet such other party's own reserve requirement. The parties will provide such amounts of spinning reserve as may be adequate to avoid the imposition of unreasonable demands on the other party(ies) in meeting the normal contingencies of operating its (their) system(s). However, in no circumstances shall such spinning reserve requirement exceed the installed reserve requirement.
- (d) Interconnections will not be limited to low voltages when higher voltages are available from applicant's installed facilities in the area where interconnection is desired and when the proposed arrangement is found to be technically and economically feasible.
- (e) Interconnection and reserve coordination agreements will not embody provisions which impose limitations upon the use or resale of power and energy sold or exchanges pursuant to the agreement. Further, such arrangements will not prohibit the participants from entering into other interconnection and coordination arrangements, but may include appropriate provisions to assure that (i) applicant receives adequate notice of such additional interconnection or coordination, (ii) the parties will jointly consider and agree upon such measures, if any, as are reasonably necessary to protect the reliability of the interconnected systems and to prevent undue burdens from being imposed on any system, and (iii) applicant will be fully compensated for its costs. Reasonable industry practice as developed in the area from time to time will satisfy this provision.

3. Applicant currently has on file, and may hereafter file, with the Federal Power Commission contracts with neighboring entity(ies) providing for the sale and exchange of short-term power and energy, limited term power and energy, economy energy, non-displacement energy, and emergency capacity and energy. Applicant will enter into contracts providing for the same or for like transactions with any neighboring entity on terms which enable applicant to recover the full costs allocable to such transaction.
4. Applicant currently sells capacity and energy in bulk on a full requirements basis to several entities engaging in the distribution of electric power at retail. In addition, applicant supplies electricity directly to ultimate users in a number of municipalities. Should any such entity(ies) or municipality(ies) desire to become a neighboring entity as defined in ¶1(b) hereof (either alone or through combination with other), applicant will assist in facilitating the necessary transition through the sale of partial requirements firm power and energy. The provision of such firm partial requirements service shall be under such rates, terms and conditions as shall be found by the Federal Power Commission to provide for the recovery of applicant's costs. Applicant will sell capacity and energy in bulk on a full requirements basis to any municipality currently served by applicant when such municipality lawfully engages in the distribution of electric power at retail.
5. (a) Applicant will facilitate the exchange of electric power in bulk in wholesale transactions over its transmission facilities (1) between or among two or more neighboring entities, including distribution systems with which it is interconnected or may be interconnected in the future, and (2) between any such entity(ies) and any other electric system engaging in bulk power supply between whose facilities applicant's transmission lines and other transmission lines would form a continuous electric path, provided that permission to utilize such other transmission lines has been obtained. Such transaction shall be undertaken provided that the particular transaction reasonably can be accommodated by applicant's transmission system from a functional and technical standpoint and does not constitute the wheeling of power to a retail customer. Such transmission shall be on terms that fully compensate applicant for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable notice of its (their) schedule and requirements.

- (b) Applicant will include in its planning and construction program, sufficient transmission capacity as required for the transactions referred to in subparagraph (a) of this paragraph, provided that (1) the neighboring entity(ies) gives applicant sufficient advance notice as may be necessary reasonably to accommodate its (their) requirements from a functional and technical standpoint and (2) that such entity(ies) fully compensates applicant for its cost. In carrying out this subparagraph (b), however, applicant shall not be required to construct or add transmission facilities which (a) will be of no demonstrable present or future benefit to applicant, or (b) which could be constructed by the requesting entity(ies) without duplicating any portion of applicant's existing transmission lines, or (c) which would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements. Where regulatory or environmental approvals are required for the construction or addition of transmission facilities, needed for the transactions referred to in subparagraph (a) of this paragraph, it shall be the responsibility of the entity(ies) seeking the transaction to participate in obtaining such approvals, including sharing in the cost thereof.
6. To increase the possibility of achieving greater reliability and economy of electric generation and transmission facilities, applicant will discuss load projections and system development plans with any neighboring entity(ies)
  7. When applicant's plans for future nuclear generating units (for which application will hereafter be made to the Atomic Energy Commission) have reached the stage of serious planning, but before firm decisions have been made as to the size and desired completion date of the proposed nuclear units, applicant will notify all neighboring entities, including distribution systems with peak loads smaller than applicant's, that applicant plans to construct such nuclear units. Neither the timing nor the information provided need be such as to jeopardize obtaining the required site at the lowest possible cost.
  8. The foregoing commitments shall be implemented in a manner consistent with the provisions of the Federal Power Act and all other lawful local, state and Federal regulation and authority. Nothing in these commitments is intended to determine in advance

the resolution of issues which are properly raised at the Federal Power Commission concerning such commitments, including allocation of costs or the rates to be charged. Applicant will negotiate (including the execution of a contingent statement of intent) with respect to the foregoing commitments with any neighboring entity including distribution systems where applicable engaging in or proposing to engage in bulk power supply transactions, but applicant shall not be required to enter into any final arrangement prior to resolution of any substantial questions as to the lawful authority of an entity to engage in the transactions. In addition, applicant shall not be obligated to enter into a given bulk power supply transaction if: (1) to do so would violate, or incapacitate it from performing any existing lawful contract it has with a third party; (2) there is contemporaneously available to it, a competing or alternative arrangement which affords it greater benefits which would be mutually exclusive of such arrangement; (3) to do so would adversely affect its system operations or the reliability of power supply to its customers, or (4) if to do so would jeopardize applicant's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements.

E. Fire Protection

Duke Energy Corporation shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the SER's dated August 11, 1978, and April 28, 1983; October 5, 1978, and June 9, 1981 Supplements to the SER dated August 11, 1978; and Exemptions dated February 2, 1982; August 31, 1983; December 27, 1984; December 5, 1988; and August 21, 1989 subject to the following provision:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

F. Physical Protection

Duke Energy Corporation shall fully implement and maintain in effect all provisions of the Commission-approved nuclear security and contingency and guard training and qualification plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plan, which contains Safeguards Information protected under 10 CFR 73.21,

is entitled: "Nuclear Security and Contingency Plan," with revisions submitted through April 26, 1999. The plan which does not contain safeguards information is entitled, "Nuclear Security Training and Qualification Plan," with revisions submitted through August 18, 1999. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

- G. Deleted
- H. Deleted
- I. Deleted
- J. Deleted
- K. Deleted

4. This license amendment is effective as of the date of issuance and shall expire at midnight, July 19, 2014.

FOR THE ATOMIC ENERGY COMMISSION

(Original Signed By)

A. Giambusso, Deputy Director  
for Reactor Projects  
Directorate of Licensing

Attachments:

- 1) Appendix A – Technical Specifications
- 2) Appendix B – Deleted
- 3) Appendix C – Additional Conditions – Deleted

Date of issuance: July 19, 1974

**ATTACHMENT 3**

**DESCRIPTION OF PROPOSED CHANGES AND TECHNICAL JUSTIFICATION**

## Description of Proposed Changes and Technical Justification

Duke Energy Corporation proposes to delete or modify the following license conditions from the FOLs for Oconee Nuclear Station for Unit 1 (License No. DPR-38), Unit 2 (License No. DPR-47) and Unit 3 (License No. DPR-55). Each change as described below applies to the FOLs for all three units unless indicated otherwise by specific unit reference. Each change indicates the current license condition along with a proposed change section outlining the change and providing justification. Justification for deleting or modifying the identified license conditions is primarily accomplished by reference to previous Duke and NRC correspondence. These historical documents address actions taken in regard to the applicable license condition. The documents of significance to the justification of this LAR are not included in this submittal package, but are available in the Duke licensing library.

### **Change # 1 - Modify License Condition 1.**

Currently this license condition (in part) reads as follows:

1. . . . . The facility is located in eastern Oconee County, about eight miles northeast of Seneca, South Carolina, and is described in the "Final Safety Analysis Report" as supplemented and amended (Amendments 1 through 47) and the Environmental Report as supplemented and amended (Supplement 1).

#### **Proposed Change:**

FOL Section 1 for all three licenses is being changed to eliminate the reference to the specific amendment numbers for the "Final Safety Analysis Report". The FOLs will read ". . . "Final Safety Analysis Report" as supplemented and amended." This change is consistent with the Catawba Facility Operating License for Unit 1 (NPF-35) and Unit 2 (NPF-52) as approved by the NRC and issued on April 23, 1998 (TAC NOS. MA0359 and MA0360)

### **Change # 2 - Modify License Condition 3.B.**

Currently the license reads as follows:

#### 3. B. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment



No. 307, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

**Proposed Change:**

This proposed LAR deletes the reference to Appendix B, "Non-Radiological Environmental Technical Specifications." Appendix B was a part of the FOL as originally issued, however, all requirements of these specifications have been deleted from the license through Amendments 69/69/66 dated 3/2/79 deleting Appendix B, "Aquatic Surveillance Program and Special Studies Program" and Amendments 112/112/109 dated 5/27/82 deleting Appendix B, "Station Cooling Water Systems Thermal Limits and Chemical Discharge Limits." Appendix A, "Technical Specifications" remains as revised through the latest amendment issued.

**Change # 3 - Delete License Condition 3.C.**

Currently the license reads as follows:

3. C. This license is subject to the following (additional) (Unit 3 only) conditions for the protection of the environment:
  1. The licensee shall accumulate information required to establish baselines for the evaluation of thermal, chemical and radiological effects of station operation on terrestrial biota and aquatic biota in Lakes Keowee and Hartwell.
  2. The licensee shall develop and implement a comprehensive monitoring program that will permit surveillance during plant operation of thermal, chemical, and radiological effects on terrestrial biota and on aquatic biota in Lakes Keowee and Hartwell.

**Proposed Change:**

Item 3.C.1 required accumulation of information that was submitted to the NRC in Semi-Annual and Annual Reports found in "Oconee Nuclear Station Environmental Summary Report 1971-1976, Duke Power Company, Steam Production Department, November 1977. Item 3.C.2 required development and implementation of a comprehensive monitoring program. These study results were reported to the Environmental Protection Agency (EPA) on March 24, 1976 in a letter from W. D. Adair,

Duke Power System Environmentalist to Howard Zeller of the EPA to indicate that there has been no adverse environmental impact from the operation of Oconee. The EPA issued a modified NPDES (National Pollution Discharge Elimination System) permit on August 30, 1976 that deleted the requirements to monitor impingement and entrainment on plant intake structures. No further studies or analyses were required in subsequent NPDES permits. Since all requirements specified by these license conditions have been accomplished and all non-radiological environmental specifications have been previously deleted from the FOL, Duke proposes to delete license conditions 3.C.1 and 3.C.2.

**Change # 4 - Modify License Condition 3.F.**

Currently the license reads as follows:

3. F. Physical Protection

Duke Energy Corporation shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Oconee Nuclear Station Security Plan," with revisions submitted through January 15, 1988; "Oconee Nuclear Station Training and Qualification Plan," with revisions submitted through May 16, 1986; and "Oconee Nuclear Station Safeguards Contingency Plan," with revisions submitted through March 18, 1987. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

**Proposed Change:**

The titles of the referenced security documents have changed since the initial issuance of the Oconee FOLs. The proposed changes contained in this LAR bring the title of these documents up-to-date with the current status as submitted to the NRC. Specifically, these changes are:

Change "Oconee Nuclear Station Security Plan" to "Nuclear Security and Contingency Plan".

Change "Oconee Nuclear Station Training and Qualification Plan" to "Nuclear Security Training and Qualification Plan." Note, this document is not classified as safeguards information.

Delete "Oconee Nuclear Station Safeguards Contingency Plan" since this information is now included in the "Nuclear Security and Contingency Plan."

Also, Duke is proposing an administrative change to update the revision numbers for these documents referenced in the FOL to the latest revision. This change is consistent with the amendment to the Catawba FOLs as referenced in Change # 1 above. Paragraph 3. F. as revised to reflect current titles and revision dates is as follows:

3. F. Physical Protection

Duke Energy Corporation shall fully implement and maintain in effect all provisions of the Commission-approved nuclear security and contingency, and guard training and qualification plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plan, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Nuclear Security and Contingency Plan," as revised through April 26, 1999. The plan which does not contain safeguards information is entitled "Nuclear Security Training and Qualification Plan," as revised through August 18, 1999. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

**Change # 5 - Delete License Condition 3.G.**

Currently the license reads as follows:

3. G. The licensee shall implement a secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include:

1. Identification of a sampling schedule for the critical parameters and control points for the parameters;
2. Identification of the procedures used to measure the values of the critical parameters;
3. Identification of process sampling points;
4. Procedure for the recording and management of data;
5. Procedures defining corrective actions of off control point chemistry conditions; and
6. A procedure identifying (a) the authority responsible for the interpretation of the data, and (b) the sequence and timing of administrative events required to initiate corrective action.

**Proposed Change:**

Duke proposes to delete the above License Condition from the Oconee FOLs since these requirements are equivalent to the requirements of Appendix A, "Technical Specifications" (TS) located in TS 5.5.11, "Secondary Water Chemistry" issued in the Improved Technical Specifications Amendment 300/300/300 on 12/16/98.

**Change # 6 - Delete License Condition 3.H.**

3. H. Systems Integrity

The licensee shall implement a program to reduce leakage from systems outside containment that would or could contain highly radioactive fluids during a serious transient or accident to as low as practical levels. This program shall include the following:

1. Provisions establishing preventive maintenance and periodic visual inspection requirements, and
2. Integrated leak test requirements for each system at a frequency not to exceed refueling cycle intervals.

**Proposed Change:**

Duke proposes to delete the above License Condition from the Oconee FOL since these requirements are equivalent to the requirements of Appendix A, "Technical Specifications" (TS)

located in TS 5.5.3, "Reactor Coolant Sources Outside Containment" issued in the Improved Technical Specifications Amendment 300/300/300 on 12/16/98.

**Change # 7 - Delete License Condition 3.I.**

3. I. Iodine Monitoring

The licensee shall implement a program which will ensure the capability to accurately determine the airborne iodine concentration in vital areas under accident conditions. This program shall include the following:

1. Training of personnel,
2. Procedures for monitoring, and
3. Provisions for maintenance of sampling and analysis equipment.

**Proposed Change:**

Duke proposes to delete the above License Condition from the Oconee FOL since these requirements are equivalent to the requirements of Appendix A, "Technical Specifications" (TS) located in TS 5.5.4, "Post Accident Sampling" issued in the Improved Technical Specifications Amendment 300/300/300 on 12/16/98.

**Change # 8 - Delete License Condition 3.J.**

3. J. Backup Method for Determining Subcooling Margin

The licensee shall implement a program which will ensure the capability to accurately monitor the Reactor Coolant System subcooling margin. This program shall include the following:

1. Training of personnel, and
2. Procedures for monitoring.

**Proposed Change:**

Duke proposes to delete the above License Condition from the Oconee FOL since these requirements are equivalent to the requirements of Appendix A, "Technical Specifications" (TS) located in TS 5.5.17 "Backup Method for Determining Subcooling Margin" issued in the Improved Technical Specifications Amendment 300/300/300 on 12/16/98.

**Change # 9 - Delete License Condition 3.K.**

3. K. Additional Conditions

The Additional Conditions contained in Appendix C, as revised through Amendment No. 300, are hereby incorporated into this license. Duke Energy Corporation shall operate the facility in accordance with the Additional Conditions.

**Proposed Change:**

There are currently seven License Conditions shown in Appendix C attached to the FOL. All additional license condition have been completed and will be deleted. Since there will be no additional conditions associated with the ONS FOLs, License Condition 3.K will be deleted.

**Change # 10- Delete Appendix C - Additional Conditions**

Currently the license reads as follows:

APPENDIX C  
ADDITIONAL CONDITIONS  
FACILITY OPERATING LICENSE NO. DPR-38, DPR-47, and DPR-55

**Duke Energy Corporation shall comply with the following conditions on the schedules noted below:**

<u>Amendment Number</u>	<u>Additional Conditions</u>	<u>Implementation Date</u>
224/224/221	This amendment authorizes the licensee to incorporate in the Updated Final Safety Report certain changes to the main turbine-generated missile protection criteria. Implementation of this amendment is the incorporation of these changes as described in the licensee's application dated April 29, 1997, and evaluated in the staff's Safety Evaluation dated May 16, 1997.	May 16, 1997
225/225/222	This amendment authorizes the licensee to provide in the Oconee Updated Final Safety Analysis Report the prescribed lower limit and the minimum required value of tendon forces for each group of tendons prior to performing the seventh tendon surveillance for Unit 1. In addition, the portion of the Selected Licensee Commitment Manual related to the establishment of these limits will be submitted as soon as available. Implementation of this amendment is the incorporation of these commitments as described in the licensee's application dated October 30, 1996, as supplemented by letters	September 15, 1997

dated April 22 and July 2, 1997, and evaluated in the staff's Safety Evaluation attached to this amendment.

- 229/230/226 The licensee will: Condition 1:  
July 15, 1998
- (1) Provide comparisons of critical characteristics for the new equipment that is installed by the ECCW upgrade with data from testing or from recorded earthquakes, in accordance with Section 2.3.4, Part I of GIP-2 and Section 1.2.3.4, paragraphs 2, 3, and 4 of the staff's SSER dated May 22, 1992, that is needed by the staff to complete its review of associated seismic issues or will qualify the new equipment using the existing methods in Section 3 of the Oconee UFSAR.
- 229/230/226 (2) Add the Oconee Unit 2 equipment in the ECCW System that is necessary for safe shutdown per GIP-2 to the USI A-46 SSEL and include its evaluation in a revision to the USI A-46 submittal. Condition 2:  
4 months of the completion of the Unit 2 refueling outage.
- 300/300/300 The licensee is authorized to relocate certain requirements included in Appendix A to licensee-controlled documents. Implementation of this amendment shall include the relocation of these requirements to the appropriate documents, as described in the licensee's letters dated October 28, 1997, and March 26, May 20, July 29, August 13, October 1, October 21, October 28, November 23, and December 3, 1998, evaluated in the NRC staff's Safety Evaluation enclosed with this amendment. Following completion of the associated training program, but no later than April 30, 1999.
- 300/300/300 For Surveillance Requirements (SRs) that are new in Amendment 300, the first performance is due at the end of the first surveillance interval that begins at implementation of Amendment 300, except as noted below. For SRs that existed prior to Amendment 300, including SRs with modified acceptance criteria and SRs for which intervals of performance are being extended, the first performance is due at the end of the first surveillance interval that begins on the date the surveillance was last performed prior to implementation of Amendment 300. For SRs that existed prior to Amendment 300, for which intervals of performance are being reduced, each surveillance may be performed at the existing interval until completion of the first surveillance after implementation of Amendment 300. Subsequent performance of SRs with reduced intervals shall be performed at the reduced interval. Following completion of the associated training program, but no later than April, 30, 1999.
- 300/300/300 For SRs that are new in Amendment 300 and require verification of correct valve position, the first performance for those valves that are Following completion of the associated

inaccessible (e.g., due to high radiation, high temperature, proximity to operating equipment, or safety concerns), is due at the end of the next refueling outage following implementation of Amendment 300.

training program, but no later than April 30, 1999.

## **Proposed Changes for Additional License Conditions**

### **License Amendment Nos. 224/224/221 License Condition**

Duke provided the revised UFSAR Sections 3.1.40 and 3.5.1.2 on June 30, 1997 (Rev. 6). These revisions clarified Oconee's turbine missile design criterion to be consistent with current industry and NRC accepted methodology.

### **License Amendment Nos. 225/225/222 License Condition**

On December 8, 1997, Duke submitted a revision to the Selected Licensee Commitment Manual that incorporated the required lower limit and minimum tendon force values for each group of tendons. This was accomplished as specified in the Condition prior to performing tendon surveillance on Unit 1. By letter dated January 12, 1998, the NRC affirmed that this revision was satisfactory.

### **License Amendment Nos. 229/230/226 License Condition (1)**

For Unit 2, Duke responded by letter dated June 30, 1998 and September 16, 1998 to include seismic adequacy evaluation information for Emergency Circulating Cooling Water (ECCW) system upgrades in the USI A-46 reports. The NRC issued a Safety Evaluation on January 5, 1999 that found the condition satisfied. For Units 1 and 3, Duke submitted a response dated February 11, 1999 that referenced an earlier letter dated October 15, 1998 as being applicable to both of these units.

### **License Amendment Nos. 229/230/226 License Condition (2)**

This License Condition for all three licenses referred only to the requirement to provide Unit 2 ECCW information in the USI A-46 submittal. Although not specifically stated within the transmittal letter dated September 28, 1998, Revision 1 satisfied License Condition 2 for all three ONS units. However, the intent of the original commitment was that the USI A-46 reports would be updated to include ECCW information on



each unit. By letter dated November 12, 1999, this intent was satisfied by the submittal of Supplement 2.

**License Amendment Nos. 300/300/300 License Conditions**

The Selected Licensee Commitment Manual was revised and reissued on 3/14/99 to incorporate all requirements relocated from the Technical Specifications.

The schedule for all new and revised SRs required by the implementation of Amendments 300/300/300 have been completed.

**ATTACHMENT 4**

**NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION**

## No Significant Hazards Consideration Determination

The following discussion is a summary of the evaluation of the changes contained in this proposed amendment against the 10 CFR 50.92(c) requirements to demonstrate that all three standards are satisfied. A no significant hazards consideration is indicated if operation of the facility in accordance with the proposed amendment would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated, or
2. Create the possibility of a new or different kind of accident from any accident previously evaluated, or
3. Involve a significant reduction in a margin of safety.

### First Standard

The proposed amendment to the Oconee FOLs involves administrative changes only. No actual plant equipment, operating practices, or accident analyses are affected by this amendment. Therefore, implementation of this amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated.

### Second Standard

The proposed amendment to the Oconee FOLs involves administrative changes only. No actual plant equipment, operating practices, or accident analyses are affected by these amendments. No new accident causal mechanisms are created as a result of NRC approval of this amendment request. This amendment request does not impact any plant systems that are accident initiators; neither does it adversely impact any accident mitigating systems. Therefore, implementation of this amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated.

### Third Standard

Implementation of this amendment would not involve a significant reduction in a margin of safety. Margin of safety is related to the confidence in the ability of the fission product barriers to perform their design functions during and following an accident situation. These barriers include the fuel cladding, the reactor coolant system, and the containment system. The performance of these fission product barriers will not be impacted by implementation of

this amendment. The changes proposed are administrative in nature and eliminate outdated or completed requirements; therefore, no reduction in any existing margin of safety is involved.

Based upon the preceding discussion, Duke Energy Corporation has concluded that the proposed amendment does not involve a significant hazards consideration.

**ATTACHMENT 5**

**ENVIRONMENTAL ANALYSIS**

## Environmental Analysis

Pursuant to 10 CFR 51.22(b), an evaluation of this LAR has been performed to determine whether or not it meets the criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) of the regulations.

This LAR for the Oconee FOLs proposes administrative changes which update the FOLs such that the contents are consistent with current plant status and the current regulatory requirements applicable to the plant. Implementation of this amendment will have no adverse impact upon the Oconee units; neither will it contribute to any additional quantity or type of effluent being available for adverse environmental impact or personnel exposure.

It has been determined there is:

1. No significant hazards consideration,
2. No significant change in the types, or significant increase in the amounts, of any effluents that may be released offsite, and
3. No significant increase in individual or cumulative occupational radiation exposures involved.

Therefore, this amendment to the Oconee Facility Operating Licenses meets the criteria of 10 CFR 51.22(c)(9) for categorical exclusion from an environmental impact statement.