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 50-261 H. B. Robinson Plant, Unit 2, Carolina Power and Light 05000324
 50-324 Brunswick Steam Electric Plant, Unit 2, Carolina Power 05000325
 50-325 Brunswick Steam Electric Plant, Unit 1, Carolina Power
 AUTH. NAME: UTLEY, E. L. AUTHOR AFFILIATION: Carolina Power & Light Co.
 RECIPIENT NAME: EISENHUT, D. G. RECIPIENT AFFILIATION: Division of Licensing

SUBJECT: Withdraws request for hearing re NRC order imposing environmental qualification requirements for facilities. Withdrawal predicated on interpretation of final rule on environmental qualification. Notification to contrary requested by 830524.

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Carolina Power & Light Company

MAR 24 1983

Serial: LAP-83-80

Mr. Darrell G. Eisenhut
Director, Division of Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2
DOCKET NO. 50-261
LICENSE NO. DPR-23

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NOS. 1 AND 2
DOCKET NOS. 50-325 AND 50-324
LICENSE NOS. DPR-71 AND DPR-62

WITHDRAWAL OF HEARING REQUESTS ON ENVIRONMENTAL QUALIFICATION

Dear Mr. Eisenhut:

By your letter dated October 24, 1980, you stated that Carolina Power & Light Company would have until 30 days after the Commission had completed action on the industry petition to extend the June 30, 1982, deadline for environmental qualification (EQ) in which to either reaffirm or withdraw our request for hearing regarding the Order imposing EQ requirements for H. B. Robinson Unit No. 2 and Brunswick Unit Nos. 1 & 2. Commission action on the industry petition was completed on February 22, 1983, when the final rule on environmental qualification became effective. 48 Fed. Reg. 2729 (January 21, 1983).

By letter of February 21, 1983, we notified the Staff that our action on our request for hearing would be dependent on our review of the final rule which would be completed by March 24, 1983. We have now completed that review. Based upon our understanding of the rule, we are now prepared to withdraw our hearing request. There are, however, a few areas of potential confusion or ambiguity that we wish to raise (although we believe that our understanding of these areas will comport with the Staff's). Therefore, while we are by this letter withdrawing our request for hearing, the withdrawal is based on the following interpretations of the final rule.

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1. Qualification Criteria. Section 50.49(k) of the final rule states that applicants for and holders of operating licenses are not required to requalify equipment important to safety to the provisions of this rule if such equipment was previously required to be qualified pursuant to either the DOR Guidelines or NUREG-0588. From this section, it is our understanding that equipment qualified pursuant to the DOR Guidelines or NUREG-0588 by the dates and schedules set forth in Section 50.49(k) need not be qualified to the provisions of the final rule. Of course, unless there are sound reasons to the contrary, replacement equipment must be qualified to the provisions of the final rule pursuant to Section 50.49(1).
2. Replacement Equipment. While Section 50.49(1) of the final rule states that unless there are sound reasons to the contrary replacement equipment must be qualified to the provisions of the rule, the statement of considerations discusses replacement parts. It is our understanding that the provisions of the rule govern, and the appropriate emphasis is to be placed on replacement equipment and not parts.

As noted above, the withdrawal of our hearing request is predicated on the accuracy of our understandings of the final rule on environmental qualification. Unless we are notified in writing to the contrary by May 24, 1983, we will consider this matter resolved.

Yours very truly,



E. E. Utley

Executive Vice President
Power Supply and
Engineering & Construction

JJS/mag (6464SNP)

cc: Mr. D. O. Myers (NRC-BSEP)
Mr. J. P. O'Reilly (NRC-RII)
Mr. S. D. MacKay (NRC)
Mr. G. Requa (NRC)
Mr. S. Weise (NRC-HBR)