

Attachment 1

Oconee Nuclear Station
Independent Spent Fuel Installation
Materials License SNM-2503

Marked Copy

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

and January 19, 1998

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Part 72, and in reliance on statements and representations heretofore made by the licensee (in the licensee's Independent Spent Fuel Storage Installation Safety Analysis Report, Oconee Nuclear Station submitted by letter dated March 31, 1988, as revised, supplemented, and submitted by letters dated August 16, 1988, September 19, 1988, October 11, 1988, November 23, 1988, February 7, 1989, April 11, 1989, May 9, 1989, June 5, 1989, June 8, 1989, June 29, 1990, January 10, 1991, March 9, 1993, and November 16, 1993), a license is hereby issued authorizing the licensee to receive, acquire, and possess the power reactor spent fuel and other radioactive materials associated with spent fuel storage designated below; to use such materials for the purposes and at the place designated below; to deliver or transfer such materials to persons authorized to receive these materials in accordance with the regulations of the applicable parts of 10 CFR Chapter I. This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified herein.

Licensee Energy Corporation

1. ~~Duke Power Company~~

2. Address:

526

~~422~~ South Church Street

P.O. Box ~~33189~~ 1006 ~~28201~~ 28201-1006

Charlotte, North Carolina ~~28242~~

3. License Number: SNM-2503

Amendment No. 4, ~~January 5, 1994~~

4. Expiration Date: January 31, 2010

5. Docket Number: 72-4

6. Byproduct, source, and/or special nuclear material

7. Chemical and/or physical form

8. Maximum amount that licensee may possess at any one time under this license

A. Spent fuel assemblies from Oconee Nuclear Station Units 1, 2 and 3 reactor using natural water for cooling and enriched not greater than 4 percent U-235 and associated radioactive materials related to receipt, storage, and transfer of the fuel assemblies

A. As UO₂ clad with zirconium or zirconium alloys

A. 996.86 TeU of spent fuel assemblies

9. Authorized Use:

The material identified in 6.A and 7.A above is authorized for receipt, possession, storage and transfer.

10. Authorized Place of Use:

The licensed material is to be received, possessed, transferred, and stored at the Oconee ISFSI located on the Oconee Nuclear Station site in Oconee County, South Carolina.

11. This site is described in Chapter 2 of the licensee's Safety Analysis Report for the Oconee ISFSI.*

12. The Technical Specifications contained in Appendix A attached hereto are incorporated in the license. The licensee shall operate the installation in accordance with the Technical Specifications in Appendix A.

13. The Safeguards License Condition contained in Appendix B attached hereto is hereby incorporated in this license. The licensee shall maintain a facility physical security program in accordance with this condition.

14. The Technical Specifications for Environmental Protection contained in Appendix C attached hereto are incorporated in the license. The licensee shall operate the installation in accordance with the Technical Specifications in Appendix C.

15. Pursuant to 10 CFR 72.7, the licensee is hereby exempted from the provisions of 10 CFR 72.122(i) with respect to providing instrumentation and control systems for the NUHOMS-24P dry shielded canister and horizontal storage module (DSC and HSM) during storage operations.

16. This license is effective as of the date of issuance shown below.

For the U.S. Nuclear Regulatory Commission

Date
of Issuance: January 29, 1990

As Amended by 5
Amendment No. 4 dated January 5, 1994

by Charles J. Haughney
Division of Industrial and
Medical Nuclear Safety
Washington, DC 20555

*Hereafter referred to in this license as the SAR.

APPENDIX A

ENERGY CORPORATION

DUKE ~~POWER COMPANY~~

OCONEE

INDEPENDENT SPENT FUEL STORAGE INSTALLATION
TECHNICAL SPECIFICATIONS FOR
MATERIALS LICENSE SNM-2503

5. The Oconee Nuclear Station health physics procedures shall be reviewed and modified as required to include the ISFSI.
6. The Oconee Nuclear Station Administrative Procedures shall be reviewed and modified as required to include the ISFSI.
7. A procedure shall be developed for the documentation of the characterizations performed to select spent fuel to be stored in the canisters and modules. Such procedure shall include independent verification of fuel assembly selection by an individual other than the original individual making the selection.
8. Written operating and abnormal/emergency procedures shall be prepared.

1.3 General License Conditions

1.3.1 Quality Assurance

The design, construction, and operation of the ISFSI shall be accomplished in accordance with the U.S. Nuclear Regulatory Commission (NRC) Regulations specified in Title 10 of the U.S. Code of Federal Regulations. All commitments to the applicable NRC Regulatory Guides and to engineering and construction codes shall be carried out.

1.3.2 Fuel and Cask Handling Activities

Fuel and TC movement and handling activities which are to be performed in the Oconee Nuclear Station Fuel Handling Building will be governed by the requirements of the Oconee Nuclear Station Facility Operating Licenses (DRP-38, -47 and -55) and associated Technical Specifications.

1.3.3 Administrative Controls

The Oconee ISFSI is located on the Oconee Nuclear Station site and will be managed and operated by the Duke ~~Power Company~~ ^{Energy Corporation} staff. The administrative controls shall be in accordance with the requirements of the Oconee Nuclear Station Facility Operating Licenses (DPR-38, -47 and -55) and associated Technical Specifications.

APPENDIX B

ENERGY CORPORATION

DUKE ~~POWER COMPANY~~

OCONEE

INDEPENDENT SPENT FUEL STORAGE INSTALLATION

SAFEGUARDS LICENSE CONDITIONS

MATERIALS LICENSE SNM-2503

APPENDIX C

ENERGY CORPORATION

~~DUKE POWER COMPANY~~

OCONEE

INDEPENDENT SPENT FUEL STORAGE INSTALLATION
TECHNICAL SPECIFICATIONS FOR ENVIRONMENTAL PROTECTION
MATERIALS LICENSE SNM-2503

Attachment 2

Oconee Nuclear Station
Independent Spent Fuel Installation
Materials License No. SNM-2503

Proposed Amendment

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APPENDIX A Cover Sheet
A-4
APPENDIX B Cover Sheet
APPENDIX C Cover Sheet

Insert Page

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APPENDIX A Cover Sheet
A-4
APPENDIX B Cover Sheet
APPENDIX C Cover Sheet

United States
Nuclear Regulatory Commission
Washington, DC 20555-0001

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Licensee

- | | |
|---|---|
| 1. Duke Energy Corporation | |
| 2. Address:
526 South Church Street
PO Box 1006
Charlotte, North Carolina 28201-1006 | 3. License Number: SNM-2503
Amendment No. 5, [Date by NRC]

4. Expiration Date: January 31, 2010

5. Docket Number: 72-4 |

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- | | | |
|---|---|---|
| 6. Byproduct, source, and/
or special nuclear
material | 7. Chemical and/or
physical form | 8. Maximum amount that
licensee may possess
at any one time under
this license |
| A. Spent fuel assemblies
from Oconee Nuclear
Station Units 1, 2, and 3
reactor using natural water
for cooling and enriched not
greater than 4 percent
U-235 and associated radio-
active materials related to
receipt, storage, and transfer
of the fuel assemblies | A. As UO ₂ clad with
zirconium or
zirconium alloys | A. 996.86 TeU of spent
fuel assemblies |

9. Authorized Use:

The material identified in 6.A and 7.A above is authorized for receipt, possession, storage and transfer.

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11. This site is described in Chapter 2 of the licensee's Safety Analysis Report for the Oconee ISFSI.*

12. The Technical Specifications contained in Appendix A attached hereto are incorporated in the license. The licensee shall operate the installation in accordance with the Technical Specifications in Appendix A.

13. The Safeguards License Condition contained in Appendix B attached hereto is hereby incorporated in this license. The licensee shall maintain a facility physical security program in accordance with this condition.

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16. This license is effective as of the date of issuance shown below.

For the U.S. Nuclear Regulatory Commission

Date

of Issuance: January 29, 1990

by _____

As amended by

Amendment No. 5, dated [Provided by NRC]

Division of Industrial and
Medical Nuclear Safety
Washington, DC 20555

* Hereafter referred to in this license as the SAR.

APPENDIX A

DUKE ENERGY CORPORATION
OCONEE
INDEPENDENT SPENT FUEL STORAGE INSTALLATION
TECHNICAL SPECIFICATIONS FOR
MATERIALS LICENSE SNM-2503

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1.3.3 Administrative Controls

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APPENDIX B

DUKE ENERGY CORPORATION
OCONEE
INDEPENDENT SPENT FUEL STORAGE INSTALLATION
SAFEGUARDS LICENSE CONDITIONS
MATERIALS LICENSE SNM-2503

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APPENDIX C

DUKE ENERGY CORPORATION
OCONEE
INDEPENDENT SPENT FUEL STORAGE INSTALLATION
TECHNICAL SPECIFICATIONS FOR ENVIRONMENTAL PROTECTION
MATERIALS LICENSE SNM-2503

Attachment 3

DESCRIPTION OF PROPOSED CHANGES AND TECHNICAL JUSTIFICATION

Background

On November 25, 1996 Duke Power Company announced that it would acquire PanEnergy Corp, a natural gas transmission company based in Houston, Texas. The resultant corporate structure and impact of this merger on Duke Power Company, as a nuclear licensee, was initially described to the NRC in a letter from M. S. Tuckman dated January 6, 1997. On June 5, 1997, the NRC Office of Nuclear Reactor Regulation issued a letter stating that it had no objection to this merger. In this letter, the NRC concluded the merger created no adverse affects on Duke Power Company's financial or technical qualifications with respect to the operation and decommissioning of either Oconee, McGuire, or Catawba Nuclear Stations, or the status of the ownership of these nuclear sites. The Duke/PanEnergy merger closed on June 18, 1997. As a result of its merger with PanEnergy Corp (which became a wholly owned subsidiary of Duke Power Company), Duke Power Company changed its name to Duke Energy Corporation. The June 5, 1997 NRC letter identified the need for Duke to submit Facility Operating License (FOL) amendments for each Duke nuclear station that reflected the change in licensee name. Amendments to change the licensee name in the 10CFR50 FOLs for Oconee, McGuire, and Catawba Nuclear Stations were submitted by Duke letter dated June 12, 1997. Amendments changing the licensee name were subsequently approved and issued for the Catawba FOL by NRC letter dated August 22, 1997; for the McGuire FOL by NRC letter dated August 26, 1997; and for the Oconee FOL by NRC letter dated September 16, 1997. With the submittal of this LAR, Duke Energy Corporation is hereby requesting that the licensee name in Materials License No. SNM-2503 for the Oconee ISFSI be similarly changed.

Proposed Changes

This LAR proposes that the NRC replace references to the names "Duke Power Company," "Duke Power," or "Duke," with references to the name "Duke Energy Corporation" in all applicable locations of Materials License No. SNM-2503 for the Oconee ISFSI. This request also applies to Appendix A (Technical Specifications), Appendix B (Safeguards License Conditions), and Appendix C (Technical Specifications for Environmental Protection) to Materials License No. SNM-2503.

Attachment 3

DESCRIPTION OF PROPOSED CHANGES AND TECHNICAL JUSTIFICATION

A marked copy of the affected pages of the current Materials License No. SNM-2503 is provided in Attachment 1. The marked copy shows the proposed changes. The proposed changes contained in this LAR are administrative in nature and involve only a name change.

Similarly, in any pending matters related to the Oconee ISFSI heretofore submitted by Duke Power Company, but not yet acted upon by the NRC, references to "Duke Power Company," "Duke Power," or "Duke" should also be replaced by "Duke Energy Corporation." This administrative change will also be reflected in future correspondence with the NRC.

Discussion

This LAR contains proposed changes that only affect Materials License No. SNM-2503 for the Oconee ISFSI. The proposed changes are solely administrative in nature and involve only a name change. This LAR is being submitted to the NRC pursuant to 10CFR72.56 only for the purpose of updating the affected license document. The Duke Power Company and PanEnergy Corp merger was discussed in the January 6, 1997 letter referenced above. The proposed changes do not alter any technical content of Materials License No. SNM-2503 or any technical content of the ISFSI Technical Specifications requirements, nor do they alter any responsibilities or obligations of Duke Energy Corporation related to the Oconee ISFSI, nor do they have any programmatic effect on the Duke Quality Assurance Program Topical Report. The merger will have no impact on the design, function, or operation of any ISFSI or Oconee plant structure, system, or component, either technically or administratively. This merger has been approved by other federal agencies as appropriate and by the State of South Carolina. In the future, the safe operation of the Oconee ISFSI will continue to be ensured by Duke Energy Corporation.

Attachment 4

ENVIRONMENTAL ASSESSMENT/IMPACT STATEMENT

Pursuant to 10CFR51.22(b), an evaluation of this LAR has been performed to determine whether or not it meets the criteria for categorical exclusion set forth in 10CFR51.22(c)(10) of the regulations.

This LAR for the Oconee ISFSI Materials License SNM-2503 proposes to change the licensee name from Duke Power Company to Duke Energy Corporation. The changes in this LAR are solely administrative in nature. Therefore, since this LAR contains administrative changes only, the criterion of 10CFR51.22(c)(10) for categorical exclusion from an environmental assessment/impact statement is met.