

June 15, 1979

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MEMORANDUM FOR: Chairman Hendrie
Commissioner Gillsky
Commissioner Kennedy
Commissioner Bradford
Commissioner Ahearne

FROM: Harold R. Denton, Director, Office of Nuclear Reactor Regulation

SUBJECT: INFORMATION REPORT ON IMMINENT ISSUANCE OF OCONEE UNITS NOS.
1 AND 2 SPENT FUEL POOL CAPACITY INCREASE

Duke Power Company applied on February 2, 1979 for a license amendment to expand the capacity of the common Units 1 and 2 spent fuel pool from 336 to a maximum of 750 fuel assemblies. Notice of proposed issuance was published in the FEDERAL REGISTER on March 6, 1979. No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The staff has prepared a Safety Evaluation and Environmental Impact Appraisal supporting Duke's request. The staff will be ready to issue the license amendment by June 18, 1979.

Due to the recent D.C. Circuit Court's decision; State of Minnesota v. NRC of May 23, 1979 regarding appeals related to the Prairie Island spent fuel pool, I am informing you of our plans related to Oconee Units 1 and 2. A recent paper by OELD regarding this matter (Memorandum to Five Commissioners from Shapar dated June 14, 1979) also concludes that amendments to licenses may proceed in this area.

Duke has contractual commitments that would result in economic penalties if work doesn't start by June 18, 1979. If our license amendment is delayed past June 25, 1979 interference with the reload of Unit 1 may occur and complicate work on the expansion for some time. In addition, space requirements for offloaded fuel would make modifications extremely difficult until some other storage capability is achieved. (A related hearing is in progress on shipment of fuel to the McGuire facility.)

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OFFICE	C-ORB#4:DOR	AD-B&P:DOR	NRR	Harold R. Denton, Director	NRR
SURNAME	RReid	BGrimes	ECase	Office of Nuclear Reactor Regulation	HDenton
DATE	6/15/79	6/15/79	6/ /79		6/15/79