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**CP&L**

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SHERWOOD H. SMITH, JR.  
Chairman/President

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USNRC

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OFFICE OF SECRETARY  
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BRANCH

October 10, 1985

*50-325*

Mr. N.J. Palladino, Chairman  
Mr. J.K. Asselstine  
Mr. F.M. Bernthal  
Mr. T.M. Roberts  
Mr. L.W. Zech  
United States Nuclear Regulatory Commission  
Washington, D.C. 20555

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NOS. 1 AND 2  
DOCKET NOS. 50-325 & 50-324/LICENSE NOS. DPR-71 & DPR-62.  
ENVIRONMENTAL QUALIFICATION OF ELECTRICAL EQUIPMENT -  
SCHEDULE EXTENSION REQUEST

Gentlemen:

On behalf of Carolina Power & Light Company (CP&L), I want to thank you for the opportunity to address the Nuclear Regulatory Commission (NRC) on October 9, 1985. The requested extension until March 30, 1986, for the Brunswick Unit 2 facility to comply fully with 10 CFR 50.49 (the equipment qualification rule) is of priority to CP&L and our ratepayers as well. Your time and attention on this important matter is appreciated. As I explained at the meeting, we await a decision as soon as practical in order to minimize costs from delay, but we would prefer a fully-reasoned decision. Whatever your decision, CP&L will do whatever is necessary to protect the public health and safety first and will incur the expenses necessary to do so.

There was an issue raised during the meeting yesterday that we feel should be clarified further. In our remarks, we noted that the granting of an additional four months extending the deadline for the remaining open items at Brunswick Unit 2 was not an issue directly related to safety. We substantiated this with the fact that the NRC staff has already granted justifications for continued operation (JCO) for all the open items. We also quoted several passages from prior Federal Register notices concerning the nature of EO deadlines. For example, the Commission has stated that the June 30, 1982, deadline, " . . . was not a generic cut-off date

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for operation. Rather, the . . . deadline was established to force licensee completion of the environmental qualification program in a reasonable time . . . The safety of operation continues to be reviewed on an individual basis." 49 FR 8422, 8426 (March 7, 1984); and, "The . . . deadline was not set as a safety matter or as a cut-off date beyond which reactors could no longer operate if all of their equipment was not qualified. . . The justifications for continued operation are relevant to the deadline only to the extent that they reveal whether licensees have considered the effects of deficiencies in a timely manner." 49 FR 45571, 45572 (November 19, 1984). Generic Letter 85-15 reinforces this position by allowing for Commission-granted extensions to the November 30, 1985, deadline given, among other conditions, valid JCOs. Also, the NRC staff stated in its recommendation of October 4, 1985, relative to granting the extension, that continued operation of Brunswick Unit 2 would not pose an undue risk to the public health and safety. We pointed this out to the Commission for the purpose of making it clear from the outset of our presentation that our request should be evaluated in its proper context, namely, that the four-month extension beyond November 30, 1985, by itself did not represent a risk to the public health and safety.

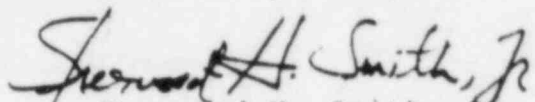
Unfortunately, either as a result of our misphrasing the point or simply due to the sensitivity of the topic, it appeared our remarks were misinterpreted. Of course, EQ as a program is important to safety, even though the deadline may not have a direct bearing on safety. We agree with the Commission that an extended period of time beyond the November, 1985, deadline could increase the probability of a risk to the public health and safety. However, we, and the NRC staff, believe the four-month extension does not present an undue risk.

As for our requested extension, we reiterate our position that the equities argue in its favor. Man-rem exposure would be reduced significantly, substantial financial cost would be avoided and system reliability throughout our region would be enhanced. Furthermore, we view the extension as fully consistent with the underlying purpose of the EQ program in general and the deadlines in particular. The program is intended to protect the public health and safety with which we think the extension is consistent, and the deadlines have been intended to urge compliance with the EQ program. The completion of EQ work at our other two operating units, the substantial and uniquely difficult work at Brunswick Unit 2 and the fact that this work is nearly completed all show that the proper attention has been given to the deadlines and that the deadlines have had their desired effect.

Other questions were asked and responses provided at yesterday's meeting that may also be germane to your decision. If further information is desired on any of these matters, such as the

unique Brunswick Unit 2 design, the effect of high temperatures outside containment, the cost of the EQ program at our facilities or any other matter, we would be prepared immediately to provide such additional information. In any event, we respectfully urge that you grant the requested extension.

Yours very truly,

  
Sherwood H. Smith, Jr.

SHS/wac

cc: W.J. Dircks  
H.R. Denton