

hazards consideration, which is presented below:

Criterion 1

Operation of the facility in accordance with the requested amendments will not involve a significant increase in the probability or consequences of an accident previously evaluated. At no point during this temporary modification is power lost to the DC and AC panelboards. A normal plant procedure is used to transfer power for the AC panelboards back and forth between their inverters and their alternate regulated AC power supplies (1KRP and 2KRP). All inputs to the DC channel trouble alarm except those from the associated DC and AC panelboard undervoltage relays will be blocked during the 112 hour temporary modification period so that an undervoltage condition on any of the DC and AC panelboards this period will be detected immediately. Temporary cabling will satisfy cable separation criteria. Temporary cables and breakers meet all applicable safety class 1E and seismic requirements. There will be no degradation of distribution centers and panelboards as a result of temporary breakers being installed in them.

Criterion 2

Operation of the facility in accordance with the requested amendments will not create the possibility of a new or different kind of accident from any accident previously evaluated. The proposed TS changes will not create the possibility for an accident or malfunction of a different type that any previously evaluated. No new failure modes are being created by the proposed TS changes.

Criterion 3

Operation of the facility in accordance with the requested amendments will not involve a significant reduction in a margin of safety. The proposed TS changes will not reduce the margin of safety as described in the bases for any Technical Specifications. The bases for Tech. Specs. 3/4.8.2 and 3/4.8.3 (minimum specified independent and redundant A.C. and D.C. power sources and distribution systems to supply safety-related equipment for safe shutdown and mitigation/control of accident conditions) will not be impacted by these proposed TS changes. The proposed TS changes will not reduce the margin of safety since the temporary cables and breakers meet all applicable safety class 1E and seismic requirements. The use of temporary cables and breakers to facilitate the de-energization of a vital bus and connection of its loads to its same train vital bus for breaker replacement does not technically violate the applicable technical specifications since the intent of these technical specifications is to have uninterrupted power to the loads normally connected to this de-energized bus. Instrumentation during the temporary modification period remains valid to immediately detect an undervoltage condition in the affected DC and AC panelboards.

Based on the preceding analyses, Duke Power concludes that the requested

amendments do not involve a significant hazards consideration.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By April 7, 1995, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the

proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC, and at the local public document room located at the Atkins Library, University of North Carolina, Charlotte (UNCC Station), North Carolina. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the