



Duke Energy Corporation

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H. B. Barron
Vice President

March 23, 2000

U. S. Nuclear Regulatory Commission
Document Control Desk
Washington, D.C. 20555

Subject: McGuire Nuclear Station, Units 1 and 2
Docket Nos. 50-369/50-370
Proposed Technical Specification (TS) Amendments
TS 3.7.15 - Spent Fuel Assembly Storage,
TS 4.3 - Fuel Storage

Duke Energy Corporation submitted proposed amendments to TS 3.7.15 - "Spent Fuel Assembly Storage" and TS 4.3 - "Fuel Storage" in a letter dated April 5, 1999. Supplemental information was submitted by a letter dated January 14, 2000. This license amendment was submitted to compensate for boraflex degradation via partial credit for soluble boron. The submittal was based on approved methodology described in WCAP-14416, "Westinghouse Spent Fuel Rack Criticality Analysis Methodology."

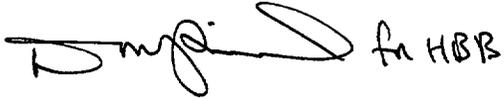
Results from a recent Duke analysis indicate that certain calculations used to support the submittal may be non-conservative at certain fuel burnup levels. This condition was reported to the NRC on March 2, 2000 (Event Number 36748). Further details will be described in Licensee Event Report 369/00-03 to be submitted per the reporting requirements of 10 CFR 50.73.

Duke is investigating the cause of the potential non-conservatism and has taken appropriate corrective actions to address the condition. Duke has determined that it is appropriate to retract the original license amendment. Duke will modify the submittal package as needed and submit a corrected proposed license amendment to the NRC by August 1, 2000. Duke understands that technical reviews associated with the original submittal have been completed by the NRC staff. Consequently, it is requested that the NRC expedite review of the new submittal. Duke requests that the review be completed by December 1, 2000 to support the next Unit 1 refueling outage (1EOC14).

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Please contact Kay Crane, at (704) 875-4306 or Mike Cash at
(704) 875-4117 for questions regarding this issue.

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