

March 29, 2000

Mr. H. B. Barron
Vice President, McGuire Site
Duke Energy Corporation
12700 Hagers Ferry Road
Huntersville, NC 28078-8985

SUBJECT: WITHDRAWAL OF AN AMENDMENT REQUEST - MCGUIRE NUCLEAR
STATION, UNITS 1 AND 2 (TAC NOS. MA5220 AND MA5221)

Dear Mr. Barron:

By letter dated April 5, 1999, you applied for an amendments to the Facility Operating License Nos. 9 and 17 for the McGuire Nuclear Station, Units 1 and 2. The proposed change would have modified the facility technical specifications pertaining to TS Section 3.7.15 and associated Bases, and Section 4.0, to allow the use of credit for soluble boron in spent fuel pool criticality analyses. The request was based on the NRC-approved Westinghouse Owners Group Topical Report WCAP-14416-NP-A, that provides generic methodology for crediting soluble boron. Subsequently, by letter dated March 23, 2000, you withdrew the amendment request.

The Commission has filed the enclosed Notice of Withdrawal of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication. This closes out TAC Nos. MA5220 and MA5221.

Sincerely,

/RA/

Frank Rinaldi, Project Manager Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-369/50-370

Enclosure: Notice of Withdrawal

cc w/encl: See next page

March 29, 2000

Mr. H. B. Barron
Vice President, McGuire Site
Duke Energy Corporation
12700 Hagers Ferry Road
Huntersville, NC 28078-8985

SUBJECT: WITHDRAWAL OF AN AMENDMENT REQUEST - MCGUIRE NUCLEAR
STATION, UNITS 1 AND 2 (TAC NOS. MA5220 AND MA5221)

Dear Mr. Barron:

By letter dated April 5, 1999, you applied for an amendments to the Facility Operating License Nos. 9 and 17 for the McGuire Nuclear Station, Units 1 and 2. The proposed change would have modified the facility technical specifications pertaining to TS Section 3.7.15 and associated Bases, and Section 4.0, to allow the use of credit for soluble boron in spent fuel pool criticality analyses. The request was based on the NRC-approved Westinghouse Owners Group Topical Report WCAP-14416-NP-A, that provides generic methodology for crediting soluble boron. Subsequently, by letter dated March 23, 2000, you withdrew the amendment request.

The Commission has filed the enclosed Notice of Withdrawal of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication. This closes out TAC Nos. MA5220 and MA5221.

Sincerely,
/RA/
Frank Rinaldi, Project Manager Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-369/50-370

Enclosure: Notice of Withdrawal

cc w/encl: See next page

Distribution:

File Center R Emch ACRS
PUBLIC C. Hawes C. Ogle, RII
PDII-1 Reading F. Rinaldi
H. Berkow OGC

DOCUMENT NAME: G:\PDII-1\MCGUIRE\ma5220 wil.wpd

To receive a copy of this document, indicate in the box C=Copy w/o attachment/enclosure E=Copy with attachment/enclosure N = No copy

OFFICE	PDII-1/PM		PDII-1/LA		PDII-1/SC				
NAME	FRinaldi:mw		CHawes		REmch				
DATE	03/28/00		03/28/00		03/28/00		/	/00	/ /00

OFFICIAL RECORD COPY

UNITED STATES NUCLEAR REGULATORY COMMISSION

DUKE ENERGY CORPORATION

DOCKET NOS. 50-369 AND 50-370

NOTICE OF WITHDRAWAL OF APPLICATION FOR

AMENDMENT TO FACILITY OPERATING LICENSE

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Duke Energy Corporation (the licensee) to withdraw its April 5, 1999, application for proposed amendment to Facility Operating License No. 9 and 17 for the McGuire nuclear Station, Units 1 and 2, located in Mecklenburg County, North Carolina.

The proposed amendment would have revised TS Section 3.7.15 and associated Bases, and Section 4.0, to allow the use of credit for soluble boron in spent fuel pool criticality analyses. The request was based on the NRC-approved Westinghouse Owners Group Topical Report WCAP-14416-NP-A, that provides generic methodology for crediting soluble boron.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the FEDERAL REGISTER on May 19, 1999 (64 FR 27318). However, by letter dated March 23, 2000, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated April 5, 1999, and the licensee's letter dated March 23, 2000, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington,

DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 29th day of March 2000.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Frank Rinaldi, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

McGuire Nuclear Station

cc:

Ms. Lisa F. Vaughn
Legal Department (PBO5E)
Duke Energy Corporation
422 South Church Street
Charlotte, North Carolina 28201-1006

County Manager of
Mecklenburg County
720 East Fourth Street
Charlotte, North Carolina 28202

Michael T. Cash
Regulatory Compliance Manager
Duke Energy Corporation
McGuire Nuclear Site
12700 Hagers Ferry Road
Huntersville, North Carolina 28078

Anne Cottingham, Esquire
Winston and Strawn
1400 L Street, NW.
Washington, DC 20005

Senior Resident Inspector
c/o U.S. Nuclear Regulatory Commission
12700 Hagers Ferry Road
Huntersville, North Carolina 28078

Dr. John M. Barry
Mecklenburg County
Department of Environmental
Protection
700 N. Tryon Street
Charlotte, North Carolina 28202

Mr. Steven P. Shaver
Senior Sales Engineer
Westinshouse Electric Company
5929 Carnegie Blvd.
Suite 500
Charlotte, North Carolina 28209

Ms. Karen E. Long
Assistant Attorney General
North Carolina Department of
Justice
P. O. Box 629
Raleigh, North Carolina 27602

Mr. C. Jeffrey Thomas
Manager - Nuclear Regulatory
Licensing
Duke Energy Corporation
526 South Church Street
Charlotte, North Carolina 28201-1006

Elaine Wathen, Lead REP Planner
Division of Emergency Management
116 West Jones Street
Raleigh, North Carolina 27603-1335

Mr. Richard M. Fry, Director
Division of Radiation Protection
North Carolina Department of
Environment, Health and Natural
Resources
3825 Barrett Drive
Raleigh, North Carolina 27609-7721

Mr. T. Richard Puryear
Owners Group (NCEMC)
Duke Energy Corporation
4800 Concord Road
York, South Carolina 29745