UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

June 6, 1989

Docket Nos.: 50-369
and 50-370

Mr. H. B. Tucker, Vice President
Nuclear Production Department
Duke Power Company
422 South Church Street
Charlotte, North Carolina 28242

Dear Mr. Tucker:

SUBJECT: ISSUANCE OF AMENDMENT NO. 98 TO FACILITY OPERATING LICENSE NPF-9 AND AMENDMENT NO. 80 TO FACILITY OPERATING LICENSE NPF-17 - MCGUIRE NUCLEAR STATION, UNITS 1 AND 2 (TACS 64811/64812)

The Nuclear Regulatory Commission has issued the enclosed Amendment No.98 to Facility Operating License NPF-9 and Amendment No. 80 to Facility Operating License NPF-17 for the McGuire Nuclear Station, Units 1 and 2. These amendments are being issued in response to your application dated March 9, 1987, as revised March 20 and May 19 and 23, 1989.

The amendments relocate fire protection requirements from the operating licenses and the Technical Specifications to the Final Safety Analysis Report. The amendments are effective as of their date of issuance and shall be implemented within 30 days of issuance.

As acknowledged in your letter of May 19, 1989, no technical specification has been included in your application regarding the Safe Shutdown System (SSS). We recognize that Duke has administratively implemented a proposed SSS specification. The portion of Generic Letter 88-12 which regards SSS will be handled separately.

By these amendments, the NRC approves the McGuire Fire Protection Program. The approved Program is defined by the new license condition and is as approved through SER Supplement 6 dated February 1983, plus our subsequent safety evaluation transmitted under May 15, 1989 coverletter. The approved Program is to be incorporated into the FSAR by the next available annual update, which we understand will be the 1989 annual update. Subsequent changes to the Program which meet 10 CFR 50.59 criteria may be made without prior Commission approval.

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A copy of the related safety evaluation supporting Amendment No. 98 to Facility Operating License NPF-9 and Amendment No. 80 to Facility Operating License NPF-17 is enclosed.

Notice of issuance of amendments will be included in the Commission's next bi-weekly Federal Register notice.

Sincerely,

Darl Hood

Darl Hood, Project Manager
Project Directorate II-3
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

Enclosures:
1. Amendment No. 98 to NPF-9
2. Amendment No. 80 to NPF-17
3. Safety Evaluation

cc w/enclosures:
See next page

A copy of the related safety evaluation supporting Amendment No. 98 to Facility Operating License NPF-9 and Amendment No. 80 to Facility Operating License NPF-17 is enclosed.

Notice of issuance of amendments will be included in the Commission's next bi-weekly Federal Register notice.

Sincerely,

/S/

Darl Hood, Project Manager
Project Directorate II-3
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

Enclosures:
1. Amendment No. 98 to NPF-9
2. Amendment No. 80 to NPF-17
3. Safety Evaluation

cc w/enclosures:
See next page

OFFICIAL RECORD COPY

PDII-3	PDII-3	PDII-3
MRood	DHood:ls	for DMatthews
05/25/89	05/25/89	05/31/89

Mr. H. B. Tucker
Duke Power Company

McGuire Nuclear Station

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DATED: June 6, 1989

AMENDMENT NO. 98 TO FACILITY OPERATING LICENSE NPF-9 - McGuire Nuclear Station, Unit 1
AMENDMENT NO. 80 TO FACILITY OPERATING LICENSE NPF-17 - McGuire Nuclear Station, Unit 2

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J. Calvo	11-F-23
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D. Kubicki	8-H-7

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

DUKE POWER COMPANY

DOCKET NO. 50-369

McGUIRE NUCLEAR STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 98
License No. NPF-9

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment to the McGuire Nuclear Station, Unit 1 (the facility) Facility Operating License No. NPF-9 filed by the Duke Power Company (the licensee) dated March 9, 1987, as revised March 20 and May 19 and 23, 1989, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations as set forth in 10 CFR Chapter I;

   B. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;

   C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;

   D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and

   E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

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2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachments to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-9 is hereby amended to read as follows:

   (2) Technical Specifications

   The Technical Specifications contained in Appendix A, as revised through Amendment No. 98, are hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. Facility Operating License NPF-9 is further amended as follows:

   A. Change license condition 2.C.(4) to read as follows:

   (4) Fire Protection

   Duke Power Company shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report, as updated, for the facility through the 1989 annual FSAR update and as approved in the SER dated March 1978 and Supplements 2, 5 and 6 dated March 1979, April 1981, and February 1983, respectively, and the safety evaluation dated May 15, 1989, subject to the following provision: The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

4. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Lawrence P. Crocker

for David B. Matthews, Director
Project Directorate II-3
Division of Reactor Projects-I/II
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: June 6, 1989

2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachments to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-9 is hereby amended to read as follows:

   (2) Technical Specifications

   The Technical Specifications contained in Appendix A, as revised through Amendment No. 98 , are hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. Facility Operating License NPF-9 is further amended as follows:

   A. Change license condition 2.C.(4) to read as follows:

   (4) Fire Protection Program

   Duke Power Company shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report, as updated, for the facility through the 1989 annual FSAR update and as approved in the SER dated March 1978 and Supplements 2, 5 and 6 dated March 1979, April 1981, and February 1983, respectively, and the safety evaluation dated May 15, 1989, subject to the following provision: The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

4. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By:
David B. Matthews

David B. Matthews, Director
Project Directorate II-3
Division of Reactor Projects-I/II
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: June 6, 1989

*See previous concurrence

PDII-3	PDII-3	ECEB	OGC-WF	PDII-3
MRood *	DHood:ls *	CMCCracken *	NRomney*	DMatthews
05/25/89	05/25/89	05/25/89	05/30/89	05/ /89

2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachments to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-9 is hereby amended to read as follows:

   (2) Technical Specifications

   The Technical Specifications contained in Appendix A, as revised through Amendment No. , are hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. Facility Operating License NPF-9 is further amended as follows:

   A. Change license condition 2.C.(4) to read as follows:

      (4) Fire Protection

      Duke Power Company shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report, as updated, for the facility through the 1989 annual FSAR update and as approved in the SER dated March 1978 and Supplements 2, 5 and 6 dated March 1979, April 1981, and February 1983, respectively, and the safety evaluation dated May 15, 1989, subject to the following provision: The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

4. This license amendment is effective as of its date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

David B. Matthews, Director
Project Directorate II-3
Division of Reactor Projects-I/II
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance:

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MRood	DHood:ls	CMCCracken	NRomney	DMatthews
05/25/89	05/25/89	05/25/89	05/30/89	05/ /89

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

DUKE POWER COMPANY

DOCKET NO. 50-370

McGUIRE NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 80
License No. NPF-17

1. The Nuclear Regulatory Commission (the Commission) has found that:

   A. The application for amendment to the McGuire Nuclear Station, Unit 2 (the facility) Facility Operating License No. NPF-17 filed by the Duke Power Company (the licensee) dated March 9, 1987, as revised March 20 and May 19 and 23, 1989, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations as set forth in 10 CFR Chapter I;

   B. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;

   C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I;

   D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and

   E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachments to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-17 is hereby amended to read as follows:

   (2) Technical Specifications

   The Technical Specifications contained in Appendix A, as revised through Amendment No. 80, are hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. Facility Operating License NPF-17 is further amended as follows:

   A. Change license condition 2.C.(7) to read as follows:

   (7) Fire Protection

   Duke Power Company shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report, as updated, for the facility through the 1989 annual FSAR update and as approved in the SER dated March 1978 and Supplements 2, 5 and 6 dated March 1979, April 1981, and February 1983, respectively, and the safety evaluation dated May 15, 1989, subject to the following provision: The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

4. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Laurence P. Crocker

for David B. Matthews, Director
Project Directorate II-3
Division of Reactor Projects-I/II
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: June 6, 1989

2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachments to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-17 is hereby amended to read as follows:

   (2) Technical Specifications

   The Technical Specifications contained in Appendix A, as revised through Amendment No. 80 , are hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. Facility Operating License NPF-17 is further amended as follows:

   A. Change license condition 2.C.(7) to read as follows:

   (7) Fire Protection

   Duke Power Company shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report, as updated, for the facility through the 1989 annual FSAR update and as approved in the SER dated March 1978 and Supplements 2, 5 and 6 dated March 1979, April 1981, and February 1983, respectively, and the safety evaluation dated May 15, 1989, subject to the following provision: The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

4. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By:
David B. Matthews

David B. Matthews, Director
Project Directorate II-3
Division of Reactor Projects-I/II
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: June 6, 1989
*See previous concurrence

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MRood *	DHood:ls *	CMcCracken *	NRomney*	DMatthews *
05/25/89	05/25/89	05/25/89	05/30/89	05/31/89

2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachments to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-17 is hereby amended to read as follows:

   (2) Technical Specifications

   The Technical Specifications contained in Appendix A, as revised through Amendment No. , are hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. Facility Operating License NPF-17 is further amended as follows:

   A. Change license condition 2.C.(7) to read as follows:

      (7) Fire Protection

      Duke Power Company shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report, as updated, for the facility through the 1989 annual FSAR update and as approved in the SER dated March 1978 and Supplements 2, 5 and 6 dated March 1979, April 1981, and February 1983, respectively, and the safety evaluation dated May 15, 1989, subject to the following provision: The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

4. This license amendment is effective as of its date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

David B. Matthews, Director
Project Directorate II-3
Division of Reactor Projects-I/II
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance:

PDII-3	PDII-3	ECEB	OGC	PDII-3
MRood	DHood:ls	CMcCracken	NRomney	for DMatthews
05/25/89	05/25/89	05/25/89	05/30/89	05/31/89

ATTACHMENT TO LICENSE AMENDMENT NO. 98

FACILITY OPERATING LICENSE NO. NPF-9

DOCKET NO. 50-369

AND

TO LICENSE AMENDMENT NO. 80

FACILITY OPERATING LICENSE NO. NPF-17

DOCKET NO. 50-370

Replace the following pages of the Appendix "A" Technical Specifications with the enclosed pages. The revised pages are identified by Amendment number and contain vertical lines indicating the areas of change. The corresponding overleaf page is also provided to maintain document completeness.

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Pages 3/4 7-32 through 3/4 7-41 deleted.

6.1 RESPONSIBILITY

6.1.1 The Station Manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.

6.1.2 The Shift Supervisor (or during his absence from the control room, a designated individual) shall be responsible for the control room command function. A management directive to this effect, signed by the Vice-President Nuclear Production shall be reissued to all Nuclear Production Department station personnel on an annual basis.

6.2 ORGANIZATION

OFFSITE

6.2.1 The offsite organization for unit management and technical support shall be as described in the FSAR, Chapter 13.

UNIT STAFF

6.2.2 The unit organization shall be as shown in the FSAR, Chapter 13, and:

a. Each on-duty shift shall be composed of at least the minimum shift crew composition shown in Table 6.2-1;

b. At least one licensed Operator for each unit shall be in the control room when fuel is in either reactor. In addition, while either unit is in MODE 1, 2, 3, or 4, at least one licensed Senior Operator shall be in the control room;

c. A Health Physics Technician[#] shall be on site when fuel is in either reactor;

d. All CORE ALTERATIONS shall be observed and directly supervised by either a licensed Senior Operator or licensed Senior Operator Limited to Fuel Handling who has no other concurrent responsibilities during this operation; and

[#]The Health Physics Technician composition may be less than the minimum requirements for a period of time not to exceed 2 hours in order to accommodate unexpected absence, provided immediate action is taken to fill the required positions.

ACTIVITIES (Continued)

6.5.1.6 ALL REPORTABLE EVENTS and all violations of Technical Specifications shall be investigated and a report prepared which evaluates the occurrence and which provides recommendations to prevent recurrence. Such reports shall be approved by the Station Manager and transmitted to the Vice President, Nuclear Production, and to the Director of the Nuclear Safety Review Board.

6.5.1.7 The Station Manager shall assure the performance of special reviews and investigations, and the preparation and submittal of reports thereon, as requested by the Vice President, Nuclear Production.

6.5.1.8 The station security program, and implementing procedures, shall be reviewed at least once per 12 months. Recommended changes shall be approved by the Station Manager or Superintendent of Station Services and transmitted to the Vice President, Nuclear Production, and to the Director of the Nuclear Safety Review Board.

6.5.1.9 The station emergency plan, and implementing procedures, shall be reviewed at least once per 12 months. Recommended changes shall be approved by the Station Manager and transmitted to the Vice President, Nuclear Production, and to the Director of the Nuclear Safety Review Board.

6.5.1.10 The Station Manager shall assure the performance of a review by a qualified individual/organization of every unplanned onsite release of radioactive material to the environs including the preparation and forwarding of reports covering evaluation, recommendations, and disposition of the corrective ACTION to prevent recurrence to the Vice President, Nuclear Production and to the Nuclear Safety Review Board.

6.5.1.11 The Station Manager shall assure the performance of a review by a qualified individual/organization of changes to the PROCESS CONTROL PROGRAM, OFFSITE DOSE CALCULATION MANUAL, and Radwaste Treatment Systems.

6.5.1.12 The Station Manager shall ensure the performance of a review by a qualified individual/organization of the Fire Protection Program and implementing procedures and submittal of recommended changes to the Nuclear Safety Review Board.

6.5.1.13 Reports documenting each of the activities performed under Specifications 6.5.1.1 through 6.5.1.12 shall be maintained. Copies shall be provided to the Vice President, Nuclear Production, and the Nuclear Safety Review Board.

6.5.2 NUCLEAR SAFETY REVIEW BOARD (NSRB)

FUNCTION

6.5.2.1 The NSRB shall function to provide independent review and audit of designated activities in the areas of:

a. Nuclear power plant operations,

b. Nuclear engineering,

c. Chemistry and radiochemistry,

SAFETY LIMIT VIOLATION (Continued)

c. The Safety Limit Violation Report shall be submitted to the Commission, the NSRB and the Vice President, Nuclear Production, within 14 days of the violation; and

d. Critical operation of the unit shall not be resumed until authorized by the Commission.

6.8 PROCEDURES AND PROGRAMS

6.8.1 Written procedures shall be established, implemented, and maintained covering the activities referenced below:

a. The applicable procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978;

b. The applicable procedures required to implement the requirements of NUREG-0737;

c. Security Plan implementation;*

d. Emergency Plan implementation;

e. PROCESS CONTROL PROGRAM implementation;

f. OFFSITE DOSE CALCULATION MANUAL implementation; and

g. Quality Assurance Program for effluent and environmental monitoring.

h. Fire Protection Program implementation.

i. Commitments contained in FSAR Chapter 16.0

6.8.2 Each procedure of Specification 6.8.1 above, and changes thereto, shall be reviewed and approved by the Station Manager; or by: (1) the Operating Superintendent, (2) the Technical Services Superintendent, (3) the Maintenance Superintendent, or (4) the Superintendent of Integrated Scheduling as previously designated by the Station Manager; prior to implementation and shall be reviewed periodically as set forth in administrative procedures.

6.8.3 Temporary changes to procedures of Specification 6.8.1 above may be made provided:

a. The intent of the original procedure is not altered;

b. The change is approved by two members of the plant management staff, at least one of whom holds a Senior Operator license on the unit affected; and

*Review and approval may be performed by the Superintendent of Station Services.

3/4.3.3.7 DELETED

3/4.3.3.8 RADIOACTIVE LIQUID EFFLUENT MONITORING INSTRUMENTATION

The radioactive liquid effluent instrumentation is provided to monitor and control, as applicable, the releases of radioactive materials in liquid effluents during actual or potential releases of liquid effluents. The Alarm/Trip Setpoints for these instruments shall be calculated and adjusted in accordance with the methodology and parameters in the ODCM to ensure that the Alarm/Trip will occur prior to exceeding the limits of 10 CFR Part 20. The OPERABILITY and use of this instrumentation is consistent with the requirements of General Design Criteria 60, 63, and 64 of Appendix A to 10 CFR Part 50. The purpose of tank level indicating devices is to assure the detection and control of leaks that if not controlled could potentially result in the transport of radioactive materials to UNRESTRICTED AREAS.

3/4.3.3.9 RADIOACTIVE GASEOUS EFFLUENT MONITORING INSTRUMENTATION

The radioactive gaseous effluent instrumentation is provided to monitor and control, as applicable, the releases of radioactive materials in gaseous effluents during actual or potential releases of gaseous effluents. The Alarm/Trip Setpoints for these instruments shall be calculated and adjusted in accordance with the methodology and parameters in the ODCM to ensure that the Alarm/Trip will occur prior to exceeding the limits of 10 CFR Part 20. This instrumentation also includes provisions for monitoring (and controlling) the concentrations of potentially explosive gas mixtures in the WASTE GAS HOLDUP SYSTEM. The OPERABILITY and use of this instrumentation is consistent with the requirements of General Design Criteria 60, 63, and 64 of Appendix A to 10 CFR Part 50.

SNUBBERS (Continued)

The service life of a snubber is established via manufacturer input and information through consideration of the snubber service conditions and associated installation and maintenance records (newly installed snubber, seal replaced, spring replaced, in high radiation area, in high temperature area, etc. . .). The requirement to monitor the snubber service life is included to ensure that the snubbers periodically undergo a performance evaluation in view of their age and operating conditions. These records will provide statistical bases for future consideration of snubber service life. The requirements for the maintenance of records and the snubber service life review not intended to affect plant operation.

3/4.7.9 SEALED SOURCE CONTAMINATION

The limitations on removable contamination for sources requiring leak testing, including alpha emitters, is based on 10 CFR 70.39(c) limits for plutonium. This limitation will ensure that leakage from Byproduct, Source, and Special Nuclear Material sources will not exceed allowable intake values.

Sealed sources are classified into three groups according to their use, with Surveillance Requirements commensurate with the probability of damage to a source in that group. Those sources which are frequently handled are required to be tested more often than those which are not. Sealed sources which are continuously enclosed within a shielded mechanism (i.e., sealed sources within radiation monitoring or boron measuring devices) are considered to be stored and need not be tested unless they are removed from the shielded mechanism.

3/4.7.10 Deleted

3/4.7.11 Deleted

3/4.7.12 AREA TEMPERATURE MONITORING

The area temperature limitations ensure that safety-related equipment will not be subjected to temperatures in excess of their environmental qualification temperatures. Exposure to excessive temperatures may degrade equipment and can cause a loss of its OPERABILITY. The temperature limits include an allowance for instrument error of 3.9°F.

3/4.7.13 GROUNDWATER LEVEL

This Technical Specification is provided to ensure that groundwater levels will be monitored and prevented from rising to the potential failure limit for the McGuire Units 1 and 2 Auxiliary Buildings. This potential failure limit is based on engineering calculations that have determined that the Auxiliary Buildings are susceptible to overturning due to buoyancy at elevation 737 feet Mean Sea Level (MSL). Under the requirements of this Technical Specification, if groundwater level exceeds elevation 731 feet MSL, (3 out of 5 Tech Spec

GROUNDWATER LEVEL (Continued)

groundwater monitor alarms), and cannot be reduced in one (1) hour, McGuire must begin reducing Units 1 and 2 to Mode 5, Cold Shutdown.

Analysis performed by Design Engineering determined that the Reactor and Diesel Generator Buildings are designed to withstand hydrostatic loadings due to groundwater levels up to elevation 760 feet MSL; therefore, no Technical Specification requirements are specified for these structures.

Elevation 731 feet MSL is the Technical Specification action level of the five Technical Specification groundwater monitors listed in Table 3.7-7. The East Wall exterior monitor alarm at elevation 731 feet MSL is the Alert alarm due to the groundwater well being bored to a depth of 730 feet MSL because of underground rock formation below the well. The other four (4) monitors are Hi-Hi alarms at elevation 731 feet (MSL).

The East Wall exterior monitor was originally on the exterior of the Unit 2 Auxiliary Building and subsequently was enclosed by the construction of the Equipment Staging Building.

As required by Operations procedures, any alarms on non-Technical Specification groundwater monitors will also be investigated. Additionally, if three (3) out of the five (5) Technical Specification groundwater monitors alarm at levels below the Technical Specification action levels, Operations will contact Duke Design Engineering (Civil) for investigation and resolution of the increased groundwater level.

If one or more of the 5 Technical Specification groundwater monitors is determined to be inoperable, the monitor(s) will be considered to be indicating above the 731'-0" level until repaired and returned to an operable status.

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 98 TO FACILITY OPERATING LICENSE NPF-9

AND AMENDMENT NO. 80 TO FACILITY OPERATING LICENSE NPF-17

DUKE POWER COMPANY

DOCKET NOS. 50-369 AND 50-370

MCGUIRE NUCLEAR STATION, UNITS 1 AND 2

1.0 INTRODUCTION

By letter dated March 9, 1987, Duke Power Company (the licensee) proposed that the existing license conditions on fire protection be replaced with the standard condition noted in Generic Letter 86-10 and also proposed changes to the Appendix A Technical Specifications (TS) for McGuire Nuclear Station, Units 1 and 2. The proposed changes would remove requirements for fire detection systems, fire suppression systems, fire barriers, and fire brigade staffing requirements as recommended by Generic Letter 86-10. The proposed changes would also modify the administrative control requirements of the TS to add requirements for the Fire Protection Program that are similar to requirements for other programs implemented by license condition. Guidance on these proposed changes to TS was provided to all power reactor licensees and applicants by Generic Letter 88-12, dated August 2, 1988. Supplemental information addressing GL 88-12 and in further support of the request, was provided by the licensee on March 20 and May 19 and 23, 1989.

Specifically, the requested changes would revise Unit 1 License Condition 2.C.(4) and corresponding Unit 2 License Condition 2.C.(7) "Fire Protection Program" to substitute a standard condition that states:

> Duke Power Company shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report, as updated, for the facility through the 1989 annual FSAR update and as approved in the SER dated March 1978 and Supplements 2, 5 and 6 dated March 1979, April 1981, and February 1983, respectively, and the safety evaluation dated May 15, 1989, subject to the following provision: The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

The proposed amendments would delete TS 3/4 3.3.7, referenced TS Table 3.3-11 and corresponding Bases, each titled "Fire Protection Instrumentation;" TS 3/4.7.10 "Fire Suppression Systems" including all subsections, referenced TS Table 3.7-5 "Fire Hose Stations," and associated Bases; TS 3/4.7.11 "Fire

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Barrier Penetrations" and its corresponding Bases; and TS 6.2.2.e which addresses staffing requirements for the site Fire Brigade. Additionally, reference to the "Fire Brigade" composition within the footnote referenced by TS 6.2.2.e would be removed. The TS Index would be revised to reflect these deletions.

The proposed amendments would supplement the administrative controls requirements of TS 6.5.1 "Review and Audit-Technical Review and Control Activities" to require that the Station Manager ensure the performance of a review by a qualified individual/organization of the Fire Protection Program and implementing procedures and submittal of recommended changes to the Nuclear Safety Review Board. The amendments would also supplement TS 6.8.1 "Procedures and Programs" to add the following to the existing activities requiring written procedures: "h. Fire Protection Program implementation" and "i. Commitments contained in FSAR Chapter 16.0."

2.0 BACKGROUND

Following the fire at the Browns Ferry Nuclear Power Plant on March 22, 1975, the Commission undertook a number of actions to ensure that improvements were implemented in the Fire Protection Programs for all power reactor facilities. Because of the extensive modification of Fire Protection Programs and the number of open issues resulting from staff evaluations, a number of revisions and alterations occurred in these programs over the years. Consequently, on April 24, 1986, licensees were requested by Generic Letter 86-10 to incorporate the final NRC-approved Fire Protection Program in their Final Safety Analysis Reports (FSARs). In this manner, the Fire Protection Program -- including the systems, the administrative and technical controls, the organization, and other plant features associated with fire protection -- would have a status consistent with that of other plant features described in the FSAR. In addition, the Commission concluded that a standard license condition, requiring compliance with the provisions of the Fire Protection Program as described in the FSAR, should be used to ensure uniform enforcement of fire protection requirements. Finally, the Commission stated that with the requested actions, licensees may request an amendment to delete the fire protection TS that would now be unnecessary.

The licensees for the Callaway and Wolf Creek plants submitted lead-plant proposals to remove fire protection requirements from their TS. This action was an industry effort to obtain NRC guidance on an acceptable format for license amendment requests to remove fire protection requirements from TS.

Additionally, in the licensing review of new plants, the staff has approved applicant requests to remove fire protection requirements from TS issued with the operating license. Thus, on the basis of the lead-plant proposals and the staff's experience with TS for new licenses, Generic Letter 88-12 was issued to provide guidance on removing fire protection requirements from TS. By letters dated March 20 and May 19 and 23, 1989, the licensee responded to Generic Letter 88-12. The original amendment request was deemed to be in accordance with the generic letter. However, the proposed license condition was changed to be more in accordance with the standard license condition. Additionally, revised FSAR pages were included in the May 19, 1989 letters to incorporate, by reference, the approved fire protection program as well as the operational conditions, remedial actions and test requirements for fire protection systems and the fire brigade staffing requirements that had formerly been included in the plant technical specifications.

2.0 EVALUATION

Generic Letter 86-10 recommended the removal of fire protection requirements from the TS. Although a comprehensive Fire Protection Program is essential to plant safety, the basis for this recommendation is that many details of this program that are currently addressed in TS can be modified without affecting nuclear safety. Such modifications can be made provided that there are suitable administrative controls over these changes. These details, that are presently included in TS and which are removed by these amendments, do not constitute performance requirements necessary to ensure safe operation of the facility and, therefore, do not warrant being included in TS. At the same time, suitable administrative controls ensure that there will be careful review and analysis by competent individuals of any changes in the Fire Protection Program including those technical and administrative requirements removed from the TS to ensure that nuclear safety is not adversely affected. These controls include: (1) the TS administrative controls that are applicable to the Fire Protection Program; (2) the license condition on implementation of, and subsequent changes to the Fire Protection Program; and (3) the 10 CFR 50.59 criteria for evaluating changes to the Fire Protection Program as described in the FSAR.

The specific details relating to fire protection requirements removed from TS by these amendments include those specifications for fire detection systems, fire suppression systems, fire barriers, and fire brigade staffing requirements. The administrative control requirements have been modified to include Fire Protection Program implementation as an element for which written procedures must be established, implemented, and maintained. These TS changes proposed by the licensee are in accordance with the guidance provided by Generic Letter 88-12.

Generic Letters 86-10 and 88-12 also include administrative control requirements to ensure that periodic audits are performed regarding fire protection programmatic controls and program implementation. In this respect, the staff notes that existing McGuire TS 6.5.2.9 already contains the following provisions and no change is needed by these amendments:

> "Audits of unit activities shall be performed under the cognizance of of the NSRB [Nuclear Safety Review Board]. These audits shall encompass: ...
>
> g. The Facility Fire Protection programmatic controls including the implementing procedures at least once per 24 months by qualified licensee QA personnel;
>
> h. The fire protection equipment and program implementation at least once per 12 months utilizing either a qualified offsite licensee fire protection engineer or an outside independent fire protection consultant. An outside independent fire protection consultant shall be used at least every third year;"

As required by Generic Letter 86-10, the licensee confirmed that the NRC-approved Fire Protection Program will be incorporated into Section 9.5.1 of the FSAR. Also, the licensee has proposed that the existing license condition on the Fire Protection Program be replaced with the standard condition noted in Generic Letter 86-10.

The licensee confirmed that the operational conditions, remedial actions, and test requirements associated with the removed fire protection TS have been included in the Fire Protection Program which will be incorporated into the FSAR. This is in accordance with the guidance of Generic Letter 88-12.

We find that the incorporation of the Fire Protection Program, and the former TS requirements by reference to the procedures implementing these requirements, into the FSAR and the use of the standard license condition on fire protection establishes the Fire Protection Program, including the systems, the administrative and technical controls, the organization, and the other plant features associated with fire protection on a consistent status with other plant features described in the FSAR. Also, the provisions of 10 CFR 50.59 apply directly for subsequent changes the licensee desires to make in the Fire Protection Program. In this context, the determination of the involvement of an unreviewed safety question defined in 10 CFR 50.59(a)(2) will be made based on the "accident... previously evaluated" being the postulated fire in the fire hazards analysis for the fire area affected by the change. Hence, the proposed license condition establishes an adequate basis for defining the scope of changes to the Fire Protection Program which can be made without prior Commission approval, i.e., without introduction of an unreviewed safety question.

On the basis of its review of the above items, the staff concludes that the licensee has met the guidance of Generic Letters 86-10 and 88-12. Accordingly, the staff finds the proposed changes have no adverse impact on safety and are, therefore, acceptable.

3.0 ENVIRONMENTAL CONSIDERATION

These amendments involve changes to the use of facility components located within the restricted area as defined in 10 CFR Part 20. The staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational exposure. The staff has determined that the amendments involve no significant hazards consideration, and there has been no public comment on such finding. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of these amendments.

4.0 CONCLUSION

The Commission made a proposed determination that the amendments involve no significant hazards consideration which was published in the Federal Register (54 FR 19266) on May 4, 1989. The licensee's subsequent submittals of May 19 and 23, 1989 provided supplemental information or minor changes requested by the staff to improve consistency with Generic Letter 88-12 and did not change the intent of this initial request and does not alter our finding of no significant hazards consideration. The Commission consulted with the state of North Carolina. No public comments were received, and the state of North Carolina did not have any comments.

On the basis of the considerations discussed above, the staff concludes that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of these amendments will not be inimical to the common defense and security or to the health and safety of the public.

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Dated: June 6, 1989