

September 24, 1999

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

SUBJECT: MCGUIRE NUCLEAR STATION, UNITS 1 AND 2 RE: ENVIRONMENTAL  
ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT RELATED TO  
ISSUANCE OF EXEMPTIONS TO THE OPERATING LICENSES  
(TAC NOS. MA5411 AND MA5412)

Dear Mr. Barron:

Enclosed is a copy of an "Environmental Assessment and Finding of No Significant Impact" related to your request for exemption dated June 22, 1999. The exemption would exempt McGuire Nuclear Station, Unit 2, from the requirement of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 54.17(c) which specifies that a licensee may apply for a renewed operating license no earlier than 20 years before the expiration of the operating license currently in effect. This assessment has been forwarded to the Office of the *Federal Register* for publication.

Sincerely,

Original signed by P. Tam for  
Frank Rinaldi, Project Manager, Section 1  
Project Directorate II  
Division of Licensing and Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-369 and 50-370

Enclosure: Environmental Assessment

cc w/encl: See next page

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 24, 1999

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

SUBJECT: MCGUIRE NUCLEAR STATION, UNITS 1 AND 2 RE: ENVIRONMENTAL  
ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT RELATED TO  
ISSUANCE OF EXEMPTION TO THE OPERATING LICENSES  
(TAC NO. MA5914)

Dear Mr. Barron:

Enclosed is a copy of an "Environmental Assessment and Finding of No Significant Impact" related to your request for exemption dated June 22, 1999. The exemption would exempt McGuire Nuclear Station, Unit 2, from the requirement of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 54.17(c) which specifies that a licensee may apply for a renewed operating license no earlier than 20 years before the expiration of the operating license currently in effect. This assessment has been forwarded to the Office of the *Federal Register* for publication.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank Rinaldi", is written over a horizontal line.

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

Docket Nos. 50-369 and 50-370

Enclosure: Environmental Assessment

cc w/encl: See next page

Mr. H. B. Barron

McGuire Nuclear Station

cc:

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UNITED STATES NUCLEAR REGULATORY COMMISSIONDUKE ENERGY CORPORATIONDOCKET NOS. 50-369 AND 50-370MCGUIRE NUCLEAR STATION, UNITS 1 AND 2ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption to 10 CFR Section 54.17(c), for Facility Operating License No. NPF-9, issued to Duke Energy Corporation (the licensee), for operation of McGuire Nuclear Station, Unit 2, located in Mecklenburg County, North Carolina.

ENVIRONMENTAL ASSESSMENTIdentification of Proposed Action:

The proposed action would exempt the licensee from certain requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 54.17(c), which specifies that a licensee may not apply for a renewed operating license earlier than 20 years before the expiration of the operating license currently in effect. McGuire Nuclear Station, Unit 2, will not have met this schedular requirement by June 13, 2001 (the earliest date the licensee may apply concurrently for renewed licenses for the Catawba and McGuire units, see below) . The proposed action is in response to the licensee's application dated June 22, 1999.

The Need for the Proposed Action:

The licensee requested an exemption from the requirements of 10 CFR 54.17(c), which requires that an application for a renewed license may not be submitted to the U. S. Nuclear Regulatory Commission (NRC) earlier than 20 years before the expiration of the operating license currently in effect. The current operating license for McGuire, Unit 1, expires on

June 12, 2021, and for McGuire, Unit 2, on March 3, 2023. The current operating license for Catawba, Unit 1, expires on December 6, 2024, and for Catawba, Unit 2, on February 24, 2026. If the licensee submits the renewal applications on the earliest possible date, June 13, 2001, when McGuire, Unit 1, meets the 20-year limit contained in Section 54.17(c), McGuire, Unit 2, will have approximately 18.3 years of operating experience and Catawba, Units 1 and 2, approximately 16.5 years and 15.3 years operating experience, respectively.

In its request, the licensee stated that business considerations dictate preparation and submission of concurrent license renewal applications for McGuire and Catawba. Further, the licensee stated that submission of such renewal applications in 2001, as opposed to some time thereafter, is necessary to obtain the full amount of the potential cost savings. To support preparation of the July 1998 Oconee Nuclear Station renewal applications, the licensee assembled a team of individuals with relevant experience in necessary disciplines to prepare the applications and to remain dedicated to the renewal effort throughout the period of NRC staff review. According to the licensee, granting the exemption request would allow it to use this same team of qualified and experienced professionals to prepare its McGuire and Catawba renewal applications. Thus, the licensee states that it can avoid redeployment costs that would arise if it were unable to proceed promptly with preparation of additional renewal applications.

The licensee's submittal of June 22, 1999, addressed both sites and all four units, but specifically sought schedular exemptions for Catawba, Units 1 and 2, and McGuire, Unit 2. This Environmental Assessment only addresses the licensee's request for schedular exemption for McGuire, Unit 2.

#### Environmental Impacts of the Proposed Action:

The staff has completed its evaluation of the environmental impacts of the proposed exemption. The exemption, if granted, will permit the licensee to apply for renewal of the

existing McGuire, Unit 2 operating license sooner than would be allowed under the schedule specified by 10 CFR 54.17(c). Should the licensee apply to renew the licenses for the McGuire units, the environmental impacts of operating them under renewed licenses would then be evaluated by the licensee and the staff. In short, granting of the exemption will not necessitate, or lead to, changes to the as-built plant design or existing procedures at the two McGuire units.

The staff evaluated potential radiological environmental impacts associated with granting the requested exemption. Since no plant design change or procedure change will be made, no new accident causal mechanisms would be introduced. For the same reason, the proposed exemption will not increase the probability or consequences of accidents previously evaluated by the staff (McGuire Safety Evaluation Report, NUREG-0422 dated March 1978 and supplements), will not change the types of effluents that may be released offsite, and will not increase the allowable individual or public radiation exposure (McGuire Final Environmental Impact Statement, NUREG-0063 dated April 1976). Therefore, there are no significant radiological environmental impacts associated with the proposed action.

The staff also evaluated potential nonradiological impacts. On the basis that the proposed exemption involves no plant design change or procedure change, the staff finds that the proposed exemption does not affect any historic sites, does not increase or decrease nonradiological plant effluents, and has no other environmental impact from those previously evaluated by the staff (McGuire Final Environmental Impact Statement, NUREG-0063). Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the staff concludes that there are no significant environmental impacts associated with the proposed action.

Alternatives to the Proposed Action:

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no action" alternative). Denial of the application would result in no change in current environmental impacts. Thus, the environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources:

This action does not involve the use of any resources not previously considered in the Final Environmental Impact Statement related to the McGuire Nuclear Station (NUREG-0063).

Agencies and Persons Contacted:

In accordance with its stated policy, on September 22, 1999, the staff consulted with the North Carolina State official, Mr. Johnny James, of the Bureau of Land and Waste Management, Department of Health and Environmental Control, regarding the environmental impact of the proposed action. Mr. James had no comments.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the environmental assessment, the staff concludes that the proposed exemption will not have a significant effect on the quality of the human environment.

Accordingly, the staff has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's request for the exemptions dated June 22, 1999, which is available for public inspection 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 J. Murrey Atkins Library, University of North Carolina at Charlotte, 9201 University City Boulevard, Charlotte, North Carolina.

Dated at Rockville, Maryland, this 24th day of September 1999.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "Frank Rinaldi", followed by a horizontal line.

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