

August 26, 1997

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

Distribution

Docket File
PUBLIC
PDII-2 Reading
BBoger
OGC O-15 B18
JJohnson,DRP/RII

SShaeffer (A),RII
G.Hill(4) T-5 C3
TSB, O-11 F23
ACRS T-2 E26
TLH3 (e-mail SE only)

SUBJECT: ISSUANCE OF AMENDMENTS - McGUIRE NUCLEAR STATION, UNITS 1 AND 2 (TAC NOS. M98960 AND M98961)

Dear Mr. Barron:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 176to Facility Operating License NPF-9 and Amendment No. 158to Facility Operating License NPF-17 for the McGuire Nuclear Station, Units 1 and 2. The amendments are in response to your application dated June 12, 1997.

The amendments change the name "Duke Power Company" to "Duke Energy Corporation" in the McGuire operating licenses and appendices as a result of Duke Power Company's recent name change.

A copy of the related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

ORIGINAL SIGNED BY P. TAM FOR:

Victor Nerses, Senior Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-369 and 50-370

- Enclosures: 1. Amendment No. 176to NPF-9
- 2. Amendment No. 158to NPF-17
- 3. Safety Evaluation

NRC FILE CENTER COPY

cc w/encl: See next page

DOCUMENT NAME: G:\MCGUIRE\98960.AMD

| | | | | |
|--------|---------------------|--------------------|------------------|---------------------|
| OFFICE | PDII-2/PM | PDII-2/LA | OGC | PDII-2/D |
| NAME | V.NERSES <i>PST</i> | L.BERRY <i>LB</i> | SHOM <i>Shom</i> | H.BERKOW <i>PST</i> |
| DATE | 8/8 197 <i>for</i> | 8/7 197 <i>for</i> | 8/11 197 | 8/26 197 <i>for</i> |
| COPY | YES NO <i>for</i> | YES NO <i>for</i> | YES NO | YES NO <i>for</i> |

OFFICIAL RECORD COPY

9709020211 970826
PDR ADOCK 05000369
P PDR





UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 26, 1997

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

SUBJECT: ISSUANCE OF AMENDMENTS - McGUIRE NUCLEAR STATION, UNITS 1
AND 2 (TAC NOS. M98960 AND M98961)

Dear Mr. Barron:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 176 to Facility Operating License NPF-9 and Amendment No. 158 to Facility Operating License NPF-17 for the McGuire Nuclear Station, Units 1 and 2. The amendments are in response to your application dated June 12, 1997.

The amendments change the name "Duke Power Company" to "Duke Energy Corporation" in the McGuire operating licenses and appendices as a result of Duke Power Company's recent name change.

A copy of the related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

A handwritten signature in cursive script that reads "Victor Nerses for".

Victor Nerses, Senior Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-369 and 50-370

Enclosures: 1. Amendment No. 176 to NPF-9
2. Amendment No. 158 to NPF-17
3. Safety Evaluation

cc w/encl: See next page

McGuire Nuclear Station

cc:

Mr. Paul R. Newton
Legal Department (PBO5E)
Duke Power Company
422 South Church Street
Charlotte, North Carolina 28242

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

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

J. Michael McGarry, III, 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

Mr. Peter R. Harden, IV
Account Sales Manager
Westinghouse Electric Corporation
Power Systems Field Sales
P. O. Box 7288
Charlotte, North Carolina 28241

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

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

Mr. G. A. Copp
Licensing - EC050
Duke Power Company
526 South Church Street
Charlotte, North Carolina 28242

Regional Administrator, Region II
U.S. Nuclear Regulatory Commission
Atlanta Federal Center
61 Forsyth Street, S.W., Suite 23T85
Atlanta, Georgia 30303

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 Power Company
4800 Concord Road
York, South Carolina 29745



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

DUKE POWER COMPANY

DOCKET NO. 50-369

McGUIRE NUCLEAR STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 176
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 (licensee) dated June 12, 1997, 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, 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 Facility Operating License No. NPF-9 as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Herbert N. Berkow, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment: Changes to the License

Date of Issuance: August 26, 1997

ATTACHMENT TO LICENSE AMENDMENT NO. 176

FACILITY OPERATING LICENSE NO. NPF-9

DOCKET NO. 50-369

The revised pages are identified by Amendment number and contain vertical lines indicating the areas of change.

Replace Pages 1 thru 4 and 12a of Facility Operating License No. NPF-9 with the attached new pages.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

DUKE ENERGY CORPORATION
DOCKET NO. 50-369
MCGUIRE NUCLEAR STATION, UNIT 1
FACILITY OPERATING LICENSE

LICENSE NO. NPF-9

1. The Nuclear Regulatory Commission (the Commission or the NRC) having found that:
 - A. The application for license filed by the Duke Energy Corporation (the licensee) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the McGuire Nuclear Station, Unit 1 (the facility) has been substantially completed in conformity with Construction Permit No. CPPR-83 and the application, as amended, the provisions of the Act and the regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the regulations of the Commission;
 - D. There is reasonable assurance: (i) that the activities authorized by this operating license 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;
 - E. The licensee is technically and financially qualified to engage in the activities authorized by this license in accordance with the Commission's regulations set forth in 10 CFR Chapter I;
 - F. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements", of the Commission's regulations;
 - G. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;

- H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of this Facility Operating License No. NPF-9 (subject to the conditions for protection of the environment set forth in the Environmental Protection Plan attached as Appendix B) is in accordance with 10 CFR Part 51, of the Commission's regulations and all applicable requirements have been satisfied;
 - I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40 and 70.
2. Pursuant to approval by the Nuclear Regulatory Commission at a meeting on June 9, 1981, the License for Fuel-Loading and Zero Power Testing issued on January 23, 1981, as amended, is superseded by Facility Operating License No. NPF-9 which is hereby issued to the Duke Energy Corporation (the licensee) to read as follows:
- A. This license applies to the McGuire Nuclear Station, Unit 1, a pressurized water reactor and associated equipment (the facility) owned by the Duke Energy Corporation (licensee). The facility is located on the licensee's site in Mecklenburg County, North Carolina on the shore of Lake Norman approximately 17 miles northwest of Charlotte, North Carolina and is described in Duke Energy Corporation's "Final Safety Analysis Report," as supplemented and amended, and in its Environmental Report, as supplemented and amended.
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Duke Energy Corporation:
 - (1) Pursuant to Section 103 of the Act and 10 CFR Part 50, possess, use, and operate the facility at the designated location in Mecklenburg County, North Carolina, in accordance with the limitations set forth in the license;
 - (2) Pursuant to the Act and 10 CFR Part 70 to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;

- (3) Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess and use at any time any byproduct, source and special nuclear material a sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
- (5) Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of McGuire Nuclear Station, Units 1 and 2.
- (6) Pursuant to the Act and 10 CFR Parts 30 and 40, to receive, possess and process for release or transfer such byproduct material as may be produced by the Duke Energy Corporation Training and Technology Center.

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at reactor core power levels not in excess of 3411 megawatts thermal (100% power).

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 176, are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Technical Specifications.

(3) Initial Test Program

The licensee shall conduct the initial test program (set forth in Section 14 of the licensee's Final Safety Analysis Report, as amended) without making any modifications to this program unless such modifications are in accordance with the provisions of 10 CFR Section 50.59. In addition, the licensee shall not make any major modifications to this program unless modifications have been identified and have received prior NRC approval. Major modifications are defined as:

- a. Elimination of any test identified as essential in Section 14 of the Final Safety Analysis Report, as amended;
- b. Modification of test objectives, methods or acceptance criteria for any test identified as essential in Section 14 of the Final Safety Analysis Report, as amended;
- c. Performance of any test at a power level different from that described in the program, as limited by this license authorization; and
- d. Failure to complete any tests included in the described program (planned or scheduled) for power levels up to the authorized power level.

(4) Fire Protection Program

Duke Energy Corporation 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.

- a. Duke shall implement a Standby Shutdown Facility System to assure shutdown capability during certain postulated fire events as indicated in Duke's letter, dated January 31, 1979. All required changes shall be completed three months after

- 2.E. Duke Energy Corporation shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain safeguards information protected under 10 CFR 73.21, are entitled: "McGuire Nuclear Station Physical Security Plan," with revisions submitted through September 25, 1987; "McGuire Nuclear Station Training and Qualification Plan," with revisions submitted through July 3, 1986; and "McGuire Nuclear Station Safeguards Contingency Plan," with revisions submitted through March 21, 1986. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

DUKE POWER COMPANY

DOCKET NO. 50-370

McGUIRE NUCLEAR STATION, UNIT 2

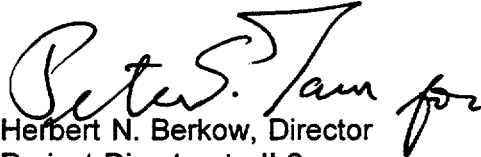
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 158
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 (licensee) dated June 12, 1997, 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, 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 Facility Operating License No. NPF-17 as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Herbert N. Berkow, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment: Changes to the License

Date of Issuance: August 26, 1997

ATTACHMENT TO LICENSE AMENDMENT NO. 158

FACILITY OPERATING LICENSE NO. NPF-17

DOCKET NO. 50-370

The revised pages are identified by Amendment number and contain vertical lines indicating the areas of change.

Replace Pages 1 thru 4 and 7b of Facility Operating License No. NPF-17 with the attached new pages.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

DUKE ENERGY CORPORATION

DOCKET NO. 50-370

MCGUIRE NUCLEAR STATION, UNIT 2

FACILITY OPERATING LICENSE

LICENSE NO. NPF-17

1. The Nuclear Regulatory Commission (the Commission or the NRC) has found that:
 - A. The application for license filed by the Duke Energy Corporation (the licensee) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the McGuire Nuclear Station, Unit 2 (the facility) has been substantially completed in conformity with Construction Permit No. CPPR-84 and the application, as amended, the provisions of the Act and the regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the regulations of the Commission (except as exempted from compliance in Section 2.D. below);
 - D. There is reasonable assurance: (i) that the activities authorized by this operating license 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 (except as exempted from compliance in Section 2.D. below);
 - E. The licensee is technically qualified to engage in the activities authorized by this license in accordance with the Commission's regulations set forth in 10 CFR Chapter I;
 - F. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements", of the Commission's regulations;
 - G. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;

- H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of this Facility Operating License No. NPF-17, subject to the conditions for protection of the environment set forth in the Environmental Protection Plan attached as Appendix B, is in accordance with 10 CFR Part 51, of the Commission's regulations and all applicable requirements have been satisfied;
 - I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40 and 70.
2. Based on the foregoing findings and the Initial Decisions issued by the Atomic Safety and Licensing Board dated April 18, 1979, and May 26, 1981, and the Decision of the Atomic Safety and Licensing Appeal Board dated March 30, 1982, regarding this facility, Facility Operating License No. NPF-17 is hereby issued to the Duke Energy Corporation (the licensee) to read as follows:
- A. This license applies to the McGuire Nuclear Station, Unit 2, a pressurized water reactor and associated equipment (the facility) owned by the Duke Energy Corporation (licensee). The facility is located on the licensee's site in Mecklenburg County, North Carolina, on the shore of Lake Norman approximately 17 miles northwest of Charlotte, North Carolina, and is described in Duke Energy Corporation's "Final Safety Analysis Report," as supplemented and amended through Revision No. 45, and in its Environmental Report, as supplemented and amended through Revision No. 6;
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Duke Energy Corporation:
 - (1) Pursuant to Section 103 of the Act and 10 CFR Part 50, to possess, use, and operate the facility at the designated location in Mecklenburg County, North Carolina, in accordance with the procedures and limitations set forth in this license;
 - (2) Pursuant to the Act and 10 CFR Part 70 to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended through Revision No. 45;
 - (3) Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;

- (4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;
- (5) Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of McGuire Nuclear Station, Units 1 and 2; and
- (6) Pursuant to the Act and 10 CFR Part 30 and 40, to receive, possess and process for release or transfer such byproduct material as may be produced by the Duke Energy Corporation Training and Technology Center.

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at reactor core power levels not in excess of 3411 megawatts thermal (100% power) in accordance with the conditions specified herein and in Attachment 1 to this license. The preoperational tests, startup tests and other items identified in Attachment 1 to this license shall be completed as specified. Attachment 1 is hereby incorporated into this license.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 158, are hereby incorporated into license. The licensee shall operate the facility in accordance with the Technical Specifications.

(3) Antitrust Conditions

The licensee shall comply with the antitrust conditions delineated in Appendix C to this license;

(4) Thermal Sleeves (Section 3.9.2 of SSER #6)*

By December 31, 1983, the licensee shall provide, for NRC staff review and approval, justification for continued operation with the seven thermal sleeves removed from selected locations in the reactor coolant system;

(5) Model D-3 Steam Generator (Section 5.3.1 of SSER #6)

Prior to operation in excess of 2,000 hours at power levels in excess of 5% power or operation at power levels in excess of 50% power, the licensee shall provide appropriate steam generator hardware modifications and implement appropriate surveillance measures with respect to the steam generator modification;

(6) Environmental Qualification (Section 7.8 of SER, SSER #4, #5, #6, #7)

The licensee shall environmentally qualify all electrical equipment within the scope of 10 CFR 50.49 in accordance with the implementation requirements of 10 CFR 50.49 (g).

(7) Fire Protection

Duke Energy Corporation 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.

(b) The license shall perform required modifications to the oil collection system and fire suppression system for the Reactor Coolant Pump (RCP) motor no later than March 1, 1984.

(c) Prior to exceeding 5% power, the licensee shall submit a schedule for installation of system instrumentation provisions for source range neutron flux and reactor coolant system temperature (T_{cold}) monitors as an integral part of the Standby Shutdown System;

* The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

- D. The facility requires an exemption from certain requirements of Appendix G to 10 CFR Part 50. This exemption is described in the Office of Nuclear Reactor Regulation's Safety Evaluation Report, Supplement No. 2 and in Supplement No. 4 (Section 5.2.3). This exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. The exemption is, therefore, hereby granted pursuant to 10 CFR 50.12. With the granting of this exemption, the facility will operate, to the extent authorized therein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
- E. Duke Energy Corporation shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain safeguards information protected under 10 CFR 73.21, are entitled: "McGuire Nuclear Station Physical Security Plan," with revisions submitted through September 25, 1987; "McGuire Nuclear Station Training and Qualification Plan," with revisions submitted through July 3, 1986; and "McGuire Nuclear Station Safeguards Contingency Plan," with revisions submitted through March 21, 1986. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.
- F. The licensee shall report any violations of the requirements contained in Section 2 Items C.(1), C.(4) through C.(11), and E of this license within 24 hours by telephone and confirm by telegram, mailgram, or facsimile transmission to the NRC Regional Administrator, Reg. II, or his designate, no later than the first working day following the violation, with a written followup report within 14 days;



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO.176 TO FACILITY OPERATING LICENSE NPF-9

AND AMENDMENT NO.158 TO FACILITY OPERATING LICENSE NPF-17

DUKE POWER COMPANY

MCGUIRE NUCLEAR STATION, UNITS 1 AND 2

DOCKET NOS. 50-369 AND 50-370

1.0 INTRODUCTION

By letter dated June 12, 1997, Duke Power Company (DPC or the licensee), submitted a request to amend the operating licenses for the Catawba, McGuire, and Oconee nuclear stations to reflect the licensee's name change from "Duke Power Company" to "Duke Energy Corporation."

2.0 DISCUSSION AND EVALUATION

The licensee has recently undergone significant growth through a consolidation with PanEnergy Corporation, a natural gas company. In a June 5, 1997, letter and accompanying safety evaluation, the staff separately analyzed this consolidation, and found that it did not raise any regulatory concerns or require NRC approval under 10 CFR 50.80. The licensee now seeks approval of amendments to the licenses to reflect the licensee's decision to change its name to Duke Energy Corporation. The proposed amendments do not involve any substantive changes in the licenses or alter any responsibilities or obligations of the licensee, and, thus, are administrative in nature.

The staff reviewed the McGuire Units 1 and 2 operating licenses and determined that the name change needs to be effected as follows:

- The Facility Operating Licenses - All references to "Duke Power Company" will be changed to "Duke Energy Corporation."
- Appendix A, Technical Specifications - The only references to "Duke Power Company" are made in the context of documents issued by the licensee as "Duke Power Company" (multiple examples in Section 6.9.1.9). None of these will be changed unless the referenced documents are revised by the licensee in the future.

Given that the changes delineated above are purely administrative in that no responsibilities or obligations of the licensee will be altered, and no plant equipment or operations will be affected, the changes, therefore, are acceptable.

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the North Carolina State official was notified of the proposed issuance of the amendments. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32, and 51.35, an Environmental Assessment and Finding of No Significant Impact was published in the Federal Register on August 15, 1997 (62 FR 43757).

Accordingly, based on the Environmental Assessment, the Commission has determined that issuance of this amendment will not have a significant effect on the quality of the human environment.

5.0 CONCLUSION

The staff has concluded, based on the considerations discussed above, 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 the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Victor Nerses

Date: August 26, 1997