

July 10, 2002

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: ISSUANCE OF  
AMENDMENTS (TAC NOS. MB3702 AND MB3703)

Dear Mr. Barron:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 203 to Facility Operating License NPF-9 and Amendment No. 184 to Facility Operating License NPF-17 for the McGuire Nuclear Station, Units 1 and 2. The amendments consist of changes to the Technical Specifications (TS) in response to your application dated December 20, 2001.

The amendments revise TS 5.6.5.b to eliminate the revision number and dates from the list of topical reports that contain the analytical methods used to determine the core operating limits.

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,

**/RA/**

Robert E. Martin, Senior Project Manager, Section 1  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-369 and 50-370

Enclosures:

1. Amendment No. 203 to NPF-9
2. Amendment No. 184 to NPF-17
3. Safety Evaluation

cc w/encls: See next page

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DOCUMENT NAME: MB3702AMD.wpd

\*See previous concurrence

OFFICE	PDII-1/PM	PDII-1/PM	PDII-1/LA	OGC*	PDII-1/SC
NAME	RMartin for CPatel	RMartin	CHawes		JNakoski
DATE	7/10/02	7/10/02	7/9/02	6/27/02	7/10/02

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DUKE ENERGY CORPORATION

DOCKET NO. 50-369

McGUIRE NUCLEAR STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 203  
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 Energy Corporation (licensee) dated December 20, 2001, 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 the Technical Specifications as indicated in the attachment 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. 203, are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

John A. Nakoski, Chief, Section 1  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment:  
Technical Specification  
Changes

Date of Issuance: July 10, 2002

DUKE ENERGY CORPORATION

DOCKET NO. 50-370

McGUIRE NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 184  
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 Energy Corporation (licensee) dated December 20, 2001, 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 the Technical Specifications as indicated in the attachment 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. 184, are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

John A. Nakoski, Chief, Section 1  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment:  
Technical Specification  
Changes

Date of Issuance: July 10, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 203

FACILITY OPERATING LICENSE NO. NPF-9

DOCKET NO. 50-369

ATTACHMENT TO LICENSE AMENDMENT NO. 184

FACILITY OPERATING LICENSE NO. NPF-17

DOCKET NO. 50-370

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

5.6-3  
5.6-4

Insert

5.6-3  
5.6-4

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 203 TO FACILITY OPERATING LICENSE NPF-9  
AND AMENDMENT NO. 184 TO FACILITY OPERATING LICENSE NPF-17

DUKE ENERGY CORPORATION

MCGUIRE NUCLEAR STATION, UNITS 1 AND 2

DOCKET NOS. 50-369 AND 50-370

1.0 INTRODUCTION

By letter dated December 20, 2001, Duke Energy Corporation, et al. (DEC, the licensee), submitted a request for changes to the McGuire Nuclear Station, Units 1 and 2, Technical Specifications (TS). The requested changes would revise TS 5.6.5 to incorporate the changes in Technical Specifications Task Force (TSTF)-363. In a letter from Mr. Stuart A. Richards (Nuclear Regulatory Commission (NRC)) to Mr. James F. Mallay (Siemens Power Corporation) dated December 15, 1999, the NRC staff stated that it is acceptable for the references to topical reports in improved Technical Specifications (ITS) Section 5.6.5, Core Operating Limits Report (COLR), to give the topical report title and number as long as the complete citation is given in the COLR.

2.0 BACKGROUND

Section 182a of the Atomic Energy Act requires applicants for nuclear power plant operating licenses to include TS as part of the operating license. On July 22, 1993, the Commission issued its Final Policy Statement (58 FR 39132) that described the safety benefits of the improved Standard Technical Specifications (iSTS). The Final Policy Statement encouraged licensees to use the iSTS as the basis for plant-specific TS amendments and for complete conversions to ITS based on the iSTS.

The industry and the NRC staff have worked to improve the new iSTS, and many generic changes have been proposed by the Nuclear Energy Institute TSTF to the NRC. After NRC approval, these TSTF changes are available for adoption by plants.



### 3.0 EVALUATION

#### (1) Description of Changes

In NUREG-1431, Revision 2, "Standard Technical Specifications - Westinghouse Plants" Technical Specification 5.6.5.b, "CORE OPERATING LIMITS REPORTS (COLR)," currently states:

- b. The analytical methods used to determine the core operating limits shall be those previously reviewed and approved by the NRC, specifically those described in the following documents:

[Identify the Topical Report(s) by number and title or identify the staff Safety Evaluation Report for a plant specific methodology by NRC letter and date. The COLR will contain the complete identification for each of the TS referenced topical reports used to prepare the COLR (i.e., report number, title, revision, date, and any supplements).]

The above NUREG-1431, Revision 2, iSTS 5.6.5.b has incorporated the approved TS 5.6.5.b changes in TSTF-363, Revision 0.

The current TS 5.6.5.b of the McGuire Nuclear Station, Units 1 and 2 are based on the old NUREG-1431, Revision 1, 1995 which states:

- b. The analytical methods used to determine the core operating limits shall be those previously reviewed and approved by the NRC, specifically those described in the following documents:

[Identify the topical report(s) by number, title, date, and NRC staff approval document, or identify the staff Safety Evaluation Report for a plant specific methodology by NRC letter and date.]

For example, the current McGuire Nuclear Station, Units 1 and 2 TS 5.6.5.b identify the topical report as:

BAW-10168P-A, "B&W Loss-of-Coolant Accident Evaluation Model for Recirculating Steam Generator Plants." Rev. 1 SER dated January 22, 1991; Rev. 2, SER dated August 22, 1996, and November 26, 1996; Rev. 3, SER dated June 15, 1994 (B&W Proprietary).

After incorporation of TSTF-363, Revision 0, and consistent with NUREG-1431, Revision 2, the above TS identify the topical report as:

BAW-10168P-A, "B&W Loss-of-Coolant Accident Evaluation Model for Recirculating Steam Generator Plants." (B&W Proprietary).

The NRC review and approval of new or revised topical reports will continue to be obtained in the same manner. Changes to the COLRs will be controlled by the Administrative Controls of the TS 5.6.5.

## (2) Justification

The need for the McGuire Nuclear Station, Units 1 and 2, to adopt TSTF-363, Rev. 0 is that its approved method of referencing topical reports would allow licensee to use current topical reports to support limits in the COLR without having to submit an amendment to the facility operating license every time the topical report is revised. The COLR would provide specific information identifying the particular approved topical reports used to determine the core limits for the particular cycle in the COLR report. The NRC approval process of topical reports along with an adequate change control process for changing the COLR, continues to exist. Adequate safety is maintained.

Based on the above evaluation, the staff finds the proposed changes for TS 5.6.5.b listings of topical reports for McGuire Nuclear Station, Units 1 and 2, are acceptable.

## 4.0 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.

## 5.0 ENVIRONMENTAL CONSIDERATION

The amendments change recordkeeping, reporting, or administrative procedures or requirements. The NRC 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 radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding [67 FR 2921]. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

## 6.0 CONCLUSION

The Commission 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: Angela T. Chu

Date: July 10, 2002

McGuire Nuclear Station

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