

December 17, 2002

Mr. Dhiaa Jamil
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. MB6233 AND MB6234)

Dear Mr. Jamil:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 209 to Facility Operating License NPF-9 and Amendment No. 190 to Facility Operating License NPF-17 for the McGuire Nuclear Station, Units 1 and 2. The amendments consist of changes to the Technical Specifications in response to your application dated August 29, 2002.

The amendments revise TS 3.8.4.7, to modify the note to eliminate the "once per 60 months" restriction on replacing the battery service test by the battery modified performance discharge test. Associated changes to the TS Bases are also included.

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. 209 to NPF-9
2. Amendment No. 190 to NPF-17
3. Safety Evaluation

cc w/encls: See next page

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| DATE | 12/10/02 | 11/13/02 | 11/13/02 | 12/10/02 |

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DUKE ENERGY CORPORATION

DOCKET NO. 50-369

McGUIRE NUCLEAR STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 209
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 August 29, 2002, 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. 209 , 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 30 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: December 17, 2002

DUKE ENERGY CORPORATION

DOCKET NO. 50-370

McGUIRE NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 190
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 August 29, 2002, 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. 190 , 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 30 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: December 17, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 209

FACILITY OPERATING LICENSE NO. NPF-9

DOCKET NO. 50-369

ATTACHMENT TO LICENSE AMENDMENT NO. 190

FACILITY OPERATING LICENSE NO. NPF-17

DOCKET NO. 50-370

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

Remove

3.8.4-3
B 3.8.4-6

Insert

3.8.4-3
B 3.8.4-6

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 209 TO FACILITY OPERATING LICENSE NPF-9
AND AMENDMENT NO. 190 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 August 29, 2002, Duke Power Company, et al. (DPC, the licensee), submitted a request for changes to the McGuire Nuclear Station, Units 1 and 2, Technical Specifications (TS). Revisions were proposed for TS 3.8.4.7, to modify the note to eliminate the "once per 60 months" restriction on replacing the battery service test by the battery modified performance discharge test. Associated changes to the TS Bases are also included.

2.0 REGULATORY EVALUATION

General Design Criterion (GDC)-17, "Electric Power System," of Appendix A, "General Design Criterion for Nuclear Power Plants," to 10 CFR Part 50 requires, in part, that nuclear power plants have an onsite and offsite electric power system to permit the functioning of structures, systems and components important to safety. The onsite system is required to have sufficient independence, redundancy and testability to perform its safety function, assuming a single failure, and the offsite system is required to be supplied by two independent circuits. In addition, this criterion requires provisions to minimize the probability of losing electric power from the remaining electric power supplies as the result of a loss of power from the unit, the offsite transmission network, or the onsite power supplies. GDC-18, "Inspection and Testing of Electric Power System," requires that electric power systems important to safety be designed to permit appropriate periodic inspection and testing.

The Class IE direct-current (DC) system at McGuire consists of five battery chargers, four 125 volt DC batteries (lead acid), four two-conductor metal clad distribution centers and separate panel boards. The DC system is divided into four independent and physically separated load groups, each load group being comprised of one battery, one battery charger, one DC distribution center, and two DC power panel boards. The 125 volt DC system at McGuire is designed to meet the requirements of 10 CFR Part 50, General Design Criteria 17 and 18.

3.0 TECHNICAL EVALUATION

Stationary batteries are subjected to periodic inspections and testing to optimize the life and performance of permanently installed batteries used for standby power applications. The inspections and testing, based on Institute of Electrical and Electronic Engineer (IEEE) standards provide guidance to determine when batteries should be replaced. Recommended practice is to subject the batteries to service, performance and modified performance tests at

specific frequencies. The service test is a special battery test to determine if the battery, as found, will meet the duty cycle requirements of the system. The performance test is a constant current or constant power capacity test to detect and determine any change in the capacity due to age and usage. The modified performance test is a test of the battery, as found, to determine the capacity and the ability of the battery to meet the load cycle. It is permissible to perform a modified performance test in lieu of the service test if the modified performance test's discharge rate envelopes the duty cycle of the service test.

IEEE Standard 450-1995 "IEEE Recommended Practice for Maintenance, Testing, and Replacement of Vented Lead-Acid Batteries for Stationary Applications" and IEEE Standard 1106-1995 "IEEE Recommended Practice for Installation, Maintenance, Testing, and Replacement of Vented Nickel-Cadmium Batteries for Stationary Applications" state that "A modified performance test can be used in lieu of a service test at any time."

The present NOTE to SR 3.8.4.7 in the McGuire TS states that the modified performance test may be performed "once per 60 months." The licensee proposes to modify the note to eliminate the restriction of once per 60 months on the modified performance test. This would be applicable to the DC channel batteries.

The proposed change is based on the IEEE Standards quoted above that state that a modified performance test can be used at any time. This change permits the modified performance test (single test) to replace the service and performance tests (multiple tests) since the modified performance test envelopes the duty cycle of the service test. The elimination of the 60 months restriction is consistent with the staff approved Technical Specifications Task Force (TSTF) Standard Technical Specification change Traveler TSTF-360, Revision 1. In addition, the staff finds that the change does not involve a design change or physical change to the equipment and there will be no change in the method of operation. For this reason, the amendment is acceptable.

4.0 SUMMARY

The staff has reviewed the proposed revisions to the TS, as described in Section 1.0 of this Safety Evaluation, and finds that the DC systems will continue to perform their safety functions in accordance with GDC-17 and GDC-18. Based on our evaluation, described in Section 3.0 of this Safety Evaluation, the staff finds the proposed change to be acceptable.

5.0 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.

6.0 ENVIRONMENTAL CONSIDERATION

The amendments change requirements with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and change surveillance 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 68733). 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 the amendments.

7.0 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: S. Saba

Date: December 17, 2002

McGuire Nuclear Station

cc:

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