

March 12, 2003

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. MB5307 AND MB5308)

Dear Mr. Jamil:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 211 to Facility Operating License NPF-9 and Amendment No. 192 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 May 29, 2002, as supplemented by letters dated September 25 and November 12, 2002, and January 8 and January 29, 2003.

The amendments revise the TSs to allow a one-time change in the Appendix J, Type A containment integrated leakage rate test interval from the currently required 10-year interval to a test interval of 15 years.

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. 211 to NPF-9
2. Amendment No. 192 to NPF-17
3. Safety Evaluation

cc w/encls: See next page

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DISTRIBUTION:

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1. Amendment No. 211 to NPF-9
2. Amendment No. 192 to NPF-17
3. Safety Evaluation

PUBLIC	ACRS
PDII-1 R/F	OGC
WBeckner	GHill(4)
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cc w/encls: See next page

Amendment: ML030760032

Package: ML030760033

Tech Spec Pages: ML030770249

*No major changes to SE

OFFICE	PDII-1/PM	PDII-1/LA	SC:SPSB:DSSA*	SC:SPLB:DSSA*	OGC	PDII-1/SC
NAME	RMartin	CHawes	MRubin	SWeerakkody	RWeisman	JNakoski
DATE	3/11/03	3/11/03	02/13/03	02/21/03	Feb 11 03	3/11/03

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DUKE ENERGY CORPORATION

DOCKET NO. 50-369

McGUIRE NUCLEAR STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 211
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 May 29, 2002, as supplemented by letters dated September 25 and November 12, 2002, and January 8 and January 29, 2003, 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. 211, 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: March 12, 2003

DUKE ENERGY CORPORATION

DOCKET NO. 50-370

McGUIRE NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 192
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 May 29, 2002, as supplemented by letters dated September 25 and November 12, 2002, and January 8 and January 29, 2003, 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. 192, 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: March 12, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 211

FACILITY OPERATING LICENSE NO. NPF-9

DOCKET NO. 50-369

ATTACHMENT TO LICENSE AMENDMENT NO. 192

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

5.5.-1

Insert

5.5-1

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 211 TO FACILITY OPERATING LICENSE NPF-9
AND AMENDMENT NO. 192 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 May 29, 2002, as supplemented by letters dated September 25 and November 12, 2002, and January 8 and January 29, 2003, 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 allow a one-time change in the Appendix J, Type A containment integrated leakage rate test (ILRT) interval from the currently required 10-year interval to a test interval of 15 years.

The letters dated September 25 and November 12, 2002, and January 8 and January 29, 2003, provided clarifying information that did not change the scope of the May 29, 2002, application or the initial proposed no significant hazards consideration determination.

2.0 REGULATORY EVALUATION

Title 10 of the *Code of Federal Regulations*, Part 50, Appendix J, was revised, effective October 26, 1995, to allow licensees to perform containment leakage testing in accordance with the requirements of Option A, "Prescriptive Requirements," or Option B, "Performance-Based Requirements." The use of Option B for the Type A (integrated) leakage rate testing was approved on March 21, 1997, for McGuire Units 1 and 2 by License Amendment Nos. 173 and 155, respectively. The use of Option B for Type B and C (local) leakage rate testing was approved on September 4, 2002, for McGuire Units 1 and 2 by License Amendment Nos. 207 and 188, respectively. These amendments modified TS Section 5.5.2, to allow Type A, B, and C testing to be performed in accordance with Regulatory Guide (RG) 1.163, "Performance-Based Containment Leak-Test Program," dated September, 1995. RG 1.163 specifies a method acceptable to NRC for complying with Option B and approves, with certain exceptions, the use of Nuclear Energy Institute (NEI) 94-01, Revision 0, "Industry Guideline for Implementing Performance-Based Option of 10 CFR Part 50, Appendix J," and American National Standards Institute/American Nuclear Society (ANSI/ANS) standard 56.8-1994.

Each of the two McGuire units employs a Westinghouse pressurized water reactor (PWR) with an ice-condenser primary containment structure. Each containment consists of a free-standing cylindrical steel structure enclosed by a separate reinforced-concrete reactor building. The

containment pressure boundary consists of the steel wall, containment access penetrations, and penetrations for process piping and electrical wiring. The overall integrity of the containment structure is verified by a Type A ILRT and the integrity of the penetrations is verified by Type B and Type C local leak rate tests as required by 10 CFR Part 50, Appendix J. These tests are performed to verify the essentially leak-tight characteristics of the containment structure at the design basis accident pressure. The licensee states that, based on the last two Type A ILRTs for each McGuire unit and risk assessment in accordance with 10 CFR Part 50, Appendix J, Option B, the current ILRT interval is 10 years. With the requested 5-year extension of the ILRT interval, the licensee proposed that the next overall verification of the containment leak-tight integrity for McGuire, Units 1 and 2 will be performed no later than the 15 year interval dates shown below.

	<u>Current 10 Year Interval Ends</u>	<u>15-Year Interval Ends</u>
McGuire, Unit 1	May 27, 2003	May 26, 2008
McGuire, Unit 2	August 20, 2003	August 19, 2008

3.0 TECHNICAL EVALUATION

3.1 Risk Impact Assessment

The licensee has performed a risk impact assessment of extending the Type A test interval to 15 years. The assessment was provided in the licensee's application that was dated May 29, 2002. Additional analysis and information was provided by the licensee in its letters dated September 25 and November 12, 2002, and January 8 and January 29, 2003. In performing the risk assessment, the licensee considered the guidelines of NEI 94-01, the methodology used in Electric Power Research Institute (EPRI) TR-104285, "Risk Impact Assessment of Revised Containment Leak Rate Testing," and RG 1.174, "An Approach For Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis."

The basis for the current 10-year test interval is provided in Section 11.0 of NEI 94-01, Revision 0, and was established in 1995 during the development of the performance-based Option B to Appendix J. Section 11.0 of NEI 94-01 states that NUREG-1493, "Performance-Based Containment Leak-Test Program," September 1995, provided the technical basis to revise leakage rate testing requirements contained in Option B to Appendix J. The basis consisted of qualitative and quantitative assessments of the risk impact (in terms of increased public dose) associated with a range of extended leakage rate test intervals. To supplement this basis, NEI undertook a similar study. The results of that study are documented in EPRI Research Project Report TR-104285.

The EPRI study used an analytical approach similar to that presented in NUREG-1493 for evaluating the incremental risk associated with increasing the interval for Type A tests. The Appendix J, Option A, requirements that were in effect for McGuire early in the plant's life, required an IIRT test frequency of three tests in 10 years. The EPRI study estimated that relaxing the test frequency from three tests in 10 years to one test in 10 years would increase the average time that a leak that was detectable only by a Type A test goes undetected from 18 to 60 months. Since Type A tests only detect about 3 percent of the leaks (the rest are identified during local leak rate tests based on industry leakage rate data gathered from 1987 to

1993), this results in a 10 percent increase in the overall probability of leakage. The risk contribution of pre-existing leakage for the PWR and boiling water reactor representative plants in the EPRI study confirmed the NUREG-1493 conclusion that a reduction in the frequency of Type A tests from three tests in 10 years to one test in 20 years leads to an “imperceptible” increase in risk that is on the order of 0.2 percent and a fraction of one person-rem per year in increased public dose.

Building upon the methodology of the EPRI study, the licensee assessed the change in the predicted person-rem/year frequency. The licensee quantified the risk from sequences that have the potential to result in large releases if a pre-existing leak were present. Since the Option B rulemaking in 1995, the staff has issued RG 1.174 on the use of probabilistic risk assessment (PRA) in evaluating risk-informed changes to a plant’s licensing basis. The licensee has proposed using RG 1.174 guidance to assess the acceptability of extending the Type A test interval beyond that established during the Option B rulemaking.

RG 1.174 defines very small changes in the risk-acceptance guidelines as increases in core damage frequency (CDF) less than 10^{-6} per year and increases in large early release frequency (LERF) less than 10^{-7} per year. Since the Type A test does not impact CDF, the relevant criterion is the change in LERF. The licensee has estimated the change in LERF for the proposed change and the cumulative change from the original three tests in a 10-year interval frequency. RG 1.174 also discusses defense-in-depth and encourages the use of risk analysis techniques to help ensure and show that key principles, such as the defense-in-depth philosophy, are met. The licensee estimated the change in the conditional containment failure probability for the proposed change to demonstrate that the defense-in-depth philosophy is met.

The licensee provided analyses, as discussed below. The following comparisons of risk from a change in test frequency from 3 tests in 10 years to 1 test in 15 years are considered to be bounding for the McGuire comparative frequencies of 1 test in 10 years to 1 test in 15 years. The following conclusions can be drawn from the analysis associated with extending the Type A test frequency:

1. Given the change from a 3 in 10-year test interval to a 1 in 15-year test interval, the increase in the total integrated plant risk is estimated to be 0.07 person-rem/year. This increase is comparable to that estimated in NUREG-1493, where it was concluded that a reduction in the frequency of tests from 3 in 10 years to 1 in 20 years leads to an “imperceptible” increase in risk. Therefore, the increase in the total integrated plant risk for the proposed change is considered small and supportive of the proposed change.
2. The increase in LERF resulting from a change in the Type A test interval from the original 3 in 10 years to 1 in 15 years is estimated to be 4.4×10^{-7} per year for McGuire, including both internal and external events. However, there is some likelihood that the flaws in the containment estimated as part of the Class 3b frequency would be detected as part of the IWE visual examination of the containment surfaces (as identified in American Society of Mechanical Engineers [ASME] Boiler and Pressure Vessel Code, Section XI, Subsection IWE). The most recent visual examination of the McGuire containment was performed in 1999 and 2000 for Units 1 and 2, respectively. The next scheduled IWE containment inspection is in 2004 and 2003 for Units 1 and 2, respectively.

Visual inspections are expected to be effective in detecting large flaws in the visible regions of containment, and this would reduce the impact of the extended test interval on LERF. The licensee performed additional risk analysis to consider the potential impact of corrosion in inaccessible areas of the containment shell on the proposed change. The risk analysis considered the likelihood of an age-adjusted flaw that would lead to a breach of the containment. The risk analysis also considered the likelihood that the flaw was not visually detected but could be detected by a Type A ILRT. The increase in LERF associated with corrosion events is estimated to be less than 1×10^{-7} per year.

When the calculated increase in LERF is in the range of 10^{-7} per year to 10^{-6} per year, licensee proposals are considered if the total LERF is less than 10^{-5} per year. The licensee estimates that the total LERF, including internal and external events, is 4.13×10^{-6} per year based on Revision 2 of the McGuire PRA, and 4.57×10^{-6} per year including the extended test interval. The staff concludes that increasing the Type A test interval to 15 years results in only a small change in LERF and is consistent with the acceptance guidelines of RG 1.174.

3. RG 1.174 also encourages the use of risk analysis techniques to help ensure and show that the proposed change is consistent with the defense-in-depth philosophy. Consistency with the defense-in-depth philosophy is maintained if a reasonable balance is preserved between prevention of core damage, prevention of containment failure, and consequence mitigation. The licensee estimates the change in the conditional containment failure probability to be an increase of 0.8 percentage points for the cumulative change of going from a test interval of 3 in 10 years to 1 in 15 years. The staff finds that the defense-in-depth philosophy is maintained based on the small magnitudes of the change in the conditional containment failure probability for the proposed amendment.

Based on these conclusions, the staff finds that the increase in predicted risk due to the proposed change is within the acceptance guidelines while maintaining the defense-in-depth philosophy of RG 1.174 and, therefore, is acceptable.

3.2 Management of Degradation of Primary Containment

The licensee proposes that the next overall verification of the containment leak-tight integrity be extended by an additional 5 years. As described in References 1 and 4, the extended testing interval will not affect any Code requirements or Code acceptance criteria. Because the leak rate testing requirements of Option B of 10 CFR Part 50, Appendix J, and the containment inservice inspection (ISI) requirements mandated by 10 CFR 50.55a complement each other in ensuring the leak-tightness and structural integrity of the containment, the staff has performed a review of Type A test interval extension application related to the ISI of the containment and potential areas of weaknesses in the containment.

The licensee stated that the ISI program for the McGuire containment buildings is conducted in accordance with the requirements of the 1992 Edition through the 1992 Addenda of the ASME Code, Section XI, Subsections IWE and IWL. Based on the current inspections and associated engineering evaluations performed, the licensee has identified areas of the containment liner that require augmented examinations according to Subsection IWE, Subarticle IWE-1240.

Based on the information provided by the licensee, the staff finds that the schedule for implementing the containment ISI program and augmented examinations will not be affected by the requested extension of the ILRT interval from 10 to 15 years.

The licensee stated that the ISI testing frequency for seals and gaskets is not affected by the request to extend the Type A test interval from 10 to 15 years. Currently, these tests are completed in accordance with Appendix J, Option B, or plant TS surveillance requirements.

Regarding components whose integrity is typically verified during an ILRT, the licensee employs dual-ply bellows on all containment penetration assemblies for piping systems containing hot fluids. During an ILRT, the licensee vents the space between the bellows and the annulus. Following completion of the ILRT, each dual-ply bellows assembly is subject to a low-pressure test of the space between the bellows to demonstrate the integrity of both bellows, with leaking bellows tested at accident pressure in the accident direction. An exemption to Appendix J has been previously granted for McGuire that only requires this test to be performed following the ILRT. The licensee's response to the issue regarding the integrity of dual-ply bellows assemblies stated that the licensee has developed a supplementary testing program that tests one-third of the bellows each outage until all bellows have been tested. If any test fails the acceptance criterion, the leaking bellows would be tested at design pressure. The licensee states that under no scenario shall a bellows test interval exceed the current 10-year ILRT. The licensee's revised test plan at McGuire will test the affected bellows equal to or more frequently than that of the current plan, and therefore, provides reasonable assurance that the integrity of the McGuire bellows assemblies will be maintained.

The potential leakages due to corrosion and age degradation mechanisms related to uninspectable areas such as the inaccessible areas of the containment liner behind the ice baskets and the part of the containment shell embedded in the basemat are factored into the risk-informed assessment (Ref. 5). The risk analysis has considered the likelihood that a flaw might not be visually detected but could be detected by an ILRT.

On the basis of the staff's review of the TS amendment request (Ref. 1) and additional information (Refs. 4 and 5) provided by the licensee, the staff finds that (1) the structural integrity of the containment vessel is verified through periodic inservice inspections that are conducted as required by Subsection IWE of the ASME Code, Section XI, (2) the integrity of the penetrations and containment isolation valves is periodically verified through Type B and Type C tests as required by 10 CFR Part 50, Appendix J, and (3) the potential leakages from uninspectable areas are factored into the risk-informed assessment. In addition, the system pressure tests for containment pressure boundary (i.e., Appendix J tests, as applicable) are required to be performed following repair and replacement activities, if any, in accordance with Article IWE-5000 of the ASME Code, Section XI. Significant degradation of the primary containment pressure boundary is required to be reported pursuant to 10 CFR 50.72 or 10 CFR 50.73. In view of the above, the staff has determined that the interval for the Type A tests at McGuire Units 1 and 2 may be extended to 15 years.

3.3 TS 5.5.2

The licensee is requesting additions to TS 5.5.2, "Containment Leakage Rate Testing Program," that would indicate that they are allowed to take an exception from the guidelines of RG 1.163 regarding the Type A test interval. Specifically, the proposed TS states that the next

Type A test performed after the test performed on May 27, 1993, for Unit 1 and on August 20, 1993, for Unit 2 shall be performed no later than 15 years later (by May 26, 2008, for Unit 1 and August 19, 2008, for Unit 2). This is done by adding the following phrase to the end of the first sentence of Section 5.5.2:

. . . as modified by the following exception:

- a. NEI 94-01-1995, Section 9.2.3: The first Type A test performed after the May 27, 1993 (Unit 1) and August 20, 1993 (Unit 2) Type A test shall be performed no later than May 26, 2008 (Unit 1) and August 19, 2008 (Unit 2).

The proposed changes would allow, on a one-time basis, the licensee to extend its Appendix J, Type A, Containment ILRT from 10 to 15 years after the last ILRT was performed.

3.4 SUMMARY

Based on the foregoing evaluation, the staff finds that the interval until the next Type A tests at McGuire, Units 1 and 2, may be extended to 15 years, and that the proposed changes to Section 5.5.2 of the TSs 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 requirements with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. 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 45563). 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.

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.

7.0 REFERENCES

1. Letter from Ken S. Canady to NRC, "Proposed Technical Specifications Amendments - One-time Extension of Integrated Leak Rate Testing Interval," dated May 29, 2002.
2. NRC letter to Duke Energy Corporation, "Catawba Nuclear Station, Units 1 and 2, RE: Issuance of Amendments 192/184," dated July 31, 2001.
3. NRC letter to Duke Energy Corporation, "McGuire Nuclear Station, Units 1 and 2, RE: Issuance of Amendments Regarding Option B of Appendix J for Local Leakage Rate Testing," dated September 2002, (Amendments 207/188).
4. Letter from Michael S. Tuckman to NRC, "Proposed Technical Specifications Amendments - One-time Extension of Integrated Leak Rate Testing Interval," dated September 25, 2002.
5. Letter from Michael S. Tuckman to NRC, "Proposed Technical Specifications Amendments - One-time Extension of Integrated Leak Rate Testing (ILRT) Interval," dated January 8, 2003.

Principal Contributors: R. Palla
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Date: March 12, 2003

McGuire Nuclear Station

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