

August 23, 2005

G. R. Peterson, Vice President
McGuire Nuclear Station
Duke Energy Corporation
12700 Hagers Ferry Road
Huntersville, NC 28078

SUBJECT: MCGUIRE NUCLEAR STATION, UNITS 1 AND 2 RE: ISSUANCE OF
AMENDMENTS (TAC NOS. MC5876 AND MC5877)

Dear Mr. Peterson:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 230 to Renewed Facility Operating License NPF-9 and Amendment No. 212 to Renewed 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 January 19, 2005.

The amendments revise Technical Specification 5.6.7.b, "Core Operating Limits Report (COLR)," to add the topical report DPC-NE-1005P-A, "Duke Power Nuclear Design Methodology Using CASMO-4/SIMULATE-3 MOX." This report has been previously approved by the Nuclear Regulatory Commission.

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/

Sean E. Peters, 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. 230 to NPF-9
2. Amendment No. 212 to NPF-17
3. Safety Evaluation

cc w/encls: See next page

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2. Amendment No. 212 to NPF-17
3. Safety Evaluation

cc w/encls: See next page

Distribution: See next page

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Tech Spec Number: ML052370027

NRR-058

OFFICE	PDII-1/PM	PDII-1/LA	SRXB/SC	IROB/SC	OGC	PDII-1/SC
NAME	SPeters	CHawes	JNakoski	TBoyce	TSmith	EMarinos
DATE	07/ 20 /05	07/ 28 /05	07/ 29 /05	08/ 15 /05	08/ 17 /05	8/23/05

OFFICIAL RECORD COPY

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AMENDMENTS (TAC NOS. MC5876 AND MC5877)

Date: August 23, 2005

Distribution:

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DUKE ENERGY CORPORATION

DOCKET NO. 50-369

MCGUIRE NUCLEAR STATION, UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 230
Renewed 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), Renewed Facility Operating License No. NPF-9 filed by the Duke Energy Corporation (licensee) dated January 19, 2005, 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 Renewed 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. 230, 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/

Evangelos C. Marinos, Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: August 23, 2005

DUKE ENERGY CORPORATION

DOCKET NO. 50-370

MCGUIRE NUCLEAR STATION, UNIT 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 212
Renewed 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 January 19, 2005, 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.

Enclosure 2

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 Renewed 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. 212, 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/

Evangelos C. Marinos, Chief, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Technical Specification
Changes

Date of Issuance: August 23, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 230
RENEWED FACILITY OPERATING LICENSE NO. NPF-9
DOCKET NO. 50-369
ATTACHMENT TO LICENSE AMENDMENT NO. 212
RENEWED FACILITY OPERATING LICENSE NO. NPF-17
DOCKET NO. 50-370

Replace the following page of the Appendix A Technical Specification with the attached revised page. The revised page is identified by amendment numbers and contain marginal lines indicating the areas of change.

Remove

Insert

5.6-4

5.6-4

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 230 TO RENEWED FACILITY

OPERATING LICENSE NPF-9 AND

AMENDMENT NO. 212 TO RENEWED 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 January 19, 2005 (Agencywide Documents Access Management System (ADAMS) Accession No. ML0503303470), 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.b, "Core Operating Limits Report (COLR)," to add the topical report DPC-NE-1005P-A, "Duke Power Nuclear Design Methodology Using CASMO-4/SIMULATE-3 MOX." This report has been previously approved by the Nuclear Regulatory Commission (NRC).

2.0 REGULATORY EVALUATION

Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36(c)(5), "Administrative Controls," requires that the provisions relating to the organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner be included in the TSs. TS 5.6.5.b contains a list of documents that comprise the analytical methods used to determine the core operating limits. These documents are used in the development of the plant's COLR.

To facilitate updates to the TSs when the topical reports are updated, the NRC approved the Technical Specifications Task Force (TSTF) Standard Technical Specifications Traveler, TSTF-363, "Revise Topical Report References in ITS 5.6.5, COLR." This TSTF allows the addition of topical reports to the TSs without the listing of the approval date or the revision number. The approval date and the revision number are contained in the plant's COLR.

3.0 TECHNICAL EVALUATION

By letter dated August 20, 2004 (ADAMS Accession No. ML042370178), the NRC approved Topical Report DPC-NE-1005P-A for use at McGuire Nuclear Station. This topical report addresses the use of the Studsvik Core Management System (Studsvik/CMS) code package to support reload design analyses for the McGuire and Catawba Nuclear Stations. Furthermore,

by letter dated July 10, 2002 (ADAMS Accession No. ML021970243), the NRC staff approved the elimination of revision numbers and dates from the TS list of topical reports that contain the analytical methods used to determine the core operating limits.

Because Topical Report DPC-NE-1005P-A had already been approved for use at McGuire, and because the NRC staff already allowed for the elimination of the revision number and dates from the topical report references in the TSs, the NRC staff finds the change to TS 5.6.5.b proposed by DEC to be 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 (70 FR 9990). 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.

Principal Contributor: Sean Peters

Date: August 23, 2005

McGuire Nuclear Station, Units 1 & 2

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