

April 13, 2007

Mr. G. R. Peterson
Vice President
McGuire Nuclear Station
Duke Power Company LLC
12700 Hagers Ferry Road
Huntersville, NC 28078

SUBJECT: MCGUIRE NUCLEAR STATION, UNITS 1 AND 2, ISSUANCE
OF AMENDMENTS REGARDING ADMINISTRATIVE CHANGES
(TAC NOS. MD2041 AND MD2042)

Dear Mr. Peterson:

The Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 239 to Renewed Facility Operating License NPF-9 and Amendment No. 221 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 (TSs) in response to your application dated April 11, 2006.

The amendments revise an organizational description in the TSs, Section 5.2.1, "Onsite and Offsite Organizations." The proposed change revises the title of Executive Vice President to Group Vice President to reflect title changes made by the licensee following the indirect transfer of the facility operating license. The indirect transfer was reviewed and approved by the NRC. This change is solely administrative in nature.

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/

John Stang, Senior Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-369 and 50-370

Enclosures:

1. Amendment No. 239 to NPF-9
2. Amendment No. 221 to NPF-17
3. Safety Evaluation

cc w/encls: See next page

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DUKE POWER COMPANY LLC

DOCKET NO. 50-369

MCGUIRE NUCLEAR STATION, UNIT 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 239
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 Power Company LLC (licensee), dated April 11, 2006, 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. 239, 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
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to License No. NPF-9
and the Technical Specifications

Date of Issuance: April 13, 2007

DUKE POWER COMPAPNY LLC

DOCKET NO. 50-370

MCGUIRE NUCLEAR STATION, UNIT 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 221
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), Renewed Facility Operating License No. NPF-17, filed by the Duke Power Company LLC (the licensee), dated April 11, 2006, 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-17 is hereby amended to read as follows:

- (2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 221, 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
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to License No. NPF-17
and the Technical Specifications

Date of Issuance: April 13, 2007

ATTACHMENT TO LICENSE AMENDMENT NO. 239
RENEWED FACILITY OPERATING LICENSE NO. NPF-9
DOCKET NO. 50-369
AND
LICENSE AMENDMENT NO. 221
RENEWED FACILITY OPERATING LICENSE NO. NPF-17
DOCKET NO. 50-370

Replace the following pages of the Renewed Facility Operating Licenses and the Appendix A Technical Specifications (TSS) with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

License Pages

NPF-9 page 3
NPF-17 page 3

TS Pages

TS 5.2.1

Insert

License Pages

NPF-9 Page 3
NPF-17 Page 3

TS Pages

TS 5.2.1

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO
AMENDMENT NO. 239 TO RENEWED FACILITY OPERATING LICENSE NPF-9
AND
AMENDMENT NO. 221 TO RENEWED FACILITY OPERATING LICENSE NPF-17
DUKE POWER COMPANY LLC
MCGUIRE NUCLEAR STATION, UNITS 1 AND 2
DOCKET NOS. 50-369 AND 50-370

1.0 INTRODUCTION

By application dated April 11, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML ML061080500), Duke Power Company LLC (Duke, the licensee), requested changes to the Technical Specifications (TSs) for the McGuire Nuclear Station, Units 1 and 2 (McGuire 1 and 2).

The proposed changes would revise an organizational description in the TSs, Section 5.2.1, "Onsite and Offsite Organizations." The proposed change revises the title of Executive Vice President to Group Vice President to reflect title changes made by the licensee.

2.0 EVALUATION

Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Section 50.36(c)(5), "Administrative controls," requires that licensees TSs include provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner. The McGuire 1 and 2 TSs includes the above requirements. The current McGuire TS Section 5.2.1 includes the Title of Executive Vice President.

On February 7, 2006, the NRC issued an order to Duke Energy Corporation approving an indirect transfer of the McGuire 1 and 2 Renewed Facility Operating Licenses to Duke Power Company LLC. As a result of the indirect transfer, the title of Executive Vice President has been changed to Group Vice President, and the current TS Section 5.2.1 needs to be changed to accurately reflect the correct title of the position. The title change is in name only and the function and responsibilities of that position have not changed. This change is solely administrative in nature to have the TSs correctly reflect the title of Group Vice President. The proposed change does not change the technical content of the TSs. The proposed change

does not involve a reduction in a margin of safety and does not impact any plant systems.

3.0 SUMMARY

The change to the TSs is solely administrative in nature and has no impact on plant operations or systems. Therefore based on the above evaluation the NRC staff finds the proposed change to the McGuire 1 and 2 TSs is acceptable.

4.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION

The Commission's regulations in 10 CFR 50.92(c), "Issuance of amendment," state that the Commission may make a final determination that a license amendment involves no significant hazards consideration if operation of the facility in accordance with the amendment would not:

- (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or
- (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or
- (3) Involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis against the standards of 10 CFR 50.92(c). The NRC's staff's review is presented below.

Criterion 1 - The proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed change revises an organizational description in TS 5.2.1 to reflect the change of the title of the Vice President Nuclear Generation. The change is solely administrative in nature and has no impact on any accident probabilities or consequences. The change does not affect structures or components in the plant. The change has no affect on any accident previously evaluated. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Criterion 2 - The proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

There are no new accident causal mechanisms created as a result of this proposed change. No changes are being made to the plant that will introduce any new accident causal mechanisms. The change is solely administrative in nature and does not impact any plant systems that are accident initiators. Therefore, no new accidents or a different accident than previously evaluated is being created.

Criterion 3 - The proposed change does not involve a significant reduction in a margin of safety.

Margin of safety is related to confidence in the ability of the fission product barriers to perform their design functions during and following an accident situation. The proposed

change is solely administrative in nature and does not affect the performance of the barriers. Consequently, no safety margins will be impacted. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on this review, the NRC staff has concluded that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff has made a final determination that the proposed amendment involves no significant hazards consideration.

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 a requirement with respect to the installation or use of facility components 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 (72 FR 11387). The Commission has made a final finding that the amendments involve no significant hazards consideration. Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10)(ii). 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: Jason Paige

Date: April 13, 2007

McGuire Nuclear Station, Units 1 & 2

cc:

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