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July 28, 2009

U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

ATTENTION: Document Control Desk

Subject: Duke Energy Carolinas, LLC (Duke)

McGuire Nuclear Station, Units 1 and 2
Docket Nos. 50-369 and 50-370

Catawba Nuclear Station, Units 1 and 2
Docket Nos. 50-413 and 50-414

Withdrawal of License Amendment Request (LAR) for
Technical Specifications 3.8.4, "DC Sources-Operating," and
3.8.5, "DC Sources-Shutdown"

Reference: Duke Letter to NRC dated May 15, 2009

As proposed in the referenced letter above, Duke requested an amendment to the McGuire Nuclear Station (McGuire) and Catawba Nuclear Station (Catawba) Technical Specifications (TS) to relocate MNS TS 3.8.4 Surveillance Requirements (SRs) 3.8.4.2 through 3.8.4.5 and CNS TS 3.8.4 SRs 3.8.4.3 through 3.8.4.6 to the respective station's (new) Battery Monitoring and Maintenance Program and revise MNS and CNS TS SR 3.8.5.1 by deleting reference to these relocated SRs. It was recognized that an LAR is needed to resolve an industry wide non-conservative TS Surveillance.

The relocation of these SRs to a licensee controlled program was based in part upon approved Technical Specification Task Force (TSTF) Improved Standard Technical Specifications Change Traveler TSTF-360-A, Revision 1, "Requirements for DC Sources." However, it was also recognized that it was not

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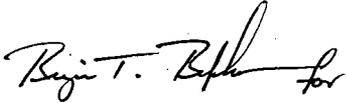
reasonable to request other portions of TSTF-360-A, Revision 1 due to the pending nature of TSTF-500, "DC Electrical Rewrite - Update to TSTF-360."

In a conference call with the NRC Staff on July 22, 2009, the NRC Staff expressed concerns with submitting an LAR based on TSTF-360-A with the re-write of TSTF-360-A (i.e., TSTF-500), scheduled to be available by the end of 2009. During the phone call two options were discussed. The first option was to supplement the LAR with all the proposed changes required by the draft TSTF-500 within the next 15 days. The second option was to withdraw the LAR and submit a more limited scope LAR to only address our operable but degraded non-conforming item (the non-conservative TS Surveillance). The second option is similar to the recent Callaway and Cooper LARs where the subject Surveillance values for battery connection resistance would be revised.

Based on the NRC's recommendations, Duke has decided to withdraw the referenced LAR and resubmit accordingly in the near future.

If additional questions arise, contact Lee A. Hentz at 980-875-4187.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce H. Hamilton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bruce H. Hamilton

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cc:

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