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REMARKS: PLEASE UPDATE ACCORDINGLY

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VICE PRESIDENT
MCGUIRE NUCLEAR STATION

BY:

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4001
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August 26, 2010

MEMORANDUM

To: All McGuire Nuclear Station Technical Specification (TS)

Subject: McGuire TS Updates

REMOVE	INSERT
TS Manual	
TS LOEP (Revision 86)	TS LOEP (Revision 87)
TS 3.6.13 (entire document)	TS 3.6.13 (256/236) (entire document)
TS Bases Manual	
TSB LOEP (Revision 100)	TSB LOEP (Revision 101)
TSB 3.6.13 (Revision 96)	TSB 3.6.13 (Revision 104)

Attention: Facility Operating License (FOL) Included

Included in this distribution is an updated copy of the Unit 1 and Unit 2 FOL. Please place the updated copies in the front of your Technical Specification book. Please recycle your old copies. The FOL was updated to reflect Amendment 256/236

Revision numbers may skip numbers due to Regulatory Compliance Filing System.

Please call me if you have questions.

Bonnie Beaver

Bonnie Beaver
Regulatory Compliance
875-4180

McGuire Nuclear Station Technical Specifications
LOEP

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3.6 CONTAINMENT SYSTEMS

3.6.13 Ice Condenser Doors

LCO 3.6.13 The ice condenser lower inlet doors, intermediate deck doors, and top deck doors shall be OPERABLE and closed.

APPLICABILITY: MODES 1, 2, 3, and 4.

ACTIONS

----------NOTE----------

1. Separate Condition entry is allowed for each ice condenser door.
2. Entry into Condition B is not required due to personnel standing on or opening an intermediate deck or top deck door for short durations to perform required surveillances, minor maintenance such as ice removal or routine tasks such as system walkdowns.

CONDITION	REQUIRED ACTION	COMPLETION TIME
A. One or more ice condenser lower inlet doors inoperable due to being physically restrained from opening.	A.1 Restore lower inlet door to OPERABLE status.	1 hour
B. One or more ice condenser doors inoperable for reasons other than Condition A or not closed.	B.1 Verify maximum ice bed temperature is ≤ 27°F.	Once per 4 hours
	AND	
	B.2 Restore ice condenser door to OPERABLE status and closed positions.	14 days

(continued)

ACTIONS (continued)

CONDITION	REQUIRED ACTION	COMPLETION TIME
C. Required Action and associated Completion Time of Condition B not met.	C.1 Restore ice condenser door to OPERABLE status and closed position.	48 hours
D. Required Action and associated Completion Time of Condition A or C not met.	D.1 Be in MODE 3. AND D.2 Be in MODE 5.	6 hours 36 hours

SURVEILLANCE REQUIREMENTS

SURVEILLANCE	FREQUENCY
SR 3.6.13.1 Verify all lower inlet doors indicate closed by the Inlet Door Position Monitoring System.	12 hours
SR 3.6.13.2 Verify, by visual inspection, each intermediate deck door is closed and not impaired by ice, frost, or debris.	7 days
SR 3.6.13.3 Verify, by visual inspection, each top deck door: a. Is in place; and b. Has no condensation, frost, or ice formed on the door that would restrict its opening.	92 days

(continued)

SURVEILLANCE REQUIREMENTS (continued)

SURVEILLANCE		FREQUENCY
SR 3.6.13.4	Verify, by visual inspection, each lower inlet door is not impaired by ice, frost, or debris.	18 months
SR 3.6.13.5	Verify torque required to cause each lower inlet door to begin to open is ≤ 675 in-lb, and verify free movement of the door.	18 months
SR 3.6.13.6	(deleted)	
SR 3.6.13.7	Verify for each intermediate deck door: a. No visual evidence of structural deterioration; b. Free movement of the vent assemblies; and c. Free movement of the door.	18 months

McGuire Nuclear Station Technical Specification Bases
LOES

TS Bases are revised by section

Page Number	Revision	Revision Date
	BASES	
	(Revised per section)	
i	Revision 87	8/15/07
ii	Revision 87	8/15/07
iii	Revision 87	8/15/07
B 2.1.1	Revision 51	1/14/04
B 2.1.2	Revision 102	8/17/09
B 3.0	Revision 81	3/29/07
B 3.1.1	Revision 73	3/6/06
B 3.1.2	Revision 10	9/22/00
B 3.1.3	Revision 10	9/22/00
B 3.1.4	Revision 0	9/30/98
B 3.1.5	Revision 19	1/10/02
B 3.1.6	Revision 0	9/30/98
B 3.1.7	Revision 58	06/23/04
B 3.1.8	Revision 0	9/30/98
B 3.2.1	Revision 74	5/3/06
B 3.2.2	Revision 10	9/22/00
B 3.2.3	Revision 34	10/1/02
B 3.2.4	Revision 10	9/22/00
B 3.3.1	Revision 99	3/9/09
B 3.3.2	Revision 99	3/9/09
B 3.3.3	Revision 100	4/13/09
B 3.3.4	Revision 57	4/29/04
B 3.3.5	Revision 11	9/18/00
B 3.3.6	Not Used - Revision 87	6/29/06
B 3.4.1	Revision 51	1/14/04
B 3.4.2	Revision 0	9/30/98
B 3.4.3	Revision 44	7/3/03
B 3.4.4	Revision 86	6/25/07
B 3.4.5	Revision 86	6/25/07

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B 3.4.6	Revision 86	6/25/07
B 3.4.7	Revision 86	6/25/07
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B 3.4.9	Revision 0	9/30/98
B 3.4.10	Revision 102	8/17/09
B 3.4.11	Revision 102	8/17/09
B 3.4.12	Revision 102	8/17/09
B 3.4.13	Revision 86	6/25/07
B 3.4.14	Revision 102	8/17/09
B 3.4.15	Revision 82	9/30/06
B 3.4.16	Revision 57	4/29/04
B 3.4.17	Revision 0	9/30/98
B 3.4.18	Revision 86	6/25/07
B 3.5.1	Revision 70	10/5/05
B 3.5.2	Revision 102	8/17/09
B 3.5.3	Revision 57	4/29/04
B 3.5.4	Revision 70	10/5/04
B 3.5.5	Revision 0	9/30/98
B 3.6.1	Revision 53	2/17/04
B 3.6.2	Revision 98	3/24/09
B 3.6.3	Revision 87	6/29/06
B 3.6.4	Revision 0	9/30/98
B 3.6.5	Revision 0	9/30/98
B 3.6.5-2	Revision 6	10/6/99
B 3.6.6	Revision 102	8/17/09
B 3.6.7	Not Used - Revision 63	4/4/05
B 3.6.8	Revision 63	4/4/05
B 3.6.9	Revision 63	4/4/05
B 3.6.10	Revision 43	5/28/03
B 3.6.11	Revision 78	9/25/06
B 3.6.12	Revision 53	2/17/04
B 3.6.13	Revision 104	6/28/10
B 3.6.14	Revision 64	4/23/05
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B 3.6.16	Revision 40	5/8/03
B 3.7.1	Revision 102	8/17/09
B 3.7.2	Revision 105	2/22/10
B 3.7.3	Revision 102	8/17/09
B 3.7.4	Revision 57	4/29/04
B 3.7.5	Revision102	8/17/09
B 3.7.6	Revision 0	9/30/98
B 3.7.7	Revision 101	9/17/09
B 3.7.8	Revision 107	6/23/10
B 3.7.9	Revision 97	1/30/09
B 3.7.10	Revision 75	6/12/06
B 3.7.11	Revision 65	6/2/05
B 3.7.12	Revision 28	5/17/02
B 3.7.13	Revision 85	2/26/07
B 3.7.14	Revision 66	6/30/05
B 3.7.15	Revision 66	6/30/05
B 3.7.16	Revision 0	9/30/98
B 3.8.1	Revision 106	10/16/08
B 3.8.2	Revision 92	1/28/08
B 3.8.3	Revision 103	12/15/08
B 3.8.4	Revision 100	4/13/09
B 3.8.5	Revision 41	7/29/03
B 3.8.6	Revision 0	9/30/98
B 3.8.7	Revision 20	1/10/02
B 3.8.8	Revision 41	7/29/03
B 3.8.9	Revision 24	2/4/02
B 3.8.10	Revision 41	7/29/03
B 3.9.1	Revision 68	9/1/05
B 3.9.2	Revision 41	7/29/03
B 3.9.3	Revision 91	11/7/07
B 3.9.4	Revision 84	2/20/07
B 3.9.5	Revision 59	7/29/04
B 3.9.6	Revision 41	7/29/03
B 3.9.7	Revision 88	9/5/07

B 3.6 CONTAINMENT SYSTEMS

B 3.6.13 Ice Condenser Doors

BASES

BACKGROUND

The ice condenser doors consist of the lower inlet doors, the intermediate deck doors, and the top deck doors. The functions of the doors are to:

a. Seal the ice condenser from air leakage and provide thermal/humidity barriers during the lifetime of the unit; and

b. Open in the event of a Design Basis Accident (DBA) to direct the hot steam-air mixture from the DBA into the ice bed, where the ice would absorb energy and limit containment peak pressure and temperature during the accident transient.

Limiting the pressure and temperature following a DBA reduces the release of fission product radioactivity from containment to the environment.

The ice condenser is an annular compartment enclosing approximately 300° of the perimeter of the upper containment compartment, but penetrating the operating deck so that a portion extends into the lower containment compartment. The lower inlet doors separate the atmosphere of the lower compartment from the ice bed inside the ice condenser. The top deck doors are above the ice bed and exposed to the atmosphere of the upper compartment. The intermediate deck doors, located below the top deck doors, form the floor of a plenum at the upper part of the ice condenser. This upper plenum area is used to facilitate surveillance and maintenance of the ice bed and contains the air handling units that remove heat from the ice bed. Equalization vents located at the periphery of the intermediate and top decks are provided to balance small pressure differentials occurring across the decks during normal operation.

The ice baskets held in the ice bed within the ice condenser are arranged to promote heat transfer from steam to ice. This arrangement enhances the ice condenser's primary function of condensing steam and absorbing heat energy released to the containment during a DBA.

In the event of a DBA, the ice condenser lower inlet doors (located below the operating deck) open due to the pressure rise in the lower compartment. This allows air and steam to flow from the lower

BASES

BACKGROUND (continued)

compartment into the ice condenser. The resulting pressure increase within the ice condenser causes the intermediate deck doors and the top deck doors to open, which allows the air to flow out of the ice condenser into the upper compartment. Steam condensation within the ice condenser limits the pressure and temperature buildup in containment. A divider barrier separates the upper and lower compartments and ensures that the steam is directed into the ice condenser.

The ice, together with the containment spray, serves as a containment heat removal system and is adequate to absorb the initial blowdown of steam and water from a DBA as well as the additional heat loads that would enter containment during the several hours following the initial blowdown. The additional heat loads would come from the residual heat in the reactor core, the hot piping and components, and the secondary system, including the steam generators. During the post blowdown period, the Air Return System (ARS) returns upper compartment air through the divider barrier to the lower compartment. This serves to equalize pressures in containment and to continue circulating heated air and steam from the lower compartment through the ice condenser, where the heat is removed by the remaining ice.

The water from the melted ice drains into the lower compartment where it serves as a source of borated water (via the containment sump) for the Emergency Core Cooling System (ECCS) and the Containment Spray System heat removal functions in the recirculation mode. The ice and the recirculated ice melt (via the Containment Spray System) also serve to clean up the containment atmosphere.

The ice condenser doors ensure that the ice stored in the ice bed is preserved during normal operation (doors closed) and that the ice condenser functions as designed if called upon to act as a passive heat sink following a DBA.

APPLICABLE SAFETY ANALYSES

The limiting DBAs considered relative to containment pressure and temperature are the loss of coolant accident (LOCA) and the steam line break (SLB). The LOCA and SLB are analyzed using computer codes designed to predict the resultant containment pressure and temperature transients. DBAs are assumed not to occur simultaneously or consecutively.

Although the ice condenser is a passive system that requires no electrical power to perform its function, the Containment Spray System and ARS also function to assist the ice bed in limiting pressures and temperatures. Therefore, the postulated DBAs are analyzed with respect to Engineered Safety Feature (ESF) systems, assuming the loss of one ESF bus, which

BASES

APPLICABLE SAFETY ANALYSES (continued)

is the worst case single active failure and results in one train each of the Containment Spray System and the ARS being rendered inoperable.

The limiting DBA analyses (Ref. 1) show that the maximum peak containment pressure results from the LOCA analysis and is calculated to be less than the containment design pressure. For certain aspects of transient accident analyses, maximizing the calculated containment pressure is not conservative. In particular, the cooling effectiveness of the ECCS during the core reflood phase of a LOCA analysis increases with increasing containment backpressure. For these calculations, the containment backpressure is calculated in a manner designed to conservatively minimize, rather than maximize, the calculated transient containment pressures, in accordance with 10 CFR 50, Appendix K (Ref. 2).

The maximum peak containment atmosphere temperature results from the SLB analysis and is discussed in the Bases for LCO 3.6.5, "Containment Air Temperature."

For very small break events occurring in the lower compartment that do not by themselves produce sufficient breakaway pressure to open the lower inlet doors, slowly released steam will migrate through the Divider Barrier into the upper compartment. In this situation, the Containment ARS will actuate at its defined pressure setpoint (including a defined time delay) and open the lower inlet doors, returning the steam/air mixture to the lower compartment and displacing it into the ice condenser where the steam portion of the flow will be condensed (Ref. 1). The Containment ARS can also be actuated manually.

In addition to calculating the overall peak containment pressures, the DBA analyses include the calculation of the transient differential pressures that would occur across subcompartment walls during the initial blowdown phase of the accident transient. The internal containment walls and structures are designed to withstand the local transient pressure differentials for the limiting DBAs.

The ice condenser doors satisfy Criterion 3 of 10 CFR 50.36(c)(2)(ii) (Ref. 3).

LCO

This LCO establishes the minimum equipment requirements to assure that the ice condenser doors perform their safety function. The ice condenser lower inlet doors, intermediate deck doors, and top deck doors must be closed to minimize air leakage into and out of the ice condenser, with its attendant leakage of heat into the ice condenser and loss of ice

BASES

LCO (continued)

through melting and sublimation. All lower inlet doors, intermediate deck doors, and top deck doors must be OPERABLE to ensure the proper functioning of the ice condenser in the event of a DBA. Ice condenser door OPERABILITY includes the absence of any obstructions that would physically restrain the doors from opening (i.e., prevent initial breakaway under any circumstances), and for the lower inlet doors, being adjusted such that the initial opening torques are within prescribed limits. The ice condenser doors function with the ice condenser to limit the pressure and temperature that could be expected following a DBA.

APPLICABILITY

In MODES 1, 2, 3, and 4, a DBA could cause an increase in containment pressure and temperature requiring the operation of the ice condenser doors. Therefore, the LCO is applicable in MODES 1, 2, 3, and 4.

The probability and consequences of these events in MODES 5 and 6 are reduced due to the pressure and temperature limitations of these MODES. Therefore, the ice condenser doors are not required to be OPERABLE in these MODES.

ACTIONS

Note 1 provides clarification that, for this LCO, separate Condition entry is allowed for each ice condenser door.

Note 2 provides clarification that entry into the Conditions and Required Actions is not required for short duration (< 4 hours) routine activities during Modes of Applicability for the Intermediate Deck and Top Deck Doors.

A.1

If one or more ice condenser lower inlet doors are inoperable due to being physically restrained from opening, the lower inlet door(s) must be restored to OPERABLE status within 1 hour. The Required Action is necessary to return operation to within the bounds of the containment analysis. The 1 hour Completion Time is consistent with the ACTIONS of LCO 3.6.1, "Containment," which requires containment to be restored to OPERABLE status within 1 hour.

B.1 and B.2

If one or more ice condenser doors are determined to be partially open or otherwise inoperable for reasons other than Condition A or if a door is found that is not closed, it is acceptable to continue unit operation for up to 14 days, provided the ice bed temperature instrumentation is monitored once per 4 hours to ensure that the open or inoperable door is not

BASES

ACTIONS (continued)

allowing enough air leakage to cause the maximum ice bed temperature to approach the melting point. The Frequency of 4 hours is based on the fact that temperature changes cannot occur rapidly in the ice bed because of the large mass of ice involved. The 14 day Completion Time is based on long term ice storage tests that indicate that if the temperature is maintained below 27°F, there would not be a significant loss of ice from sublimation. If the maximum ice bed temperature is > 27°F at any time or if the doors are not closed and restored to OPERABLE status within 14 days, the situation reverts to Condition C and a Completion Time of 48 hours is allowed to restore the inoperable door to OPERABLE status or enter into Required Actions D.1 and D.2. Ice bed temperature must be verified within the specified Frequency as augmented by the provisions of SR 3.0.2. Entry into Condition B is not required due to personnel standing on or opening an intermediate deck or top deck door for short durations (< 4 hours) to perform required surveillances, minor maintenance such as ice removal, or routine tasks such a system walkdowns

C.1

If Required Actions B.1 or B.2 are not met, the doors must be restored to OPERABLE status and closed positions within 48 hours. The 48 hour Completion Time is based on the fact that, with the very large mass of ice involved, it would not be possible for the temperature to increase to the melting point and a significant amount of ice to melt in a 48 hour period.

D.1 and D.2

If the ice condenser doors cannot be restored to OPERABLE status within the required Completion Time, the plant must be brought to a MODE in which the LCO does not apply. To achieve this status, the plant must be brought to at least MODE 3 within 6 hours and to MODE 5 within 36 hours. The allowed Completion Times are reasonable, based on operating experience, to reach the required plant conditions from full power conditions in an orderly manner and without challenging plant systems.

SURVEILLANCE REQUIREMENTS

SR 3.6.13.1

Verifying, by means of the Inlet Door Position Monitoring System, that the lower inlet doors are in their closed positions makes the operator aware of an inadvertent opening of one or more lower inlet doors. The Frequency

BASES

SURVEILLANCE REQUIREMENTS (continued)

of 12 hours ensures that operators on each shift are aware of the status of the doors.

SR 3.6.13.2

Verifying, by visual inspection, that each intermediate deck door is closed and not impaired by ice, frost, or debris provides assurance that the intermediate deck doors (which form the floor of the upper plenum where frequent maintenance on the ice bed is performed) have not been left open or obstructed. In determining if a door is impaired by ice, the frost accumulation on the doors, joints, and hinges are to be considered in conjunction with the lifting force limits of SR 3.6.13.7. The Frequency of 7 days is based on engineering judgment and takes into consideration such factors as the frequency of entry into the intermediate ice condenser deck, the time required for significant frost buildup, and the probability that a DBA will occur.

SR 3.6.13.3

Verifying, by visual inspection, that the top deck doors are in place and not obstructed provides assurance that the doors are performing their function of keeping warm air out of the ice condenser during normal operation, and would not be obstructed if called upon to open in response to a DBA. The Frequency of 92 days is based on engineering judgment, which considered such factors as the following:

a. The relative inaccessibility and lack of traffic in the vicinity of the doors make it unlikely that a door would be inadvertently left open;

b. Excessive air leakage would be detected by temperature monitoring in the ice condenser; and

c. The light construction of the doors would ensure that, in the event of a DBA, air and gases passing through the ice condenser would find a flow path, even if a door were obstructed.

SR 3.6.13.4

Verifying, by visual inspection, that the ice condenser lower inlet doors are not impaired by ice, frost, or debris provides assurance that the doors are free to open in the event of a DBA. For this unit, the Frequency of 18 months is based on door design, which does not allow water condensation to freeze, and operating experience, which indicates a low

BASES

SURVEILLANCE REQUIREMENTS (continued)

propensity for ice build-up on or behind the doors while the Unit is at power. Because of high radiation in the vicinity of the lower inlet doors during power operation, this Surveillance is normally performed during a shutdown.

SR 3.6.13.5

Verifying the initial opening torque of the lower inlet doors provides assurance that no doors have become stuck in the closed position and maintains consistency with the safety analysis initial conditions. Verifying the doors are free to move provides assurance that the hinges and spring closure mechanisms are functioning properly and not degrading.

The verifications consists of:

a) Ascertaining the opening torque (torque required to just begin to move the door off of its seal) of each door when pulled (or pushed) open and ensuring this torque is $\leq$ 675 in-lb, as resolved to the vertical hinge pin centerline, and
b) Opening each door manually to the full extent of its available swing arc (i.e., up to slight contact with the shock absorber) and releasing the door, verifying that the spring closure mechanisms are capable of returning the door toward the closed position.

The opening torque test a) should be performed first to minimize the loss of cold head in the ice condenser and prevent any preconditioning of the seal area. During the freedom of movement test b) the cold head is not required, and once the effect of cold head is reduced through outflow, the door may not completely return to its seal from the open position.

The opening torque test limiting value of 675 in-lb is based on the design cold head pressure on the closed lower inlet doors of approximately 1 pound per square foot. The Frequency of 18 months is based on the passive nature of the spring closure mechanism and operating experience, which indicates a low propensity for ice build-up on or behind the doors while the Unit is at power. Because of high radiation in the vicinity of the lower inlet doors during power operation, this Surveillance is normally performed during a shutdown.

SR 3.6.13.6 (deleted)

SR 3.6.13.7

Verifying the OPERABILITY of the intermediate deck doors provides assurance that the intermediate deck doors are free to open in the event

BASES

SURVEILLANCE REQUIREMENTS (continued)

of a DBA. The verification consists of visually inspecting the intermediate doors for structural deterioration, verifying free movement of the vent assemblies, and ascertaining free movement of each door when lifted with the applicable force shown below:

	Door	Lifting Force
a.	Adjacent to crane wall	< 37.4 lb
b.	Paired with door adjacent to crane wall	≤ 33.8 lb
c.	Adjacent to containment wall	≤ 31.8 lb
d.	Paired with door adjacent to containment wall	≤ 31.0 lb

The 18 month Frequency is based on the passive design of the intermediate deck doors, the frequency of personnel entry into the intermediate deck, and the fact that SR 3.6.13.2 confirms on a 7 day Frequency that the doors are not impaired by ice, frost, or debris, which are ways a door would fail the opening force test (i.e., by sticking or from increased door weight).

REFERENCES

1. UFSAR, Chapter 6.

2. 10 CFR 50, Appendix K.

3. 10 CFR 50.36, Technical Specifications, (c)(2)(ii).

4. MCS-1558.NF-00-0001 "Design Basis Specification for the NF System".

DUKE ENERGY CAROLINAS, LLC

DOCKET NO. 50-369

MCGUIRE NUCLEAR STATION, UNIT 1

RENEWED FACILITY OPERATING LICENSE

Renewed License No. NPF-9

1. The U.S. Nuclear Regulatory Commission (Commission), having previously made the findings set forth in License No. NPF-9 issued on June 12, 1981, has now found that:

   A. The application for renewed operating license filed by the Duke Energy Corporation* complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;

   B. Actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified to require review under 10 CFR 54.21(a)(1), and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21 (c), such that there is reasonable assurance that the activities authorized by the renewed operating license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for the McGuire Nuclear Station, Unit 1 (facility or plant), and that any changes made to the plant's current licensing basis in order to comply with 10 CFR 54.29(a) are in accord with the Act and the Commission's regulations;

   C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the regulations of the Commission;

   D. There is reasonable assurance: (i) that the activities authorized by this renewed operating license 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;

   E. The licensee is technically and financially qualified to engage in the activities authorized by this renewed operating license in accordance with the Commission's regulations set forth in 10 CFR Chapter I;

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* Duke Energy Corporation converted to Duke Power Company LLC on April 3, 2006 and was re-named Duke Energy Carolinas, LLC as of October 1, 2006. Duke Energy Carolinas, LLC is the owner and operator of McGuire Nuclear Station, Unit 1. References to the "licensee" or "Duke" are to Duke Energy Carolinas, LLC.

F. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;

G. The issuance of this renewed operating license will not be inimical to the common defense and security or to the health and safety of the public;

H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of this Renewed Facility Operating License No. NFP-9 is in accordance with 10 CFR Part 51, of the Commission's regulations and all applicable requirements have been satisfied; and,

I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this renewed operating license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40 and 70.

2. Based on the foregoing findings, and pursuant to approval by the Nuclear Regulatory Commission at a meeting on June 9, 1981, the License for Fuel-Loading and Zero Power Testing issued on January 23, 1981, as amended, is superseded by Renewed Facility Operating License No. NPF-9 which is hereby issued to Duke Energy Carolinas, LLC to read as follows:

A. This renewed operating license applies to the McGuire Nuclear Station, Unit 1, a pressurized water reactor and associated equipment (the facility) owned and operated by Duke Energy Carolinas, LLC. The facility is located on the licensee's site in Mecklenburg County, North Carolina, on the shore of Lake Norman approximately 17 miles northwest of Charlotte, North Carolina and is described in the Updated Final Safety Analysis Report, as supplemented and amended, and in the Environmental Report, as supplemented and amended.

B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Duke Energy Carolinas, LLC:

(1) Pursuant to Section 103 of the Act and 10 CFR Part 50, to possess, use, and operate the facility at the designated location in Mecklenburg County, North Carolina, in accordance with the procedures and limitations set forth in the renewed operating license;

(2) Pursuant to the Act and 10 CFR Part 70 to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Updated Final Safety Analysis Report, as supplemented and amended;

(3) Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;

(4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;

(5) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to possess, but not separate, such byproducts and special nuclear materials as may be produced by the operation of McGuire Nuclear Station, Units 1 and 2, and;

(6) Pursuant to the Act and 10 CFR Parts 30 and 40, to receive, possess and process for release or transfer such byproduct material as may be produced by the Duke Training and Technology Center.

C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at a reactor core full steady state power level of 3411 megawatts thermal (100%).

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 256, are hereby incorporated into this renewed operating license. The licensee shall operate the facility in accordance with the Technical Specifications.

(3) Updated Final Safety Analysis Report

The Updated Final Safety Analysis Report supplement submitted pursuant to 10 CFR 54.21(d), as revised on December 16, 2002, describes certain future activities to be completed before the period of extended operation. Duke shall complete these activities no later than June 12, 2021, and shall notify the NRC in writing when implementation of these activities is complete and can be verified by NRC inspection.

The Updated Final Safety Analysis Report supplement as revised on December 16, 2002, described above, shall be included in the next scheduled update to the Updated Final Safety Analysis Report required by 10 CFR 50.71(e)(4), following issuance of this renewed operating license. Until that update is complete, Duke may make changes to the programs described in such supplement without prior Commission approval, provided that Duke evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.

(4) Fire Protection Program

Duke Energy Carolinas, LLC shall implement and maintain in effect all provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report for the facility and as approved in the SER dated March 1978 and Supplements 2, 5 and 6 dated March 1979, April 1981, and February 1983, respectively, and the safety evaluation dated May 15, 1989, subject to the following provision:

> Duke may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

(5) Additional Conditions

The Additional Conditions contained in Appendix B, as revised through Amendment No. 200, are hereby incorporated into this renewed operating license. Duke Energy Carolinas, LLC shall operate the facility in accordance with the Additional Conditions.

(6) Antitrust Conditions

The licensee shall comply with the antitrust conditions delineated in Appendix C of this renewed operating license.

(7) Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

A) Fire fighting response strategy with the following elements:
   1. Pre-defined coordinated fire response strategy and guidance
   2. Assessment of mutual aid fire fighting assets
   3. Designated staging areas for equipment and materials
   4. Command and control
   5. Training of response personnel

B) Operations to mitigate fuel damage considering the following:
   1. Protection and use of personnel assets
   2. Communications
   3. Minimizing fire spread
   4. Procedures for implementing integrated fire response strategy
   5. Identification of readily-available pre-staged equipment
   6. Training on integrated fire response strategy
   7. Spent fuel pool mitigation measures

C) Actions to minimize release to include consideration of:
   1. Water spray scrubbing
   2. Dose to onsite responders

D. Physical Protection

Duke Energy Carolinas, LLC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains safeguards information protected under 10 CFR 73.21, is entitled: "Duke Energy Physical Security Plan" submitted by letter dated September 8, 2004, and supplemented on September 30, 2004, October 15, 2004, October 21, 2004, and October 27, 2004.

E. Deleted by Amendment No. 233.

F. The licensee shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

G. The licensee is authorized to receive from the Oconee Nuclear Station, Units 1, 2, and 3, possess, and store irradiated Oconee fuel assemblies containing special nuclear material, enriched to not more than 3.24% by weight U-235 subject to the following conditions:

a. Oconee fuel assemblies may not be placed in the McGuire Nuclear Station, Unit 1 and 2, reactors.

b. Irradiated fuel shipped to McGuire Nuclear Station, Units 1 and 2, from Oconee shall have been removed from the Oconee reactor no less than 270 days prior to shipment.

c. No more than 300 Oconee irradiated fuel assemblies shall be received for storage at McGuire Nuclear Station.

d. Burnup of Oconee fuel shipped shall be no greater than 36,000 MW days per metric ton.

e. Receipt of irradiated Oconee fuel shall be limited by the use of the NFS-4 (NAC-1), NLI-1/2, TN-8, or TN-8L spent fuel casks.

f. The spent fuel pool crane travel shall be restricted by administrative controls to the paths required by Selected Licensee Commitment 16.9.20 whenever a spent fuel cask is being handled.

g. Oconee fuel assemblies may not be transferred from one McGuire spent fuel pool to the other.

3. This renewed operating license is effective as of the date of issuance and shall expire at midnight on June 12, 2041.

FOR THE NUCLEAR REGULATORY COMMISSION

J.E. Dyer, Director
Office of Nuclear Reactor Regulation

Attachment:
1. Appendix A - Technical Specifications
2. Appendix B - Additional Conditions
3. Appendix C - Antitrust Conditions

Date of Issuance: December 5, 2003

APPENDIX B

ADDITIONAL CONDITIONS

FACILITY OPERATING LICENSE NO. NPF-9

Duke Energy Carolinas, LLC shall comply with the following conditions on the schedules noted below:

Amendment Number	Additional Conditions		Implementation Date
184	The schedule for the performance of new and revised surveillance requirements shall be as follows: For surveillance requirements (SRs) that are new in Amendment No. 184 the first performance is due at the end of the first surveillance interval that begins at implementation of Amendment No. 184. For SRs that existing prior to Amendment No. 184, including SRs with modified acceptance criteria and SRs whose intervals of performance are being extended, the first performance is due at the end of the first surveillance interval that begins on the date the surveillance was last performed prior to implementation of amendment No. 184. For SRs that existed prior to Amendment No. 184, whose intervals of performance are being reduced, the first reduced surveillance interval begins upon completion of the first surveillance performed after implementation of Amendment No. 184.		Within 90 days of the date of this amendment.

APPENDIX B

ADDITIONAL CONDITIONS

FACILITY OPERATING LICENSE NO. NPF-9

Duke Power Power Company LLC shall comply with the following conditions on the schedules noted below:

Amendment Number	Additional Conditions	Implementation Date
249	Upon implementation of the Amendment adopting TSTF-448, Revision 3, the determination of control room envelope (CRE) unfiltered inleakage as required by SR 3.7.9.4, in accordance with TS 5.5.16.c.(i), the assessment of CRE habitability as required by TS 5.5.16.c.(ii), and the measurement of CRE pressure as required by TS 5.5.16.d, shall be considered met. Following implementation: (a) The first performance of SR 3.7.9.4 in accordance with TS 5.5.16.c.(i), shall be within the specified Frequency of 6 years, plus the 18 month allowance of SR 3.0.2, as measured from October 2003, the date of the most recent successful tracer gas test, as stated in the February 19, 2004 letter response to Generic Letter 2003-01, or within the next 18 months if the time period since the most recent successful tracer gas test is greater than 6 years. (b) The first performance of the periodic assessment of CRE habitability, TS 5.5.16.c.(ii), shall be within 3 years, plus the 9 month allowance of SR 3.0.2 as measured from October 2003, the date of the most recent successful tracer gas test, as stated in the February 19, 2004 letter response to Generic Letter 2003-01, or within the next 9 months if the time period since the most recent successful tracer gas test is greater than 3 years. (c) The first performance of the periodic measurement of CRE pressure, TS 5.5.16.d, shall be within 18 months, plus the 138 days allowed by SR 3.0.2, as measured from January 2007, the date of the most recent successful pressure measurement test, or within 138 days if not performed previously.	See Condition

APPENDIX C

ANTITRUST CONDITIONS

Pursuant to an Order by the Atomic Safety and Licensing Board, dated April 23, 1975, the Nuclear Regulatory Commission incorporates in Renewed Operating License NPF-9 the following antitrust conditions:

a. The licensee makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

   Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction. Accordingly, the licensee will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to the licensee. There are net benefits in a transaction if the licensee recovers the cost of the transaction, (as defined in subparagraph (1)(d) hereof) and there is no demonstrable net detriment to the licensee arising from the transaction.

(1) As used herein:

   (a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.

   (b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of the following criteria: (1) its existing or proposed facilities are economically and technically feasible of interconnection with those of the licensee and (2) with the exception of municipalities, cooperatives, governmental agencies or authorities, and associations, it is, or upon commencement of operations will be, a public utility and subject to regulation with respect to rates and service under the laws of North Carolina or South Carolina or under the Federal Power Act; provided, however, that as to associations, each member of such association is either a public utility as discussed in this clause (2) or a municipality, a cooperative or

a governmental agency or authority.

(c) Where the phrase "neighboring entity" is intended to include entities engaging or proposing to engage only in the distribution of electricity, this is indicated by adding the phrase "including distribution systems."

(d) "Cost" means any appropriate operating and maintenance expenses, together with all other costs, including a reasonable return on the licensee's investment, which are reasonably allocable to a transaction. However, no value shall be included for loss of revenue due to the loss of any wholesale or retail customer as a result of any transaction hereafter described.

(2) (a) The licensee will interconnect and coordinate reserves by means of the sale and exchange of emergency and scheduled maintenance bulk power with any neighboring entity(ies), when there are net benefits to each party, on terms that will provide for all of the licensee's properly assignable costs as may be determined by the Federal Energy Regulatory Commission and consistent with such cost assignment will allow the other party the fullest possible benefits of such coordination.

(b) Emergency service and/or scheduled maintenance service to be provided by each party will be furnished to the fullest extent available from the supplying party and desired by the party in need. The licensee and each party will provide to the other emergency service and/or scheduled maintenance service if and when available from its own generation and, in accordance with recognized industry practice, from generation of other to the extent it can do so without impairing service to its customers, including other electric systems to whom it has firm commitments.

(c) Each party to a reserve coordination arrangement will establish its own reserve criteria, but in no event shall the minimum installed reserve on each system be less than 15%, calculated as a percentage of estimated peak load responsibility. Either party, if it has, or has firmly planned, installed reserves in excess of the amount called for by its own reserve criterion, will offer any such excess as may in fact be available at the time for which it is sought and for such period as the selling party shall determine for purchase in accordance with reasonable industry practice by the other party to meet such other party's own reserve requirements. The parties will provide such amounts of spinning reserve as may be adequate to avoid the imposition of unreasonable demands on the other part(ies) in meeting the normal contingencies of operating its (their) system(s). However, in no circumstances shall such spinning reserve requirement exceed the installed reserve requirement.

(d) Interconnections will not be limited to low voltages when higher voltages are available from the licensee's installed facilities in the area where interconnection is desired and when the proposed arrangement is found to be technically and economically feasible.

(e) Interconnection and reserve coordination agreements will not embody provisions which impose limitations upon the use or resale of power and energy sold or exchanged pursuant to the agreement. Further, such arrangements will not prohibit the participants from entering into other interconnection and coordination arrangements, but may include appropriate provisions to assure that (i) the licensee receives adequate notice of such additional interconnection or coordination, (ii) the parties will jointly consider and agree upon such measures, if any, as are reasonably necessary to protect the reliability of the interconnected systems and to prevent undue burdens from being imposed on any system, and (iii) the licensee will be fully compensated for its costs. Reasonable industry practice as developed in the area from time to time will satisfy this provision.

(3) The licensee currently has on file, and may hereafter file, with the Federal Energy Regulatory Commission contracts with neighboring entity(ies) providing for the sale and exchange of short-term power and energy, limited term power and energy, economy energy, non-displacement energy, and emergency capacity and energy. The Licensee will enter into contracts providing for the same or for like transactions with any neighboring entity on terms which enable the licensee to recover the full costs allocable to such transaction.

(4) The licensee currently sells capacity and energy in bulk on a full requirements basis to several entities engaging in the distribution of electric power at retail. In addition, the licensee supplies electricity directly to ultimate users in a number of municipalities. Should any such entity(ies) or municipality(ies) desire to become a neighboring entity as defined in subparagraph (1)(b) hereof (either alone or through combination with others), the licensee will assist in facilitating the necessary transition through the sale of partial requirements firm power and energy to the extent that, except for such transition, the licensee would otherwise be supplying firm power and energy. The provision of such firm partial requirements service shall be under such rates, terms and conditions as shall be found by the Federal Energy Regulatory Commission to provide for the recovery of the licensee's cost. The licensee will sell capacity and energy in bulk on a full requirements basis to any municipality currently served by the licensee when such municipality lawfully engages in the distribution of electric power at retail.

(5) (a) The licensee will facilitate the exchange of electric power in bulk in wholesale transactions over its transmission facilities (1) between or

among two or more neighboring entities including distribution systems with which it is interconnected or may be interconnected in the future, and (2) between any such entity(ies) and any other electric system engaging in bulk power supply between whose facilities the licensee's transmission lines and other transmission lines would form a continuous electric path, provided that permission to utilize such other transmission lines has been obtained. Such transaction shall be undertaken provided that the particular transaction reasonably can be accommodated by the licensee's transmission system from a functional and technical standpoint and does not constitute the wheeling of power to a retail customer. Such transmission shall be on terms that fully compensate the licensee for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable notice of its (their) schedule and requirements.

(b) The licensee will include in its planning and construction program sufficient transmission capacity as required for the transactions referred to in subparagraph (a) of this paragraph, provided that (1) the neighboring entity(ies) gives the licensee sufficient advance notice as may be necessary reasonably to accommodate its (their) requirements from a functional and technical standpoint and (2) that such entity(ies) fully compensate the licensee for its cost. In carrying out this subparagraph (b), however, the licensee shall not be required to construct or add transmission facilities which (a) will be of no demonstrable present or future benefit to the licensee, or (b) which could be constructed by the requesting entity(ies) without duplicating any portion of the licensee's existing transmission lines, or (c) which would jeopardize the licensee's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements. Where regulatory or environmental approvals are required for the construction or addition of transmission facilities needed for the transactions referred to in subparagraph (a) of this paragraph it shall be the responsibility of the entity(ies) seeking the transaction to participate in obtaining such approvals, including sharing in the cost thereof.

(6) To increase the possibility of achieving greater reliability and economy of electric generation and transmission facilities, the licensee will discuss load projections and system development plans with any neighboring entity(ies).

(7) When the licensee's plans for future nuclear generating units (for which application will hereafter be made to the Nuclear Regulatory commission) have reached the stage of serious planning, but before firm decisions have been made as to the size and desired completion date of the proposed nuclear units, the licensee will notify all neighboring entities including distribution systems with peak loads smaller than the licensee's that the licensee plans to construct such

nuclear units. Neither the timing nor the information provided need be such as to jeopardize obtaining the required site at the lowest possible cost.

(8) The foregoing commitments shall be implemented in a manner consistent with the provisions of the Federal Power Act and all other lawful local, state and Federal regulation and authority. Nothing in these commitments is intended to determine in advance the resolution of issues which are properly raised at the Federal Energy Regulatory Commission concerning such commitments, including allocation of costs or the rates to be charged. The licensee will negotiate (including the execution of a contingent statement of intent) with respect to the foregoing commitments with any neighboring entity including distribution systems where applicable engaging in or proposing to engage in bulk power supply transactions, but the licensee shall not be required to enter into any final arrangement prior to resolution of any substantial questions as to the lawful authority of an entity to engage in the transactions.

In addition, the licensee shall not be obligated to enter into a given bulk power supply transaction if: (1) to do so would violate, or incapacitate it from performing, and existing lawful contracts it has with a third party; (2) there is contemporaneously available to it a competing or alternate arrangement which affords it greater benefits which would be mutually exclusive of such arrangement; (3) to do so would adversely affect its system operations or the reliability of power supply to its customers, or (4) if to do so would jeopardize the licensee's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements.

DUKE ENERGY CAROLINAS, LLC

DOCKET NO. 50-370

MCGUIRE NUCLEAR STATION, UNIT 2

RENEWED FACILITY OPERATING LICENSE

Renewed License No. NPF-17

1. The U.S. Nuclear Regulatory Commission (Commission), having previously made the findings set forth in License No. NPF-17 issued on March 3, 1983, has now found that:

   A. The application for renewed operating license filed by the Duke Energy Corporation* complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I and all required notifications to other agencies or bodies have been duly made;

   B. Actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified to require review under 10 CFR 54.21(a)(1), and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21 (c), such that there is reasonable assurance that the activities authorized by the renewed operating license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for the McGuire Nuclear Station, Unit 2 (facility or plant), and that any changes made to the plant's current licensing basis in order to comply with 10 CFR 54.29(a) are in accord with the Act and the Commission's regulations;

   C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the regulations of the Commission;

   D. There is reasonable assurance: (i) that the activities authorized by this renewed operating license 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;

   E. The licensee is technically qualified to engage in the activities authorized by this renewed operating license in accordance with the Commission's regulations set forth in 10 CFR Chapter I;

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* Duke Energy Corporation converted to Duke Power Company LLC on April 3, 2006 and was re-named Duke Energy Carolinas, LLC as of October 1, 2006. Duke Energy Carolinas, LLC is the owner and operator of McGuire Nuclear Station, Unit 2. References to the "licensee" or "Duke" are to Duke Energy Carolinas, LLC.

F. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements", of the Commission's regulations;

G. The issuance of this renewed operating license will not be inimical to the common defense and security or to the health and safety of the public;

H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of this Renewed Facility Operating License No. NPF-17 is in accordance with 10 CFR Part 51, of the Commission's regulations and all applicable requirements have been satisfied; and,

I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this renewed operating license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40 and 70.

2. Based on the foregoing findings and the Initial Decisions issued by the Atomic Safety and Licensing Board dated April 18, 1979, and May 26, 1981, and the Decision of the Atomic Safety and Licensing Appeal Board dated March 30, 1982, regarding this facility, Renewed Facility Operating License No. NPF-17 is hereby issued to Duke Energy Carolinas, LLC to read as follows:

A. This renewed operating license applies to the McGuire Nuclear Station, Unit 2, a pressurized water reactor and associated equipment (the facility) owned and operated by Duke Energy Carolinas, LLC. The facility is located on the site in Mecklenburg County, North Carolina, on the shore of Lake Norman approximately 17 miles northwest of Charlotte, North Carolina, and is described in the Updated Final Safety Analysis Report, as supplemented and amended, and in the Environmental Report, as supplemented and amended.

B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Duke Energy Carolinas, LLC:

(1) Pursuant to Section 103 of the Act and 10 CFR Part 50, to possess, use, and operate the facility at the designated location in Mecklenburg County, North Carolina, in accordance with the procedures and limitations set forth in this renewed operating license;

(2) Pursuant to the Act and 10 CFR Part 70 to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Updated Final Safety Analysis Report, as supplemented and amended;

(3) Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;

(4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;

(5) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to possess, but not separate, such byproducts and special nuclear materials as may be produced by the operation of McGuire Nuclear Station, Units 1 and 2; and,

(6) Pursuant to the Act and 10 CFR Parts 30 and 40, to receive, possess and process for release or transfer such byproduct material as may be produced by the Duke Training and Technology Center.

C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at a reactor core full steady state power level of 3411 megawatts thermal (100%).

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 236, are hereby incorporated into this renewed operating license. The licensee shall operate the facility in accordance with the Technical Specifications.

(3) Updated Final Safety Analysis Report

The Updated Final Safety Analysis Report supplement submitted pursuant to 10 CFR 54.21(d), as revised on December 16, 2002, describes certain future activities to be completed before the period of extended operation. Duke shall complete these activities no later than March 3, 2023, and shall notify the NRC in writing when implementation of these activities is complete and can be verified by NRC inspection.

The Updated Final Safety Analysis Report supplement as revised on December 16, 2002, described above, shall be included in the next scheduled update to the Updated Final Safety Analysis Report required by 10 CFR 50.71(e)(4), following issuance of this renewed operating license. Until that update is complete, Duke may make changes to the programs described in such supplement without prior Commission approval, provided that Duke evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59, and otherwise complies with the requirements in that section.

(4) Fire Protection Program

Duke Energy Carolinas, LLC shall implement and maintain in effect all provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report for the facility and as approved in the SER dated March 1978 and Supplements 2, 5, and 6 dated March 1979, April 1981, and February 1983, respectively, and the safety evaluation dated May 15, 1989, subject to the following provisions:

The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

(5) Protection of the Environment

Before engaging in additional construction or operational activities which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the Final Environmental Statement dated April 1976, the licensee shall provide written notification to the Office of Nuclear Reactor Regulation.

(6) Additional Conditions

The Additional Conditions contained in Appendix B, as revised through Amendment No. 181, are hereby incorporated into this renewed operating license. Duke Energy Carolinas, LLC shall operate the facility in accordance with the Additional Conditions.

(7) Antitrust Conditions

The licensee shall comply with the antitrust conditions delineated in Appendix C of this renewed operating license.

(8) Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

A) Fire fighting response strategy with the following elements:
   1. Pre-defined coordinated fire response strategy and guidance
   2. Assessment of mutual aid fire fighting assets
   3. Designated staging areas for equipment and materials
   4. Command and control
   5. Training of response personnel

B) Operations to mitigate fuel damage considering the following:
   1. Protection and use of personnel assets
   2. Communications
   3. Minimizing fire spread

4. Procedures for implementing integrated fire response strategy
5. Identification of readily-available pre-staged equipment
6. Training on integrated fire response strategy
7. Spent fuel pool mitigation measures

C) Actions to minimize release to include consideration of:
1. Water spray scrubbing
2. Dose to onsite responders

D. Physical Protection

Duke Energy Carolinas, LLC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains safeguards information protected under 10 CFR 73.21, is entitled: "Duke Energy Physical Security Plan" submitted by letter dated September 8, 2004, and supplemented on September 30, 2004, October 15, 2004, October 21, 2004, and October 27, 2004.

E. Deleted by Amendment No. 215.

F. The licensee shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

G. In accordance with the Commission's direction in its Statement of Policy, Licensing and Regulatory Policy and Procedures for Environmental Protection: Uranium Fuel Cycle Impacts, October 29, 1982, this renewed operating license is subject to the final resolution of the pending litigation involving Table S-3. See, Natural Resources Defense Council v. NRC, No. 74-1586 (D.C. cir. April 27, 1982).

H. The licensee is authorized to receive from the Oconee Nuclear Station, Units 1, 2, and 3, possess, and store irradiated Oconee fuel assemblies containing special nuclear material, enriched to not more than 3.24% by weight U-235 subject to the following conditions:

a. Oconee fuel assemblies may not be placed in the McGuire Nuclear Station, Unit 1 and 2, reactors.

b. Irradiated fuel shipped to McGuire Nuclear Station, Units 1 and 2, from Oconee shall have been removed from the Oconee reactor no less than 270 days prior to shipment.

c. No more than 300 Oconee irradiated fuel assemblies shall be received for storage at McGuire Nuclear Station.

d. Burnup of Oconee fuel shipped shall be no greater than 36,000 MW days per metric ton.

e. Receipt of irradiated Oconee fuel shall be limited by the use of the NFS-4 (NAC-1), NLI-1/2, TN-8, or TN-8L spent fuel casks.

f. The spent fuel pool crane travel shall be restricted by administrative controls to the paths required by Selected Licensee Commitment 16.9.20 whenever a spent fuel cask is being handled.

g. Oconee fuel assemblies may not be transferred from one McGuire spent fuel pool to the other.

3. This renewed operating license is effective as of the date of issuance and shall expire at midnight on March 3, 2043.

FOR THE NUCLEAR REGULATORY COMMISSION

J.E. Dyer, Director
Office of Nuclear Reactor Regulation

Attachment:
1. Appendix A - Technical Specifications
2. Appendix B - Additional Conditions
3. Appendix C - Antitrust Conditions

Date of Issuance: December 5, 2003

APPENDIX B

ADDITIONAL CONDITIONS

FACILITY OPERATING LICENSE NO. NPF-17

Duke Energy Carolinas, LLC shall comply with the following conditions on the schedules noted below:

Amendment Number	Additional Conditions	Implementation Date
166	The schedule for the performance of new and revised surveillance requirements shall be as follows: For surveillance requirements (SRs) that are new in Amendment No. 166 the first performance is due at the end of the first surveillance interval that begins at implementation of Amendment No. 166. For SRs that existed prior to Amendment No. 166, including SRs with modified acceptance criteria and SRs whose intervals of performance are being extended, the first performance is due at the end of the first surveillance interval that begins on the date the surveillance was last performed prior to implementation of amendment No. 166. For SRs that existed prior to Amendment No. 166, whose intervals of performance are being reduced, the first reduced surveillance interval begins upon completion of the first surveillance performed after implementation of Amendment No. 166.	Within 90 days of the date of this amendment.

APPENDIX B

ADDITIONAL CONDITIONS

FACILITY OPERATING LICENSE NO. NPF-17

Duke Power Power Company LLC shall comply with the following conditions on the schedules noted below:

Amendment Number	Additional Conditions	Implementation Date
229	Upon implementation of the Amendment adopting TSTF-448, Revision 3, the determination of control room envelope (CRE) unfiltered inleakage as required by SR 3.7.9.4, in accordance with TS 5.5.16.c.(i), the assessment of CRE habitability as required by TS 5.5.16.c.(ii), and the measurement of CRE pressure as required by TS 5.5.16.d, shall be considered met. Following implementation: (a) The first performance of SR 3.7.9.4 in accordance with TS 5.5.16.c.(i), shall be within the specified Frequency of 6 years, plus the 18 month allowance of SR 3.0.2, as measured from October 2003, the date of the most recent successful tracer gas test, as stated in the February 19, 2004 letter response to Generic Letter 2003-01, or within the next 18 months if the time period since the most recent successful tracer gas test is greater than 6 years. (b) The first performance of the periodic assessment of CRE habitability, TS 5.5.16.c.(ii), shall be within 3 years, plus the 9 month allowance of SR 3.0.2 as measured from October 2003, the date of the most recent successful tracer gas test, as stated in the February 19, 2004 letter response to Generic Letter 2003-01, or within the next 9 months if the time period since the most recent successful tracer gas test is greater than 3 years. (c) The first performance of the periodic measurement of CRE pressure, TS 5.5.16.d, shall be within 18 months, plus the 138 days allowed by SR 3.0.2, as measured from January 2007, the date of the most recent successful pressure measurement test, or within 138 days if not performed previously.	See Condition

APPENDIX C

ANTITRUST CONDITIONS

Pursuant to an Order by the Atomic Safety and Licensing Board, dated April 23, 1975, the Nuclear Regulatory Commission incorporates in Operating License NPF-17 the following antitrust conditions:

a. The licensee makes the commitments contained herein, recognizing that bulk power supply arrangements between neighboring entities normally tend to serve the public interest. In addition, where there are net benefits to all participants such arrangements also serve the best interests of each of the participants. Among the benefits of such transactions are increased electric system reliability, a reduction in the cost of electric power, and minimization of the environmental effects of the production and sale of electricity.

   Any particular bulk power supply transaction may afford greater benefits to one participant than to another. The benefits realized by a small system may be proportionately greater than those realized by a larger system. The relative benefits to be derived by the parties from a proposed transaction, however, should not be controlling upon a decision with respect to the desirability of participating in the transaction. Accordingly, the licensee will enter into proposed bulk power transactions of the types hereinafter described which, on balance, provide net benefits to the licensee. There are net benefits in a transaction if the licensee recovers the cost of the transaction (as defined in subparagraph (1)(d) hereof) and there is no demonstrable net detriment to the licensee arising from the transaction.

(1) As used herein:

   (a) "Bulk Power" means electric power and any attendant energy, supplied or made available at transmission or sub-transmission voltage by one electric system to another.

   (b) "Neighboring Entity" means a private or public corporation, a governmental agency or authority, a municipality, a cooperative, or a lawful association of any of the foregoing owning or operating, or proposing to own or operate, facilities for the generation and transmission of electricity which meets each of the following criteria: (1) its existing or proposed facilities are economically and technically feasible of interconnection with those of the licensee and (2) with the exception of municipalities, cooperatives, governmental agencies or authorities, and associations, it is, or upon commencement of operations will be, a public utility and subject to regulation with respect to rates and service under the laws of North Carolina or South Carolina or under the Federal Power Act; provided, however, that as to associations, each member of such association is either a public utility as discussed in this clause (2) or

a municipality, a cooperative or a governmental agency or authority.

(c) Where the phrase "neighboring entity" is intended to include entities engaging or proposing to engage only in the distribution of electricity, this is indicated by adding the phrase "including distribution systems."

(d) "Cost means any appropriate operating and maintenance expenses, together with all other costs, including a reasonable return on the licensee's investment, which are reasonably allocable to a transaction. However, no value shall be included for loss of revenue due to the loss of any wholesale or retail customer as a result of any transaction hereafter described.

(2) (a) The licensee will interconnect and coordinate reserves by means of the sale and exchange of emergency and scheduled maintenance bulk power with any neighboring entity(ies), when there are net benefits to each party, on terms that will provide for all of the licensee's properly assignable costs as may be determined by the Federal Energy Regulatory Commission and consistent with such cost assignment will allow the other party the fullest possible benefits of such coordination.

(b) Emergency service and/or scheduled maintenance service to be provided by each party will be furnished to the fullest extent available from the supplying party and desired by the party in need. The licensee and each party will provide to the other emergency service and/or scheduled maintenance service if and when available from its own generation and, in accordance with recognized industry practice, from generation of other to the extent it can do so without impairing service to its customers, including other electric systems to whom it has firm commitments.

(c) Each party to a reserve coordination arrangement will establish its own reserve criteria, but in no event shall the minimum installed reserve on each system be less than 15%, calculated as a percentage of estimated peak load responsibility. Either party, if it has, or has firmly planned, installed reserves in excess of the amount called for by its own reserve criterion, will offer any such excess as may in fact be available at the time for which it is sought and for such period as the selling party shall determine for purchase in accordance with reasonable industry practice by the other party to meet such other party's own reserve requirements. The parties will provide such amounts of spinning reserve as may be adequate to avoid the imposition of unreasonable demands on the other part(ies) in meeting the normal contingencies of operating its (their) system(s). However, in no circumstances shall such spinning reserve requirement exceed the installed reserve requirement.

(d) Interconnections will not be limited to low voltages when higher voltages are

available from the licensee's installed facilities in the area where interconnection is desired and when the proposed arrangement is found to be technically and economically feasible.

(e) Interconnection and reserve coordination agreements will not embody provisions which impose limitations upon the use or resale of power and energy sold or exchanged pursuant to the agreement. Further, such arrangements will not prohibit the participants from entering into other interconnection and coordination arrangements, but may include appropriate provisions to assure that (i) the licensee receives adequate notice of such additional interconnection or coordination, (ii) the parties will jointly consider and agree upon such measures, if any, as are reasonably necessary to protect the reliability of the interconnected systems and to prevent undue burdens from being imposed on any system, and (iii) the licensee will be fully compensated for its costs. Reasonable industry practice as developed in the area from time to time will satisfy this provision.

(3) The licensee currently has on file, and may hereafter file, with the Federal Energy Regulatory Commission contracts with neighboring entity(ies) providing for the sale and exchange of short-term power and energy, limited term power and energy, economy energy, non- displacement energy, and emergency capacity and energy. The Licensee will enter into contracts providing for the same or for like transactions with any neighboring entity on terms which enable the licensee to recover the full costs allocable to such transaction.

(4) The licensee currently sells capacity and energy in bulk on a full requirements basis to several entities engaging in the distribution of electric power at retail. In addition, the licensee supplies electricity directly to ultimate users in a number of municipalities. Should any such entity(ies) or municipality(ies) desire to become a neighboring entity as defined in subparagraph (1)(b) hereof (either alone or through combination with others), the licensee will assist in facilitating the necessary transition through the sale of partial requirements firm power and energy to the extent that, except for such transition, the licensee would otherwise be supplying firm power and energy. The provision of such firm partial requirements service shall be under such rates, terms and conditions as shall be found by the Federal Energy Regulatory Commission to provide for the recovery of the licensee's cost. The licensee will sell capacity and energy in bulk on a full requirements basis to any municipality currently served by the licensee when such municipality lawfully engages in the distribution of electric power at retail.

(5) (a) The licensee will facilitate the exchange of electric power in bulk in wholesale transactions over its transmission facilities (1) between or among two or more neighboring entities including distribution systems with which it is interconnected or may be interconnected in the future, and (2) between any such entity(ies) and any other electric system engaging in bulk power supply between whose facilities the licensee's transmission

lines and other transmission lines would form a continuous electric path, provided that permission to utilize such other transmission lines has been obtained. Such transaction shall be undertaken provided that the particular transaction reasonably can be accommodated by the licensee's transmission system from a functional and technical standpoint and does not constitute the wheeling of power to a retail customer. Such transmission shall be on terms that fully compensate the licensee for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable notice of its (their) schedule and requirements.

(b) The licensee will include in its planning and construction program sufficient transmission capacity as required for the transactions referred to in subparagraph (a) of this paragraph, provided that (1) the neighboring entity(ies) gives the licensee sufficient advance notice as may be necessary reasonably to accommodate its (their) requirements from a functional and technical standpoint and (2) that such entity(ies) fully compensate the licensee for its cost. In carrying out this subparagraph (b), however, the licensee shall not be required to construct or add transmission facilities which (a) will be of no demonstrable present or future benefit to the licensee, or (b) which could be constructed by the requesting entity(ies) without duplicating any portion of the licensee's existing transmission lines, or (c) which would jeopardize the licensee's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements. Where regulatory or environmental approvals are required for the construction or addition of transmission facilities needed for the transactions referred to in subparagraph (a) of this paragraph it shall be the responsibility of the entity(ies) seeking the transaction to participate in obtaining such approvals, including sharing in the cost thereof.

(6) To increase the possibility of achieving greater reliability and economy of electric generation and transmission facilities, the licensee will discuss load projections and system development plans with any neighboring entity(ies).

(7) When the licensee's plans for future nuclear generating units (for which application will hereafter be made to the Nuclear Regulatory commission) have reached the stage of serious planning, but before firm decisions have been made as to the size and desired completion date of the proposed nuclear units, the licensee will notify all neighboring entities including distribution systems with peak loads smaller than the licensee's that the licensee plans to construct such nuclear units. Neither the timing nor the information provided need be such as to jeopardize obtaining the required site at the lowest possible cost.

The foregoing commitments shall be implemented in a manner consistent with the provisions of the Federal Power Act and all other lawful local, state and Federal regulation and authority. Nothing in these commitments is intended to determine in advance the resolution of issues which are properly raised at the Federal Energy Regulatory Commission concerning such commitments,

including allocation of costs or the rates to be charged. The licensee will negotiate (including the execution of a contingent statement of intent) with respect to the foregoing commitments with any neighboring entity including distribution systems where applicable engaging in or proposing to engage in bulk power supply transactions, but the licensee shall not be required to enter into any final arrangement prior to resolution of any substantial questions as to the lawful authority of an entity to engage in the transactions.

In addition, the licensee shall not be obligated to enter into a given bulk power supply transaction if: (1) to do so would violate, or incapacitate it from performing, and existing lawful contracts it has with a third party; (2) there is contemporaneously available to it a competing or alternate arrangement which affords it greater benefits which would be mutually exclusive of such arrangement; (3) to do so would adversely affect its system operations or the reliability of power supply to its customers, or (4) if to do so would jeopardize the licensee's ability to finance or construct on reasonable terms facilities needed to meet its own anticipated system requirements.