



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 139 TO FACILITY OPERATING LICENSE NPF-9  
AND AMENDMENT NO. 121 TO FACILITY OPERATING LICENSE NPF-17  
DUKE POWER COMPANY  
MCGUIRE NUCLEAR STATION, UNITS 1 AND 2  
DOCKET NOS. 50-369 AND 50-370

1.0 INTRODUCTION

By letter dated October 28, 1992, as supplemented December 14, 1993, Duke Power Company (the licensee) submitted a request for changes to the McGuire Nuclear Station, Units 1 and 2, Technical Specifications (TS). The requested changes would remove the "Reactor Vessel Material Surveillance Program - Withdrawal Schedule" from the TS and implement associated administrative changes. These changes are reflected in proposed TS 4.4.9.1.2 and Table 4.4-5, and the appropriate section of the TS Bases. The December 14, 1993, letter provided clarifying information that did not change the scope of the October 28, 1992, application and the initial proposed no significant hazards consideration determination. The staff's safety evaluation of the proposed changes follows.

2.0 EVALUATION

As stated in Generic Letter 91-01, a program for reactor vessel material surveillance ensures the availability of data to update the inservice operating temperature and pressure limits. This program will assist in fulfilling the requirements of Appendix H to Part 50 of Title 10 of the Code of Federal Regulations (10 CFR) to prevent brittle fracture of the reactor vessel. The surveillance requirements associated with these limits specify the withdrawal schedule for the reactor vessel material specimens. Section II.B.3 of Appendix H to 10 CFR Part 50 requires that a proposed withdrawal schedule be submitted to, and approved by the NRC before implementation. Hence, the placement of this schedule for material specimens in the TS duplicates the controls on changes to this schedule that have been established by Appendix H.

The removal of the schedule from the TS will not result in any loss of regulatory control because changes to this schedule are controlled by the requirements of Appendix H to 10 CFR Part 50.

The NRC staff finds that the proposed amendments for McGuire with respect to the removal of the schedule for the withdrawal of reactor vessel specimens from the TS are consistent with the regulations, have no adverse safety implication, and are, therefore, acceptable.

### 3.0 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.

### 4.0 ENVIRONMENTAL CONSIDERATION

The amendments change surveillance requirements. 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 (57 FR 61112 dated December 23, 1992). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

### 5.0 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.

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