



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 164 TO FACILITY OPERATING LICENSE NPF-9
AND AMENDMENT NO. 146 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 November 2, 1994, as supplemented by letters dated November 16 and December 14, 1995, Duke Power Company (the licensee) submitted a request for changes to the McGuire Nuclear Station, Units 1 and 2, Operating Licenses. The requested changes would delete the content of the Appendix B, "Environmental Protection Plan" (Non-radiological) Technical Specifications and modify License Condition 2.C:(2) so as to delete that portion which refers to the Environmental Protection Plan. The November 16 and December 14, 1995, letters provided clarifying information that did not change the scope of the November 2, 1994, application and the initial proposed no significant hazards consideration determination.

2.0 EVALUATION

Appendix B, "Environmental Protection Plan," (EPP) was originally issued with the McGuire Nuclear Station Operating License Nos. NPF-9 and NPF-17 and contained, among other items, requirements to conduct for a limited time period certain aquatic and terrestrial environmental monitoring studies. These studies have now been completed.

The aquatic environmental requirements are now superseded by the requirements in the National Pollutant Discharge Elimination System (NPDES) permit that is administered by the U. S. Environmental Protection Agency (EPA). The radiological environmental monitoring requirements have been incorporated in Appendix A, Technical Specifications, in accordance with Appendix I to 10 CFR Part 50. On this basis, the staff concludes that there is no significant effect on safety caused by the action of this amendment. The action taken by this amendment is administrative in nature and is intended to relieve the licensee of the burden of certain environmental reporting requirements as discussed below though it does not eliminate the requirement for a long-term, terrestrial and aquatic environmental monitoring program.

Section 3.1 of the EPP provides general guidelines to the licensee to maintain records of changes in the plant design or operation and of tests and experiments carried out at the McGuire Station which might affect the environment. The licensee proposes to delete this section since this requirement is duplicated in the NPDES permit as well as in the licensee's Nuclear Station Modification Manual and in Nuclear System Directive 301. The staff concurs with the proposal and finds deletion of this section acceptable.

Section 3.2, Reporting Related to the NPDES Permit and State Certifications, requires the licensee to report to the NRC and the permitting agency any violations of the NPDES permit or the State certification of the results of the special studies conducted in accordance with the Clean Water Act, and any proposed changes to the effective NPDES permit. The licensee proposes to submit the copies of the application for renewal of the NPDES permit to the NRC within 30 days of submission to the permitting agency as opposed to the same time of submission to the permitting agency. In addition, the licensee also requests deletion of water quality limits and monitoring programs from the Appendix B Technical Specifications as these aquatic requirements are now under the jurisdiction of the EPA as established by the Federal Water Pollution Control Act Amendments of 1972. The staff concurs in the deletion of the aquatic requirements and will rely on the NPDES permit system that is administered by EPA for regulation and protection of the aquatic environment.

Section 4.1 of the EPP requires that any occurrence of an unusual or important event that indicates or could result in significant environmental impact casually related to McGuire station operation be recorded and reported within a certain time to the NRC followed by a written report. The licensee states that this requirement is duplicated in the licensee's Nuclear System Directive 202 (titled "10CFR50.72 Reports"), and in the licensee's McGuire Nuclear Station procedure RP/O/A/5700/10. In addition, the licensee, in its letter of December 14, 1995, stated that the examples of 10CFR50.72 reportable events as presently listed in Section 4.1 of the EPP will be added in the licensee's next update of the Nuclear System Directive 202. The licensee's proposed change is administrative and results in no change in reporting requirements. The staff finds the proposed change acceptable.

With regard to Section 4.2 of the McGuire Nuclear Station's Environmental Protection Plan, Environmental Monitoring, no studies or monitoring programs were recommended for the McGuire Station. However, the licensee is committed to comply with the comprehensive environmental monitoring incorporated in the Appendix A, Technical Specifications.

Based on the preceding considerations, the staff concludes that deletion of the remaining portions of Appendix B in its entirety is acceptable. Similarly, the deletion of that portion of License Condition 2.C.(2) which refers to the Environmental Protection Plan is also 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 recordkeeping, reporting, or administrative procedures or requirements. 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 (60 FR 11131 dated March 1, 1995). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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.

Principal Contributor: Raj K. Anand

Date: February 5, 1996