

DUKE POWER COMPANY

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NUCLEAR PRODUCTION

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October 29, 1984

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Ms. E. G. Adensam, Chief
Licensing Branch No. 4

Re: McGuire Nuclear Station
Docket Nos. 50-369, 50-370

Dear Mr. Denton:

On September 24, 1984 the Nuclear Regulatory Commission issued Amendment No. 35 to Facility Operating License NPF-9 and Amendment No. 16 to Facility Operating License NPF-17 for McGuire Nuclear Station, Units 1 and 2. These amendments consisted of changes to the Technical Specifications in response to Duke Power's application dated February 17, 1984 and followed up by the March 20, 1984 submittal of the Safety and Environmental Analysis for the proposed spent fuel pool two region rerack modifications. Included in the submittals was a detailed description of the installation process and the installation schedule for the rerack modifications. The license amendment was made effective as of its date of issuance.

It is Duke Power's position that although the amendments are effective as of the date issued, Specifications 3/4.9.12, 5.6.1 b, 5.6.1c, and 5.6.3 are not applicable until the modifications to install the high density two region racks are complete on each unit. This modification is currently in progress on Unit 2 with completion scheduled by the start of the first refueling outage (January 1985). For Unit 1, the modification is scheduled for completion by the start of the third refueling outage (May 1986). Until such time as these spent fuel pool rerack modifications are initiated, (1) the original new fuel and spent fuel storage racks shall be maintained with a nominal 21-inch and 15.5 inch, respectively, center-to-center distance between fuel assemblies placed in the storage racks; and (2) the spent fuel storage pool of each Unit shall be maintained with a storage capacity limited to no more than 500 fuel assemblies. Upon completion of the rerack modifications, the Technical Specification requirements contained in Amendments No. 35 and 16 to the McGuire Nuclear Station Facility Operating License will be applicable. Unless informed to the contrary, we consider Duke Power's position on this matter to be acceptable to the NRC.

Very truly yours,

H. B. Tucker
Hal B. Tucker

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Mr. Harold R. Denton, Director
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cc: Mr. J. P. O'Reilly, Regional Administrator
U. S. Nuclear Regulatory Commission
Region II
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Mr. W. T. Orders
Senior Resident Inspector
McGuire Nuclear Station