

UNITED STATES NUCLEAR REGULATORY COMMISSIONDUKE ENERGY CORPORATIONDOCKET NOS. 50-369 AND 50-370MCGUIRE NUCLEAR STATION, UNITS 1 AND 2ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-9 and NPF-17 issued to Duke Energy Corporation (DEC or the licensee) for operation of the McGuire Nuclear Station, Units 1 and 2 (McGuire), respectively, located at the licensee's site in Mecklenberg County, North Carolina.

ENVIRONMENTAL ASSESSMENTIdentification of the Proposed Action:

The proposed action will replace the McGuire current Technical Specifications (CTS) to be consistent with the Improved Standard Technical Specifications (ITS) based on Revision 1 to NUREG-1431, "Standard Technical Specifications Westinghouse Plants BWR/4" April 1995, and the CTS for McGuire Units 1 and 2. The proposed action is in response to the licensee's application dated May 27, 1997, as supplemented on March 9, March 20, April 20, June 3, June 24, July 7, July 21, July 22, August 5, September 8, and September 15, 1998.

The Need for the Proposed Action:

It has been recognized that nuclear safety in all plants would benefit from improvement and standardization of the TSs. The Commission's "NRC interim Policy Statement on Technical Specification Improvements for Nuclear Power Reactors" (52 FR 3788, February 6, 1987), and later the Commission's "Final Policy Statement on Technical Specification

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Improvements for Nuclear Power Reactors" (58 FR 39132, July 22, 1993), formalized this need. To facilitate the development of individual improved TSs, each reactor vendor owners group (OG) and the NRC staff developed standard TSs (STS). For Westinghouse plants, the STS are published as NUREG-1431, and this document was the basis for the new McGuire Unit 1 and Unit 2 TSs. The NRC Committee to Review Generic Requirements reviewed the STS and made note of the safety merits of the STS and indicated its support of conversion to the STS by operating plants.

Description of the Proposed Change:

The proposed revision to the TSs is based on NUREG-1431 and on guidance provided in the Final Policy Statement. Its objective is to completely rewrite, reformat, and streamline the existing TSs. Emphasis is placed on human factors principles to improve clarity and understanding. The Bases section has been significantly expanded to clarify and better explain the purpose and foundation of each specification. In addition to NUREG-1431, portions of the existing TSs were also used as the basis for the ITS. Plant-specific issues (unique design features, requirements, and operating practices) were discussed at length with the licensee, and generic matters with the OG.

The proposed changes from the existing TS can be grouped into four general categories, as follows:

1. Administrative (nontechnical) changes, which were intended to make the ITS easier to use for plant operations personnel. They are purely editorial in nature or involve the movement or reformatting of requirements without affecting technical content. Every section of the McGuire TSs has undergone these types of changes. In order to ensure consistency, the NRC staff and the licensee have used NUREG-1431 as guidance to reformat and make other administrative changes.

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2. Relocation of requirements, which includes items that were in the existing McGuire TSs. The TSs that are being relocated to licensee-controlled documents are not required to be in the TSs under 10 CFR 50.36, as the TSs do not meet any of the four criteria contained in 10 CFR 50.36 for inclusion in the TSs. They are not needed to obviate the possibility that an abnormal situation or event will give rise to an immediate threat to public health and safety. The NRC staff has concluded that appropriate controls have been established for all of the current specifications, information, and requirements that are being moved to licensee-controlled documents. In general, the proposed relocation of items in the McGuire TSs to the Updated Final Safety Analysis Report, appropriate plant-specific programs, procedures, and ITS Bases follows the guidance of the Westinghouse STS (NUREG-1431). Once these items have been relocated by removing them from the TSs to licensee-controlled documents, the licensee may revise them under the provisions of 10 CFR 50.59 or other NRC staff-approved control mechanisms, which provide appropriate procedural means to control changes.
3. More restrictive requirements, which consist of proposed McGuire ITS items that are either more conservative than corresponding requirements in the existing McGuire TSs, or are additional restrictions that are not in the existing McGuire TSs but are contained in NUREG-1431. Examples of more restrictive requirements include: placing a limiting condition for operation on plant equipment that is not required by the present TSs to be operable; more restrictive requirements to restore inoperable equipment; and more restrictive surveillance requirements.
4. Less restrictive requirements, which are relaxations of corresponding requirements in the existing McGuire TSs that provide little or no safety benefit and place unnecessary

burdens on the licensee. These relaxations were the result of generic NRC actions or other analyses. They have been justified on a case-by-case basis for McGuire and will be described in the staff's Safety Evaluation to be issued with the license amendments.

In addition to the changes previously described, the licensee proposed certain changes to the existing TSs that deviated from the STS in NUREG-1431. These additional proposed changes are described in the licensee's application and in the staff's Notices of Consideration of Issuance of Amendments to Facility Operating Licenses and Opportunity for a Hearing (63 FR 25107, 63 FR 25108, 63 FR 27761, 63 FR 40554; 63 FR 45524). Where these changes represent a change to the current licensing basis for McGuire, they have been justified on a case-by-case basis and will be described in the staff's Safety Evaluation to be issued with the license amendments.

Environmental Impacts of the Proposed Action:

The Commission has completed its evaluation of the proposed action and concludes that the proposed TS conversion would not increase the probability or consequences of accidents previously analyzed and would not affect facility radiation levels or facility radiological effluents.

Changes that are administrative in nature have been found to have no effect on the technical content of the TSs, and are acceptable. The increased clarity and understanding these changes bring to the TSs are expected to improve the operator's control of the plant in normal and accident conditions.

Relocation of requirements to licensee-controlled documents does not change the requirements themselves. Future changes to these requirements may be made by the licensee under 10 CFR 50.59 or other NRC-approved control mechanisms, which ensures continued maintenance of adequate requirements. All such relocations have been found to be in

conformance with the guidelines of NUREG-1431 and the Final Policy Statement, and, therefore, are acceptable.

Changes involving more restrictive requirements have been found to be acceptable and are likely to enhance the safety of plant operations.

Changes involving less restrictive requirements have been reviewed individually. When requirements have been shown to provide little or no safety benefit or to place unnecessary burdens on the licensee, their removal from the TSs was justified. In most cases, relaxations previously granted to individual plants on a plant-specific basis were the result of a generic NRC action, or of agreements reached during discussions with the OG and found to be acceptable for McGuire. Generic relaxations contained in NUREG-1431 as well as proposed deviations from NUREG-1431 have also been reviewed by the NRC staff and have been found to be acceptable.

In summary, the proposed revision to the TSs was found to provide control of plant operations such that reasonable assurance will be provided so that the health and safety of the public will be adequately protected.

These TS changes will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in individual or cumulative occupational or public radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action involves features located entirely within the restricted area as defined in 10 CFR Part 20. The proposed action does not involve any historic sites. It does not affect nonradiological plant effluents and has no



other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action:

Since the Commission has concluded there is no significant environmental impact associated with the proposed amendments, any alternatives with equal or greater environmental impact need not be evaluated. The principal alternative to this action would be to deny the request for the amendment (i.e., "no action"). Such action would not reduce the environmental impacts of plant operations. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources:

This action did not involve the use of any resources not previously considered in the Final Environmental Statement related to the operation of the McGuire Units 1 and 2.

Agencies and Persons Consulted:

In accordance with its stated policy, on September 18, 1998, the staff consulted with the North Carolina State official, Mr. J. James, of the North Carolina Department of Environment, Commerce and Natural Resources, Division of Radiation Protection. The State official had no comments.

FINDING OF NO SIGNIFICANT IMPACT

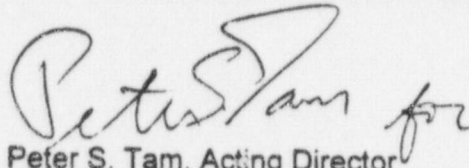
Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed amendments.

For further details with respect to this action, see the licensee's letter dated May 27, 1997, as supplemented on March 9, March 20, April 20, June 3, June 24, July 7, July 21,

July 22, August 5, September 8, and September 15, 1998, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the J. Murrey Atkins Library, University of North Carolina at Charlotte, 9201 University City Boulevard, Charlotte, North Carolina.

Dated at Rockville, Maryland, this 22nd day of September 1998.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script that reads "Peter S. Tam for". The signature is written in black ink and is positioned above the typed name and title.

Peter S. Tam, Acting Director  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation