

June 6, 2003

Mr. Dhiaa Jamil  
Vice President, McGuire Site  
Duke Energy Corporation  
12700 Hagers Ferry Road  
Huntersville, NC 28078-8985

SUBJECT: McGUIRE NUCLEAR STATION, UNITS 1 AND 2 RE: ISSUANCE OF  
AMENDMENTS (TAC NOS. MB6911 AND MB6912)

Dear Mr. Jamil:

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 213 to Facility Operating License NPF-9 and Amendment No. 194 to Facility Operating License NPF-17 for the McGuire Nuclear Station, Units 1 and 2. The amendments consist of changes to the Technical Specifications (TS) in response to your application dated December 2, 2002, as supplemented by letter dated April 14, 2003.

The amendments revise the TS administrative controls in TS 5.1.2, 5.2.2, 5.3.1 and 5.7.2.

A copy of the related Safety Evaluation is also enclosed. A Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

**/RA/**

Robert E. Martin, Senior Project Manager, Section 1  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-369 and 50-370

Enclosures:

1. Amendment No. 213 to NPF-9
2. Amendment No. 194 to NPF-17
3. Safety Evaluation

cc w/encls: See next page

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DUKE ENERGY CORPORATION

DOCKET NO. 50-369

McGUIRE NUCLEAR STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.213  
License No. NPF-9

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment to the McGuire Nuclear Station, Unit 1 (the facility), Facility Operating License No. NPF-9 filed by the Duke Energy Corporation (licensee) dated December 2, 2002, as supplemented by letter dated April 14, 2003, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment 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;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-9 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 213, are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

John A. Nakoski, Chief, Section 1  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment:  
Technical Specification  
Changes

Date of Issuance: June 6, 2003

DUKE ENERGY CORPORATION

DOCKET NO. 50-370

McGUIRE NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 194

License No. NPF-17

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment to the McGuire Nuclear Station, Unit 2 (the facility), Facility Operating License No. NPF-17 filed by the Duke Energy Corporation (licensee) dated December 2, 2002, as supplemented by letter dated April 14, 2003, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations as set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment 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;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is hereby amended by page changes to the Technical Specifications as indicated in the attachment to this license amendment, and Paragraph 2.C.(2) of Facility Operating License No. NPF-17 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 194, are hereby incorporated into this license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

**/RA/**

John A. Nakoski, Chief, Section 1  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment:  
Technical Specification  
Changes

Date of Issuance: June 6, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 213

FACILITY OPERATING LICENSE NO. NPF-9

DOCKET NO. 50-369

ATTACHMENT TO LICENSE AMENDMENT NO.194

FACILITY OPERATING LICENSE NO. NPF-17

DOCKET NO. 50-370

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

5.1-1  
5.2-3  
5.3-1  
5.7-1

Insert

5.1-1  
5.2-3  
5.3-1  
5.7-1

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 213 TO FACILITY OPERATING LICENSE NPF-9  
AND AMENDMENT NO. 194 TO FACILITY OPERATING LICENSE NPF-17

DUKE ENERGY CORPORATION

MCGUIRE NUCLEAR STATION, UNITS 1 AND 2

DOCKET NOS. 50-369 AND 50-370

## 1.0 INTRODUCTION

By letter dated December 2, 2002, as supplemented by letter dated April 14, 2003, Duke Energy Corporation, (the licensee), submitted a request for changes to the McGuire Nuclear Station, Units 1 and 2, (McGuire) Technical Specifications (TS). The requested changes would revise the administrative controls in TSs 5.1.2, 5.2.2, 5.3.1 and 5.7.2.

The letter dated April 14, 2003, provided clarifying information that did not change the scope of the December 2, 2002, application nor the initial proposed no significant hazards consideration determination.

## 2.0 REGULATORY EVALUATION

The licensee's request was reviewed against the Standard Technical Specifications (STS) contained in NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," Revision 2, dated April 30, 2001.

The Administrative Controls section of the TS includes requirements for the designation of the management position that will be responsible for overall unit operation and also provides for the delegation of this responsibility. The Administrative Controls section also includes requirements for a position that will provide advisory technical support in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit. Requirements for unit staff qualifications and for control of access to areas with specified radiation levels are also included in the Administrative Controls.

## 3.0 TECHNICAL EVALUATION

The licensee proposes revising TS 5.1.2 and TS 5.2.2 to reflect present McGuire operations shift responsibilities and proposes revising TS 5.3.1 to delete reference to the NRC staff's letter dated March 28, 1980, (Reference 1), regarding minimum qualifications of licensed operators and senior operators. Currently, TS 5.1.2 and 5.2.2 provide the titles of Shift Supervisor and Shift Work Manager. The revised TS will change the titles to Control Room Senior Reactor Operator and Shift Technical Advisor, respectively. TS 5.3.1 requires licensed operators and



senior operators to meet or exceed certain requirements of the March 28, 1980, NRC letter to all licensees. The current training requirements for the Reactor Operator and Senior Reactor Operator qualification at the McGuire Station are as described in the Duke Power letter of April 14, 2003. The change in titles for the Shift Supervisor and the Shift Work Manager and the deletion of the reference to the March 28, 1980, NRC letter to all licensees are administrative in nature and the revised TS reflects the intent and wording of the Westinghouse STS. Therefore, the changes are acceptable.

The licensee also proposes revising TS 5.7.2, concerning the control of keys to locked high radiation areas. Currently TS 5.7.2 requires that keys be under the administrative control of "the Shift Supervisor on duty or radiation protection personnel." The revised TS will require that keys be maintained under the administrative control of "the Operations Shift Manager, Radiation Protection Manager, or his or her designee." The substitution of the Operations Shift Manager for the Shift Supervisor is essentially an administrative change since the Operations Shift Manager has sufficient authority to maintain control over the high radiation area keys. The revised TS reflects the intent and, with the exception of this title substitution, the wording of the Westinghouse STS. Therefore, the changes are acceptable.

#### 4.0 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.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendments change requirements with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The amendments also change requirements with respect to recordkeeping, reporting, or administrative procedures and 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 (68 FR 800). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and 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.

#### 6.0 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.

## 7.0 REFERENCES

1. Letter from H. R. Denton, NRC, to All Power Reactor Applicants and Licensees, dated March 28, 1980.

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R. Pelton

Date: June 6, 2003

McGuire Nuclear Station

cc:

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