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U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, D.C. 20555

Subject: Retraction of Relief Request 99-002
McGuire Nuclear Station Unit 1 Docket Number 50-369
McGuire Nuclear Station Unit 2 Docket Number 50-370

Re: Letter Duke Energy Corporation to U.S. Nuclear Regulatory Commission
Relief Request 99-002
January 5, 2000 from H.B. Barron

Duke Energy requested relief from certain requirements of 10 CFR 50.55 (a) in a letter dated January 5, 2000. Duke based this requested relief on ASME Code Case N-323-1 "Alternative Examination for Welded Attachments to Pressure Vessels Section XI, Division 1." Duke was relying on the NRC Staff's future endorsement of the case in an upcoming revision of Regulatory Guide 1.147 "Inservice Inspection Code Case Acceptability, ASME Section XI, Division 1".

Duke had a teleconference on February 9, 2000 with Office of Nuclear Regulation (ONRR) staff to discuss this relief request. During that call the staff advised Duke that the staff would not likely endorse Code Case N-323-1. As such, Duke does not have the regulatory foundation for Relief Request 99-002 and hereby retracts that request.

Please contact Mike Cash (704 875-4117, mtcash@duke-energy.com) if you have questions on this matter.

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