



## SAFEGUARDS INFORMATION

**Duke Energy Corporation**

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H. B. Barron  
Vice President

April 30, 2002

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555-0001

**SUBJECT:** Duke Energy Corporation  
McGuire Nuclear Station, Units 1 and 2  
Docket Numbers 50-369 and 50-370  
Revised Response to Item 5.d of the NRC Order for Interim Safeguards and  
Security Compensatory Measures for McGuire Nuclear Station dated February  
25, 2002

**REFERENCES:**

- 1) Letter, Duke Energy Corporation to U.S. Nuclear Regulatory Commission, Document Control Desk, Dated March 18, 2002, SUBJECT: Response to NRC Order for Interim Safeguards and Security Compensatory Measures for McGuire Nuclear Station dated February 25, 2002.
- 2) Letter, Duke Energy Corporation to U.S. Nuclear Regulatory Commission, Mr. Samuel J. Collins, Dated March 18, 2002, SUBJECT: Request for Extension of Time to Submit an Answer and Request a Hearing

Gentlemen:

By Reference 1, McGuire Nuclear Station submitted its response to the Interim Safeguards and Security Compensatory Measures Order ("Order") issued by the United States Nuclear Regulatory Commission ("NRC") on February 25, 2002 for McGuire Nuclear Station Units 1 and 2. By Reference 2, McGuire submitted a request for an extension of time in which to submit an answer and request a hearing regarding the order. A conference call was held on April 16, 2002 with members of the NRC to discuss the McGuire response to the Order. As a result of the conference call, the NRC requested that McGuire revise the response to Item 5.d to provide additional details to facilitate NRC review.

**NOTICE:** Attachment 1 to this letter contains "SAFEGUARDS INFORMATION." Upon separation of the Attachment 1, this letter is "DECONTROLLED."

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In accordance with 10 C.F.R. § 50.4, Duke Energy Corporation hereby submits a revised response to Item 5.d of the Order. Attachment 1 to this letter contains safeguards information, as defined in 10 C.F.R. § 73.21. Duke Energy Corporation therefore requests that Attachment 1 be withheld from public disclosure.

The response and schedule for achieving compliance is based on our understanding of Expectations and Guidance, as documented in the March 8, 2002 letter from the Nuclear Energy Institute (NEI) to Chief Nuclear Officers providing Security Order Guidance. This guidance was determined to be an acceptable method for licensee implementation of the interim compensatory measures in a letter to Mr. Ralph Beedle, Senior Vice President and Chief Nuclear Officer, NEI from Mr. Sam Collins, Director, Office of Nuclear Reactor Regulation, dated March 11, 2002.

In addition, the NRC requested clarification on extensions being requested in Reference 2. McGuire Nuclear Station requests an extension of time until June 14, 2002 to supplement the response to the Order and an equal extension of time in which to request a hearing for item B.1.c. McGuire hereby withdraws the subject request for items B.2.a(1) and B.2.a(2). After further evaluation, McGuire has concluded that an extension of these items is not necessary.

**Attachment 1 to this letter contains "Safeguards Information." Upon separation of Attachment 1, this cover letter is to be considered DECONTROLLED.**

Questions regarding this submittal should be directed to Kay L. Crane, McGuire Regulatory Compliance at (704) 875-4306.



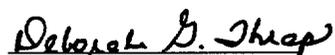
H. B. Barron

Attachment

STATE OF NORTH CAROLINA

The above-subscribed individual appeared before me and made oath that he is duly authorized to execute this response on behalf of Duke Energy Corporation, the statements contained within this response are true to the best of his knowledge and belief, and that copies of the response were sent to the addressee and listed individuals.

Before me,



Notary Public



My Commission Expires: 4/6/2007

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CC:

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Mr. Samuel J. Collins  
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**SAFEGUARDS INFORMATION**