

June 2, 2003

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

Subject: Duke Energy Corporation
Oconee Nuclear Station, Units 1, 2, and 3
NRC Docket Nos. 50-269, 50-270, 50-287
McGuire Nuclear Station, Units 1 and 2
NRC Docket Nos. 50-369, 50-370
Catawba Nuclear Station, Units 1 and 2
NRC Docket Nos. 50-413, 50-414
ANSWER, RESPONSE AND REQUEST FOR CLARIFICATION TO
APRIL 29, 2003 NRC ORDER FOR COMPENSATORY MEASURES
RELATED TO TRAINING ENHANCEMENTS ON TACTICAL AND
FIREARMS PROFICIENCY AND PHYSICAL FITNESS APPLICABLE
TO ARMED NUCLEAR POWER PLANT SECURITY FORCE
PERSONNEL (EA-03-039)

Section IV of the April 29, 2003, Order for Compensatory Measures Related to Training Enhancements on Tactical and Firearms Proficiency and Physical Fitness Applicable to Armed Nuclear Power Plant Security Force Personnel (EA-03-039) ("Order") states that, in accordance with 10 C.F.R. §2.202, a licensee must submit an answer to the Order and may request a hearing on the Order within 35 days of the date of the Order.

Duke Energy Corporation ("Duke") hereby submits its answer (pursuant to 10 C.F.R. §2.202 and Section IV of the Order) and response (pursuant to 10 C.F.R. §50.4 and Sections III B.1, B.2, and C.1 of the Order) for 50-269, 50-270, 50-287, Oconee Nuclear Station, 50-369, 50-370, McGuire Nuclear Station, and 50-413, 50-414, Catawba Nuclear Station. Duke consents to the Order and does not request a hearing. As Duke fully intends to comply with the Order, the schedule for achieving compliance with each requirement in Attachment 2 to the Order is enclosed as Attachment 1 to this letter.

However, because the NRC has used force-on-force testing as a standard by which compliance with the DBT was evaluated and because the tactics and capabilities associated with the DBT influence the training prescribed in the Order, Duke requests that the NRC provide a clear definition of the objectives and criteria for force-on-force

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exercises so that appropriate revisions can be made to safeguards contingency plans, security plans and security officer training and qualification plans.

Specifically, Duke needs a clear explanation of the purpose of the force-on-force exercise

(a) in the purpose of force-on-force exercises for security officer training, or to evaluate

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M. S. Tuckman, affirms that he is the person who subscribed his name to the foregoing statement, and that all the matters and facts set forth herein are true and correct to the best of his knowledge.

M. S. Tuckman

M. S. Tuckman

Subscribed and sworn to me: June 2, 2003
Date

Mary P. Delms
Notary Public

My Commission Expires: JAN 22, 2006
Date

SEAL

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Attachment 1

Schedule For Implementation Of Compensatory Measures Related To Training Enhancements On Tactical And Firearms Proficiency And Physical Fitness Applicable To Armed Nuclear Power Plant Security Force Personnel

C. 1

Implementation of the requirements of this section began immediately upon receipt of the Order and will continue through October 29, 2004.

C. 2. a. 1-5

Lesson plans and training programs consistent with these requirements will be developed and approved no later than October 31, 2003. Individual training components of these requirements will be completed no later than October 29, 2004.

C. 2. a. 6

Current program meets these requirements. No additional actions are required.

C. 2. b

This requirement will be implemented prior to the implementation of the individual training components as listed in C. 2. a. 1-5.

C. 3. a. 1

This requirement will be completed by October 29, 2004

C. 3. a. 2-3

Procedures will be revised to meet these requirements no later than October 31, 2003.

C. 4

Current program meets these requirements. No additional actions are required.