

August 2, 2004

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
Supplemental Response to Physical Security Plan

The U.S. Nuclear Regulatory Commission ("NRC") issued an Order dated April 29, 2003, requiring compliance with Revised Design Basis Threat ("Order EA-03-086") and other security related Orders (collectively "Orders") in Docket Nos. 50-269, 50-270, 50-287, Oconee Nuclear Station, 50-369, 50-370, McGuire Nuclear Station, and 50-413, 50-414, Catawba Nuclear Station. On June 2, 2003, pursuant to 10 CFR §50.4 and Conditions III A.1, B.1 and B.2, Duke Energy Corporation ("Duke") submitted its response to Order EA-03-086. On April 27, 2004 Duke submitted a supplemental response to Order EA-03-086.

On May 5, 2004, the NRC issued Supplement No. 1 to Nuclear Regulatory Commission (NRC) staff's Safety Evaluation (SE) regarding Duke's application submitted on February 27, 2003, as supplemented, to revise the Technical Specifications for the Catawba Nuclear Station (Catawba) to allow the use of four mixed oxide (MOX) fuel lead test assemblies in one of the two Catawba units. The NRC staff's SE that was issued on April 5, 2004, on this matter stated that subsequent supplements to the SE would be issued to address the evaluation of security related issues and other matters as may be appropriate. Supplement 1 provided the NRC staff's evaluation of the changes to the physical security plan for the protection of MOX fuel. It also provided the NRC staff's evaluation of Duke's request for exemptions from certain parts of NRC regulations related to the physical security plan for Catawba.

SAFEGUARDS INFORMATION

NOTE: THE ATTACHMENT TO THIS LETTER CONTAINS
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www.duke-energy.com

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Consistent with the requirements of 10 CFR §50.4, attached hereto is a supplement to the April 27, 2004 submittal that provides a security plan for MOX which is consistent in content with the security plan reviewed by the NRC staff in the preparation of Supplement 1 of the Safety Evaluation Report. This attachment has been reformatted to match the security plan submitted on April 27, 2004. Upon resolution of the ongoing issues with the revised security plan, Duke will submit a revision to the April 27, 2004 submittal. The attached information contains Safeguards Information and is subject to 10 CFR §73.21 restrictions. Also, the attached information contains licensee physical protection information. Therefore, Duke requests that it be withheld from public disclosure pursuant to 10 CFR §2.790(d)(1).

If you have any questions regarding this submittal, please contact Randall D. Hart, Catawba Nuclear Station, at (803) 831-3622.

Sincerely,



Dhiaa M. Jamil
Vice President, Nuclear Support

Attachment

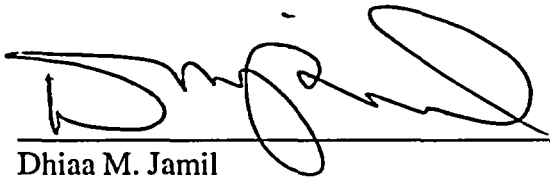
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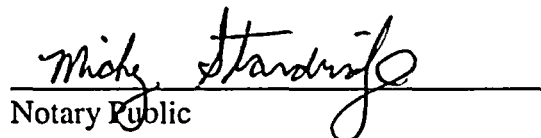
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Dhiaa M. Jamil affirms that he is the person who subscribed his name to the foregoing statement, and that all the matters and facts set forth herein are true and correct to the best of his knowledge.



Dhiaa M. Jamil

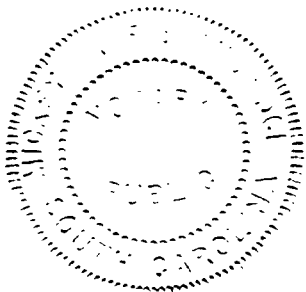
Subscribed and sworn to me: 8-2-2004
Date



Notary Public

My Commission Expires: 7-10-2012
Date

SEAL



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xc:

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E. F. Guthrie (without attachment)
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Catawba Nuclear Station

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bxc:(w Attachment)

T. W. King – ON01SC

D. G. Black – MG01SC

W. T. Byers – CN01SC

bxc:(w/o Attachment)

L. E. Nicholson – ON01VP

J. A. Kammer – MG01VP

R. L. Sweigart – CN01SA

B. G. Davenport – ON03RC

C. J. Thomas – MG01RC

L. A. Keller – CN01RC

R. L. Gill – EC05P

T. Shafeek – PB05

L. F. Vaughn – PB05

K. L. Crane – MG01RC

K. E. Nicholson – CN01RC

NCMPA-1

SREC

PMPA

NCEMC

ONS Master File – ON03DM (File OS 801.01)

MNS Master File – MG01DM

CNS Master File – CN01DM

ELL

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