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September 9, 2004 (10:27AM)

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Hand and Electronic Delivery

Diane Curran, Esq.
Harmon, Curran, Spielberg & Eisenberg, LLP
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Suite 600
Washington, DC 20036

**Re: In the Matter of Duke Energy Corporation
Catawba Nuclear Station, Units 1 and 2
Docket Nos. 50-413-OLA, 50-414-OLA**

Dear Ms. Curran:

This letter confirms certain discovery matters related to Security Contention 5 in the captioned proceeding. Initially, I am enclosing a revised Index of Documents Responsive to BREDL Request ("Index").

As requested in your August 26, 2004 letter to me (Safeguards Information), Security Procedure No. 400 has been made available for your examination at the offices of Winston & Strawn. Also, pursuant to your request in that letter, I have enclosed with this letter an index of Catawba security procedures. I would note that a number of procedures have already been provided to you as responsive to specific discovery requests, e.g., Index Nos. 67-76. In providing such a list, Duke does not concede that all such procedures are relevant or discoverable in this proceeding.

Yesterday, I informed you that the NRC Staff requested that I remove the unredacted copies of two security procedures, Nos. 213 and 401 (Index Nos. 67 and 68), from the group of discovery documents made available to you. By letter of this date to the Licensing Board, with copies to the parties, the NRC Staff requested that Duke continue to withhold the unredacted documents. I would note that while expediency and a desire to move this proceeding forward played some role in the decision to release the unredacted documents, Duke was acting in full accord with the Licensing Board's Memorandum and Order (Confirming August 10,

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2004, Bench Ruling Finding Need to Know and Ordering Provision of Documents Sought by Intervenor in Discovery) dated August 13, 2004. However, Duke has agreed to the Staff's request and will, instead, make the redacted versions of Documents 67 and 68 available to you at this time.

This letter will also confirm that all documents listed in the revised Index have now been made available for your review.

Sincerely,



Mark J. Wetterhahn
Counsel for Duke Energy Corporation

cc: Service List

MOX Lead Test Assembly (LTA) - Security
 Index of Documents Responsive to BREDL Request

Item No.	Document Description	Date of Document	Beginning Bates Number	Ending Bates Number	Responsive To	Protected Information	Privileged	Safeguard Status	Object to Production	BREDL Given Access
1	CN 1003-10-024		S000596	S000596	Drawings Protected area, Owner Controlled Area and Fuel Building	Y	N	N	N	Y
2	CN-1200-11.04-15		S000598	S000598	"	Y	N	N	N	Y
3	CN-1200-11.05		S000595	S000595	"	Y	N	N	N	Y
4	CN-1200-11.06		S000599	S000599	"	Y	N	N	N	Y
5	CN-1200-11.07		S000597	S000597	"	Y	N	N	N	Y
6	C-001		S000592	S000592	"	Y	N	N	N	Y
7	CN-1003-15		S000594	S000594	"	Y	N	N	N	Y
8	OP/1/A/6550/006 "Transferring Fuel with the Spent Fuel Manipulator Crane"		S000044	S000095	Fuel Handling Procedures	Y	N	N	N	Y
9	Scenario for Retrieving a New MOX Fuel Assembly from the Spent Fuel Pool to the Railroad Bay, James M. Brindle Memo	6/29/2004	S000603	S000603	"	N	Y-- Attorney-Client/ Work Product (Waived Privilege)	Y	Y	Y

Item No.	Document Description	Date of Document	Beginning Bates Number	Ending Bates Number	Responsive To	Protected Information	Privileged	Safeguard Status	Object to Production	BREDL Given Access
10	OP/0/A/6550/017 "Fuel Component Handling Tools"		S000001	S000029	"	Y	N	N	N	Y
11	OP/0/A/6550/16 "Overhead Fuel Building Cranes"		S000030	S000043	"	Y	N	N	N	Y
12	Catawba Nuclear Station, Units 1&2 – Operational Safeguards Response Evaluation (TACs N. M97195 & M97196), March 20, 1997 NRC Letter from LeMoine Cunningham		SGI	SGI	OSRE Report from NRC	Y	N	Y	Y	
13	Catawba Nuclear Station OSRE Video	Jan-97	SGI	SGI		Y	N	Y	Y	
14	OSRE Preparation Evaluation July 11, 1996 Dennis Collins		SGI	SGI	Duke OSRE Preparation Materials	Y	N	Y	Y	
15	Lotus Note on Project Management Security Enhancements for Armed Response	8/29/1996	S000096	S000097		Y	N	N	N	Y
16	Lotus Note on Door Changes	7/25/1996	S000098	S000099		Y	N	N	N	Y

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17	Duke Power Company--OSRE Range	5/22/1996	S000100	S000103		Y	N	N	N	Y
18	Oconee OSRE Schedule of Events	5/14/1996	S000104	S000108		Y	N	N	N	Y
19	Operational Safeguards Response Evaluation	5/20-23, 1996	S000109	S000124		Y	N	N	N	Y
20	Capital Items for Mod		S000125	S000127		Y	N	N	N	Y
21	Lotus Note from Purser on Cost Variance on OSRE Mods	11/1/1996	S000128	S000129		Y	N	N	N	Y
22	Lotus Note from Matt Hogan on Door changes	7/17/1996	S000130	S000130		Y	N	N	N	Y
23	Operational Safeguards Response Evaluation Agenda	1/21/-24, 1997	S000131	S000150		Y	N	N	N	Y
24	Contents of Diskette Accompanying Operationa Safeguards Response Evaluation Agenda		S000151	S000179		Y	N	N	N	Y
25	Memo to File "OSRE Meeting Minutes 2/8/94"	2/24/1994	S000180	S000183		Y	N	N	N	Y
26	APS -- SSG Vital Target Identification and Analysis Report		SGI	SGI		Y	N	Y	Y	
27	NSD Drill Evaluation Worksheet Index		S000184	S000190		Y	N	N	N	Y
28	NSD Drill Evaluation Worksheets		SGI	SGI		Y	N	Y	Y	Y

Item No.	Document Description	Date of Document	Beginning Bates Number	Ending Bates Number	Responsive To	Protected Information	Privileged	Safeguard Status	Object to Production	BREDL Given Access
28A	Evaluation Sheets 2003		SGI	SGI		Y	N	Y	Y	Y
28B	Evaluation Sheets 2004		SGI	SGI		Y	N	Y	Y	Y
29	Catawba Security Drill Data Base Index		S000319	S000591		Y	N	N	N	Y
30	Catawba Security Drill Data Base		SGI	SGI		Y	N	Y	Y	Y
30A	Data Base Report 1999		SGI	SGI		Y	N	Y	Y	Y
30B	Data Base Report 2000		SGI	SGI		Y	N	Y	Y	Y
30C	Data Base Report 2001		SGI	SGI		Y	N	Y	Y	Y
30D	Data Base Report 2002		SGI	SGI		Y	N	Y	Y	Y
31	C-00-05997 Target Set PIP		S000199	S000204		Y	N	N	N	Y
32	C-01-05551 Turbine Building Delay Barriers and Re-enforcement		S000205	S000222		Y	N	N	N	Y
33	C-01-05554 Security Drill Evaluations		S000223	S000237		Y	N	N	N	Y
34	C-01-05572 Security Drill Bullet Resistant Enclosure		S000238	S000243		Y	N	N	N	Y

Item No.	Document Description	Date of Document	Beginning Bates Number	Ending Bates Number	Responsive To	Protected Information	Privileged	Safeguard Status	Object to Production	BREDL Given Access
35	C-02-04838 Owner Controlled Area Security Equipment		S000244	S000249		Y	N	N	N	Y
36	C-02-05455 Security camera RL discharge		S000250	S000254		Y	N	N	N	Y
37	C-02-05454 Security Two-Way Communication		S000191	S000198		Y	N	N	N	Y
38	C-02-06308 Location of TB workstation		S000255	S000261		Y	N	N	N	Y
39	C-03-02685 Evaluation for Security Scenarios		S000262	S000267		Y	N	N	N	Y
40	C-03-04422 Security Assessment Force on Force		S000268	S000275		Y	N	N	N	Y
41	C-96-01959 Modifications Armed Response		S000276	S000281		Y	N	N	N	Y
42	C-03-03959 Document Self Assessment		S000282	S000287		Y	N	N	N	Y
43	C-03-06392 Security Third Quarter Assessment		S000288	S000298		Y	N	N	N	Y

Item No.	Document Description	Date of Document	Beginning Bates Number	Ending Bates Number	Responsive To	Protected Information	Privileged	Safeguard Status	Object to Production	BREDL Given Access
44	NRC Request for Additional Information, Mixed Oxide Lead Assemblies, R.E. Martin	3/31/2004	SGI	SGI	Duke Interim MOX Measures RAI and Response	Y	N	Y	?	
45	Rev. 16 to Duke Energy Corp. physical plant and Request for Exemption from certain Regulatory Requirements in 10 CFR 11 & 73 to support MOX Use		SGI	SGI		Y	N	Y	Y	
46	NRC Request for Additional Information January 30, 2004 Mixed Oxide Lead Assemblies, R.E. Martin	1/30/2004	This Document is already available to BREDL	This Document is already available to BREDL		Y	N	Y	?	
47	Response to Request for Additional Information, March 1, 2004 Mixed Oxide Lead Assemblies (Security), H.B. Barron		This Document is already available to BREDL	This Document is already available to BREDL		Y	N	Y	?	

Item No.	Document Description	Date of Document	Beginning Bates Number	Ending Bates Number	Responsive To	Protected Information	Privileged	Safeguard Status	Object to Production	BREDL Given Access
48	Response to Request for Additional Information Mixed Oxide Lead Assemblies (Security), March 9, 2004, H.B. Barron		This Document is already available to BREDL	This Document is already available to BREDL		Y	N	Y	?	
49	Response to Request for Additional Information Mixed Oxide Lead Assemblies (Security), April 13, 2004, H.B. Barron		This Document is already available to BREDL	This Document is already available to BREDL		Y	N	Y	?	
50	Supplement 1 to Safety Evaluation for Proposed Amendments to the Facility Operating License and Technical Specifications to Allow Insertion of Mixed Oxide Fuel Lead Assemblies, May 5, 2004, R.E. Martin		This Document is already available to BREDL	This Document is already available to BREDL		Y	N	Y	?	

Item No.	Document Description	Date of Document	Beginning Bates Number	Ending Bates Number	Responsive To	Protected Information	Privileged	Safeguard Status	Object to Production	BREDL Given Access
51	Appendix G, MOX Interim Security Measures for New Security Plan Format		SGI	SGI		Y	N	Y	Y	Y
52	Security Assessment for Catawba Nuclear Facility April 23, 2002 Global Security Consultants		S000299	S000318	Specifications Bullet Proof Enclosures	Y	N	N	N	Y
53	50 Caliber Cartridge Identification and Specifications Internet Public (http://www.bighammer.net/barrett/fas)		This Document is Publicly Available	This Document is already available to BREDL		N	N	N	N	Y
54	Stella Ammunition Description (http://www.stella.kss.co.jp/film/ul752.htm)		This Document is Publicly Available	This Document is already available to BREDL		N	N	N	N	Y
55	Tote Systems Australia (http://www.tote.com.au/nij.htm)		This Document is Publicly Available	This Document is already available to BREDL		N	N	N	N	Y

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56	Action Bullet Resistant (http://www.fedcenter.com/fedsites/Action_Bullet_Resistant/ratings.htm)		This Document is Publicly Available	This Document is already available to BREDL		N	N	N	N	Y
57	Certificate of Compliance Order No. P02-01508	1/2/2003	S000604	S000604	Vendor Certifications for Bullet Proof Enclosures	Y	N	N	Y	Y
58	Fax Protech --.50 AP M2	1/16/2003	S000605	S000605		Y	N	N	Y	Y
59	Certificate of Compliance Order No. PO02-00900		S000606	S000606		Y	N	N	Y	Y
60	Supplemental Response to April 29, 2003 Orders	4/27/2004	SGI	SGI	Duke Security Plan	Y	N	Y	Y	
61	Request of Additional Information	6/8/2004	SGI	SGI		Y	N	Y	Y	
62	Request of Additional Information	6/14/2004	SGI	SGI		Y	N	Y	Y	
63	Order for Compensatory Measures related to Access Authorization, EA-02-261	1/7/2003	SGI	SGI	Post September 911 Orders	Y	N	Y	Y	

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64	Order for Compensatory Measures related to Training Enhancements of Tactical and Firearms Proficiency and Physical Fitness Applicable to Armed Nuclear Plant Security Force Personnel, EA-03-039	4/29/2003	SGI	SGI		Y	N	Y	Y	
65	Order Requiring Compliance with Revised Design Basis Threat for Operating Power Reactors, EA-03-086	4/29/2003	SGI	SGI		Y	N	Y	Y	
66	Order for Compensatory Measures Related to Fitness for Duty Enhancements Applicable to Nuclear Facility Security Force Personnel, EA-03-038	4/29/2003	This Document is Publicly Available	This Document is Publicly Available		Y	N	N	N	
67	Armed Response Procedure Security Procedure 213		SGI	SGI	Security Procedures	Y	N	Y	Y	Y
68	Security Conditions Security Procedure 401		SGI	SGI		Y	N	Y	Y	Y

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69	Multiple Loss of On-Site Communication , Security Procedure 404		SGI	SGI		Y	N	Y	Y	Y
70	Personnel/Civil Disturbance, Security Procedure 406		SGI	SGI		Y	N	Y	Y	Y
71	Discovery of Suspected Sabotage or Sabotage Device, Security Procedure 407		SGI	SGI		Y	N	Y	Y	Y
72	Suspected or Confirmed Intrusion or Sabotage Attempt, Security Procedure 408		SGI	SGI		Y	N	Y	Y	Y
73	Stated or Perceived Threat to Sabotage, Security Procedure 409		SGI	SGI		Y	N	Y	Y	Y
74	Discovery of Breached Barrier, Security Procedure 410		SGI	SGI		Y	N	Y	Y	Y
75	Significant Security Equipment Degradation Singularly and in Combination, Security Procedure 412		SGI	SGI		Y	N	Y	Y	Y

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76	Loss of Off-Site Communicaiton, Singly and in Combination, Security Procedure 413		SGI	SGI		Y	N	Y	Y	Y
77	Protected Area Time Line Drawing		S000593	S000593	Response Time Line Drawings	Y	N	N	N	Y
78	Drawing General Arrangement 594 CN-1040-05.02		S000600	S000600		Y	N	N	N	Y
79	Local Law Enforcement, Security Procedure 400		SGI	SGI		Y	N	Y	N	Y
80	Drawings Ditch System, CFD-7700-Z-0001 and C-020		S000601	S000602		Y	N	N	N	Y

**CATAWBA NUCLEAR STATION
SECURITY PROCEDURE INDEX**

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103	Process for Maintenance of T&Q Plan	3
104	Security Related Document Revision Process	2
105	Lock and Key Control	19
106	Medical Emergencies/Confined Space Rescue	2
107	Human Performance Monitoring and Trending Program	1
108	Deleted	
109	Conduct of Security Readiness Drills	1
110	Handling Safeguards Information	0
111	Security Information Communication Process	0
II. Specific Responsibilities of Security Force (Post Related)		
200	Owner Controlled Area Control	5
201	Owner Controlled Area Gate Access and Patrol	7
202	Protected Area Patrol	36
203	Vital Area Patrol	24
204	Deleted	
205	Deleted	
206	Personnel Access Portal Officer	23
207	VAP Operations	8
208	Security Bar Code Scanning System	0
209	Deleted	
210	Access Control Officer	13
211	CAS/SAS Officer	41
212	Deleted	
213	Armed Responder	13
214	Cargo Access Officer	17
215	Deleted	
216	Deleted	
217	Deleted	
218	Deleted	
219	Compensatory Officer	12
220	Owner Controlled Area (OCA) Badge Encoding Process	0
221	Deleted	
222	Security Controlled Area Declassification	0
III. Security Equipment		
301	Microwave Performance and Tamper Testing	4
302	Microwave Operational Test Requirements and Methods	15
303	Explosive Detector Operability and Testing	6

Number	Title	Revision Number
304	X-Ray Equipment Operability and Testing	4
305	Deleted	
306	E-Flex Alarm System Operability and Testing	8
307	Communication Equipment Operability and Testing	14
308	PA Lighting Operability Testing	13
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310	Seven Day Inspection	
311	Metal/Weapon Detection Equipment Operability and Testing	8
312	Security Power/Interface Cabinet Tamper Test	9
313	Seven (7) Day Yard Drain Inspection	8
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315	CCTV System Testing	17
316	Entrance/Exit Turnstile Operational Test	5
317	Entrance Turnstile Performance Text	5
318	Exit Turnstile Performance Test	2
319	Hand Geometry Unit Operational Test	3
320	Hand Geometry Unit Performance Test	2
IV. Contingency Procedures		
400	Site Security and Local Law Enforcement Interface Procedure	1
401	Security Conditions	15
402	Alarm Annunciation	14
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405	Discovery of Unidentified Person(s) in the Protected or Vital Areas	5
406	Personnel/Civil Disturbance	7
407	Discovery of Suspected Sabotage or Sabotage Device	3
408	Suspected or Confirmed Intrusion or Sabotage Attempt	6
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413	Loss of Off-Site Communication, Singly and in Combination	5
414	Hostage Situation	6
415	Extortion	4
416	Security Personnel Strike	9
417	Emergency Access Control	8
418	Security Duress Procedure	4
419	Vehicle Barrier System	10
420	NRC Threat Level Response Actions	2

Number	Title	Revision Number
V. Security Test Procedures		
500	PSCS EP Site Assembly Card Reader Accountability Testing (Performance Testing)	2
501	Deleted	
502	Alarm Door Operation Test Procedure	9
503	Deleted	
504	Control Access Door Operational Test Procedure	12
505	Control Access Door Performance Test Procedure	4
506	Alarm Door Performance Test	7