

January 10, 2006

Mr. Ronald A. Jones  
Vice President, Oconee Site  
Duke Energy Corporation  
7800 Rochester Highway  
Seneca, SC 29672

SUBJECT: OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3 (OCONEE) -  
INCORPORATION OF THE OCONEE EMERGENCY OPERATIONS FACILITY  
(EOF) INTO THE EOF SHARED BY CATAWBA AND MCGUIRE NUCLEAR  
STATIONS (TAC NOS. MC1690, MC1691, AND MC1692)

Dear Mr. Jones:

By letter dated December 18, 2003, as supplemented by letters dated March 25 and December 14, 2004, and April 21 and June 8, 2005, you requested approval of the incorporation of the Oconee EOF into the common EOF (Charlotte EOF) in Charlotte, North Carolina, currently used by the facilities of Duke Energy Corporation (Duke), Catawba and McGuire.

Emergency response plans for nuclear reactors must meet certain standards. They are delineated in Title 10 of the Code of *Federal Regulations* (10 CFR), Part 50, Section 50.47(b), and in Appendix E to 10 CFR Part 50. Per SECY-96-170, dated September 18, 1996, Commission approval is required for an EOF located more than 25 miles from the nuclear plant. Oconee is located approximately 120 miles from the Charlotte EOF.

The Nuclear Regulatory Commission (NRC) staff has determined that there is reasonable assurance that adequate protective measures will be implemented in the event of a radiological emergency at more than one of the Duke sites as a result of the incorporation of the Oconee EOF into the Charlotte EOF. The NRC staff also concludes that this action will not reduce the effectiveness of the emergency response capability for any of the three sites. The proposal to incorporate the Oconee EOF into the common EOF is a reasonable action for Duke, since the Charlotte EOF is already operating and has adequately fulfilled its function for Catawba and McGuire since 1987.

Based on the above, the NRC staff recommended that the Commission approve incorporation of the Oconee EOF into the Charlotte EOF. Per SECY-05-0172 dated, November 2, 2005, the Commission approved your proposal to incorporate the existing Oconee EOF into the Charlotte EOF, subject to the following two conditions:

1. The licensee must provide a functional working space of approximately 75 square feet per person for up to 10 people, including NRC, State, and [Federal Emergency Management Agency] FEMA representatives, at the former EOF or equivalent "near-site" facility. In addition, the licensee must maintain telecommunications and habitability provisions (i.e., standard office lighting,

furniture, heating and ventilation systems, and electrical power outlets) at this facility to support 10 people.

2. Prior to placing the new EOF (in the Duke Energy Center building) into service, the licensee must demonstrate the integrated capability and functionality of the new EOF with the Technical Support Center, NRC site-team facility, NRC Incident Response Centers, and other Federal, State, and local coordination centers as appropriate, during the next scheduled emergency plan exercise.

The Commission also directed the NRC staff to inform the Commission of any future significant emergency response issues that may impact communication and coordination between the licensee, the public, and County, State, and Federal agencies, especially as they relate to the distance between the Oconee site and the Charlotte EOF.

As a result of the NRC staff's review and the Commission's acceptance (subject to two conditions) of the NRC staff's recommendation, we find that your request to incorporate the Oconee EOF into the Charlotte EOF, is acceptable. The NRC staff intends to evaluate the incorporation of the Oconee EOF into the Charlotte EOF in the Duke Energy Center building as part of the next evaluated exercise for Oconee. The NRC staff will closely monitor the consolidation effort to ensure that the communication and coordination among stakeholders are not adversely affected by the incorporation of the Oconee EOF.

Sincerely,

***/RA by MMarshall for/***

Evangelos C. Marinos, Chief  
Plant Licensing Branch II-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-269, 50-270, and 50-287

cc: See next page

furniture, heating and ventilation systems, and electrical power outlets) at this facility to support 10 people.

2. Prior to placing the new EOF (in the Duke Energy Center building) into service, the licensee must demonstrate the integrated capability and functionality of the new EOF with the Technical Support Center, NRC site-team facility, NRC Incident Response Centers, and other Federal, State, and local coordination centers as appropriate, during the next scheduled emergency plan exercise.

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Sincerely,

**/RA by MMarshall for/**  
 Evangelos C. Marinos, Chief  
 Plant Licensing Branch II-1  
 Division of Operating Reactor Licensing  
 Office of Nuclear Reactor Regulation

Docket Nos. 50-269, 50-270, and 50-287

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