



GARY R. PETERSON
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April 18, 2006

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

Subject: Duke Power Company LLC d/b/a
Duke Energy Carolinas, LLC (Duke)
McGuire Nuclear Station, Units 1 and 2
Docket Nos. 50-369, 50-370

Letter of Intent to Start the Transition to NFPA
805 Performance-Based Standard for Fire
Protection for Light Water Reactor Generating
Plants, 2001 Edition

On June 8, 2005, the NRC accepted Duke's intent to adopt 10 CFR 50.48(c) (NFPA 805 Rule) for all three sites with Oconee Nuclear Station (Oconee) starting the transition on June 1, 2005. In that letter, Duke was directed to inform you when the transition would begin at McGuire and Catawba Nuclear Stations and identify the expected transition period.

This letter serves to inform you that Duke has begun the transition to NFPA 805 (Performance-Based Standard for Fire Protection for Light Water Reactor Generating Plants, 2001 Edition) in accordance with 10 CFR 50.48(c) for McGuire Nuclear Station (McGuire).

With the ongoing Appendix R Reconstitution that has been underway at McGuire since early 2005, and the common programmatic elements that will be applicable to all the plants in the Duke fleet being addressed at Oconee, we

U. S. Nuclear Regulatory Commission
April 18, 2006
Page 2

consider that McGuire is already involved in the transition process. Although our original NFPA 805 transition plans indicated a transition time of two years, new requirements for the Fire Protection PRA peer review for non-pilot plants has identified the need for a three year transition window, as has also been requested by other nuclear sites. With the reconstitution project and transition in progress, Duke would then intend on submitting the McGuire License Amendment to complete the process prior to December 31, 2008.

Finally, as outlined in the NRC's June 8, 2005 response letter to Duke, once the letter to start the NFPA 805 transition is received, Duke understands that enforcement discretion will be granted for any issues identified at McGuire in accordance with the current discretion policy. "That is, issues that are not RED, not willful violations, and cannot be characterized as Severity Level 1, will receive enforcement discretion."

If you have any questions concerning this subject, please contact Lee Hentz at (704) 875-4187 or Robert Johansen at (704) 875-4446.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gary R. Peterson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gary R. Peterson

U.S. Nuclear Regulatory Commission
April 18, 2006
Page 3

xc:

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