



James R. Morris
Vice President,
Catawba Nuclear Station
Nuclear Generation

Duke Energy Corporation
Catawba Nuclear Station / CN01VP
4800 Concord Road
York, SC 29745

803-701-4251

803-701-3221

Jim.Morris@duke-energy.com

June 23, 2011

10 CFR 50.48(c)

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555

Subject: Duke Energy Carolinas, LLC (Duke Energy)
Catawba Nuclear Station, Units 1 and 2
Docket Numbers 50-413 and 50-414

Request for Extension of Enforcement Discretion and Commitment to Submittal
Date for 10 CFR 50.48(c) License Amendment Request

References:

1. SECY-11-0061, A Request to Revise the Interim Enforcement Policy for Fire Protection Issues on 10 CFR 50.48(c) to Allow Licensees to Submit License Amendment Requests in a Staggered Approach (RIN 3150-AG48), dated April 29, 2011
2. Staff Requirements Memorandum SECY-11-0061, A Request to Revise the Interim Enforcement Policy for Fire Protection Issues on 10 CFR 50.48(c) to Allow Licensees to Submit License Amendment Requests in a Staggered Approach (RIN 3150-AG48), dated June 10, 2011.
3. Letter from Catawba Nuclear Station to Document Control Desk (NRC), dated March 31, 2010

In accordance with Reference 1, and as approved by the Commission per Reference 2, Duke Energy commits to submit the License Amendment Request (LAR) implementing 10 CFR 50.48(c) for the Catawba Nuclear Station on September 30, 2013.

The resources available to complete Catawba's LAR are presently dedicated to the preparation of the Oconee Fire Probabilistic Risk Assessment Peer Review as required by the Oconee NFPA 805 Safety Evaluation dated December 29, 2010. The Oconee Peer Review is scheduled for the Fall of 2011. These same resources will then be used to incorporate the resolution of any issues developed as a result of that review for all three Duke Energy Nuclear Stations.

This is a change to the schedule submitted in Reference 3. This letter contains no new commitments and one revision to the existing commitment date contained in Reference 3. Early resolution of issues developed as a result of the Oconee Peer Review may allow the Catawba LAR to be submitted prior to September 30, 2013.

www.duke-energy.com

*ADP
MHR*

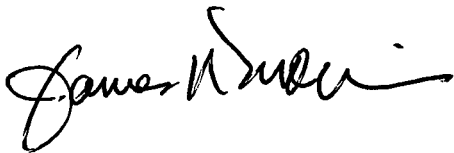
Catawba undertook a reconstitution effort of the design basis for post fire safe shutdown in order to provide a basis for the transition to a fire protection program based on NFPA 805. The resulting risk-reduction corrective actions are addressed in Attachment 1.

In addition, Duke Energy requests that enforcement discretion be extended to correspond to the LAR submittal commitment date. Per the enforcement discretion policy, once the LAR is submitted, the enforcement discretion will continue until the NRC dispositions the LAR to transition to NFPA 805, consistent with Reference 1.

Pursuant to 10 CFR 50.91, a copy of this request is being sent to the designated official of the State of South Carolina.

If you have any questions or require additional information, please contact A.F. Driver at (803) 701-3445 or D.J. Goforth at (704) 382-2659.

Very truly yours,

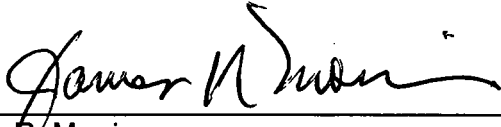
A handwritten signature in black ink, appearing to read "James R. Morris". The signature is fluid and cursive, with a long horizontal stroke at the end.

James R. Morris
Site Vice President

Attachment

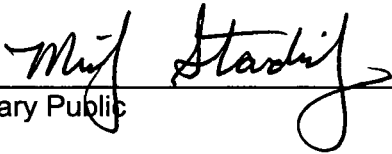
Oath or Affirmation

James R. Morris 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.



James R. Morris
Site Vice President, Catawba Nuclear Station

Subscribed and sworn to me: 6-23-2011
Date



Notary Public

My Commission Expires: 7-10-2012
Date

SEAL



U.S. Nuclear Regulatory Commission
June 23, 2011
Page 4

xc:

V. M. McCree, Region II Administrator
U.S. Nuclear Regulatory Commission
Marquis One Tower
245 Peachtree Center Avenue NE, Suite 1200
Atlanta, Georgia 30303-1257

D. V. Pickett
Senior Project Manager, Plant Licensing Branch, DORL
U.S. Nuclear Regulatory Commission
Mail Stop O-8 G9A
Washington, DC 20555-0001

R. P. Zimmerman
Director, Office of Enforcement
U.S. Nuclear Regulatory Commission
Mail Stop 4 A15A
Washington, DC 20555-0001

J. H. Thompson, Project Manager (addressee only)
U. S. Nuclear Regulatory Commission
11555 Rockville Pike
Mail Stop 0-8 G9A
Rockville, MD 20852-2738

G. A. Hutto, III
NRC Senior Resident Inspector
Catawba Nuclear Station

S. E. Jenkins, Manager
Radioactive & Infectious Waste Management
SC Dept. of Health and Env. Control
2600 Bull St.
Columbia, SC 29201

Attachment 1
Catawba Nuclear Station, Units 1 and 2
NFPA 805 Transition Progress – Identified Risk-Significant Fire Protection Issues

Duke Energy has made substantial progress in the Catawba Nuclear Station NFPA 805 transition effort. Duke Energy has participated in the NEI NFPA 805 Task Force, Fire PRA Task Force, the Frequently Asked Questions (FAQ) process, and has made significant efforts in performing work activities in an effective manner, while utilizing the lessons learned from the Pilot Plant process. SECY-11-0061, dated June 10, 2011 states in part:

“Licensees must address all nonconforming conditions with adequate compensatory measures to ensure fire safety with sufficient defense in depth.”

Catawba undertook a reconstitution effort of the design basis for post fire safe shutdown in order to provide a basis for the transition to a fire protection program based on NFPA 805. As a result of this effort, the following risk reduction corrective actions are discussed below:

- **Hemyc in the Auxiliary Feedwater Pump Rooms:** Some Catawba hemyc wrap configurations were determined to be susceptible to the deficiencies found in the NRC sponsored fire wrap qualification tests. This was treated as a degraded barrier and a fire watch was initiated per Selected Licensee Commitments (SLC) 16.9-5. Alternate contingency measures have been implemented per RIS 2005-07 and the fire watch discontinued. This will be addressed during the transition to NFPA 805.
- **Improper Cable Routing From DC to AC Power Inverter to Standby Shutdown Facility (SSF) Panelboard:** During the reconstitution effort of the design basis for post fire safe shutdown for Catawba it was determined that a cable which provides power to the SSF was routed through an area which relies upon the SSF as the safe shutdown train in the event of a fire. This was treated as a degraded barrier and a fire watch was initiated per SLC 16.9-5. Alternate contingency measures have been implemented per RIS 2005-07 and the fire watch discontinued. An Engineering Change Request (ECR) has been initiated to correct this deficiency.
- **Missing 8-hour Lighting:** During the 2010 NRC Triennial Fire Protection Inspection missing 8-hour lighting was identified which supports performing actions outside of the control room in the event of a fire in the control room. The lighting requirements in the CNS SER and UFSAR were not reflected in the abnormal operating procedure for a fire event inside the Control Room which would require evacuation to the Standby SSF. Alternate contingency measures have been implemented per RIS 2005-07. This will be addressed during the transition to NFPA 805.

Final resolution of these open issues may occur as a result of procedure changes, modifications, or NRC approval the Catawba NFPA 805 license amendment request.

Additionally, the administrative documents associated with plant configuration changes have been revised to address both current and future (NFPA 805) requirements.