



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

April 17, 1981

Mr. Samuel J. Chilk  
Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555



In the Matter of  
DUKE POWER COMPANY  
(William B. McGuire Nuclear Station, Units 1 and 2)  
Docket Nos. 50-369 and 50-370

Dear Mr. Chilk:

The applicant in the captioned proceeding, Duke Power Company, has filed with the presiding Atomic Safety and Licensing Board and with the Commission "Applicant's Request for Waiver, Exception, or Exemption from the Full Provisions of Appendix B to 10 C.F.R. Part 2" (March 26, 1981).

Applicant indicated that it had filed such request with the Commission in accordance with 10 C.F.R. § 50.12. Our response to this request for waiver describes why 10 C.F.R. § 50.12 is not applicable. Accordingly, we are submitting our reply to the Licensing Board for its consideration in the first instance. We are, however, enclosing a copy of our reply for your files.

Sincerely,

Edward G. Ketchen  
Counsel for NRC Staff

- cc: (w/o enclosure)
- Robert M. Lazo, Esq., Chairman
- Dr. Emmeth A. Luebke
- Dr. Richard F. Cole
- W. L. Porter, Esq.
- Mr. Jesse L. Riley
- Dr. John M. Barry
- J. Michael McGarry, III, Esq.
- Shelly Blum, Esq.
- Mr. David E. Smith
- Diane B. Cohn, Esq.
- Atomic Safety & Licensing Board Panel
- Atomic Safety & Licensing Appeal Panel

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