

June 2, 2003

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

Subject: Duke Energy Corporation  
Oconee Nuclear Station, Units 1, 2, and 3  
NRC Docket Nos. 50-269, 50-270, 50-287  
McGuire Nuclear Station, Units 1 and 2  
NRC Docket Nos. 50-369, 50-370  
Catawba Nuclear Station, Units 1 and 2  
NRC Docket Nos. 50-413, 50-414  
ANSWER, RESPONSE AND REQUEST FOR CLARIFICATION TO  
APRIL 29, 2003 NRC ORDER FOR COMPENSATORY MEASURES  
RELATED TO TRAINING ENHANCEMENTS ON TACTICAL AND  
FIREARMS PROFICIENCY AND PHYSICAL FITNESS APPLICABLE  
TO ARMED NUCLEAR POWER PLANT SECURITY FORCE  
PERSONNEL (EA-03-039)

Section IV of the April 29, 2003, Order for Compensatory Measures Related to Training Enhancements on Tactical and Firearms Proficiency and Physical Fitness Applicable to Armed Nuclear Power Plant Security Force Personnel (EA-03-039) ("Order") states that, in accordance with 10 C.F.R. §2.202, a licensee must submit an answer to the Order and may request a hearing on the Order within 35 days of the date of the Order.

Duke Energy Corporation ("Duke") hereby submits its answer (pursuant to 10 C.F.R. §2.202 and Section IV of the Order) and response (pursuant to 10 C.F.R. §50.4 and Sections III B.1, B.2, and C.1 of the Order) for 50-269, 50-270, 50-287, Oconee Nuclear Station, 50-369, 50-370, McGuire Nuclear Station, and 50-413, 50-414, Catawba Nuclear Station. Duke consents to the Order and does not request a hearing. As Duke fully intends to comply with the Order, the schedule for achieving compliance with each requirement in Attachment 2 to the Order is enclosed as Attachment 1 to this letter.

However, because the NRC has used force-on-force testing as a standard by which compliance with the DBT was evaluated and because the tactics and capabilities associated with the DBT influence the training prescribed in the Order, Duke requests that the NRC provide a clear definition of the objectives and criteria for force-on-force

U.S. Nuclear Regulatory Commission

June 2, 2003

Page 2

exercises so that appropriate revisions can be made to safeguards contingency plans, security plans and security officer training and qualification plans.

Specifically, Duke needs a clear explanation of the purpose of the force-on-force exercise

(a) in the number of force-on-force exercises for security officer training, or to evaluate

U.S. Nuclear Regulatory Commission

June 2, 2003

Page 3

M. S. Tuckman, 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.

M. S. Tuckman

M. S. Tuckman

Subscribed and sworn to me: June 2, 2003  
Date

Mary P. Delms  
Notary Public

My Commission Expires: JAN 22, 2006  
Date

SEAL

U.S. Nuclear Regulatory Commission  
June 2, 2003  
Page 4

xc:

S. J. Collins, Director  
Office of Nuclear Reactor Regulation  
U. S. Nuclear Regulatory Commission  
Mail Stop 5 E7  
Washington, DC 20555-0001

Annette L. Vietti-Cook, Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
ATTN: Rulemakings and Adjudications Staff  
Washington, D. C. 20555-0001 (and by e-mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov))

D. C. Dambly, Assistant General Counsel for Materials Litigation and Enforcement  
Office of Nuclear Reactor Regulation  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001 (and by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov))

L. A. Reyes, Regional Administrator  
U. S. Nuclear Regulatory Commission, Region II  
Atlanta Federal Center  
61 Forsyth St., SW, Suite 23T85  
Atlanta, GA 30303-8931

L. N. Olshan (addressee only)  
NRC Senior Project Manager (ONS)  
U. S. Nuclear Regulatory Commission  
Mail Stop 0-8 H12  
Washington, DC 20555-0001

R. E. Martin (addressee only)  
NRC Senior Project Manager (CNS/MNS)  
U. S. Nuclear Regulatory Commission  
Mail Stop 0-8 H12  
Washington, DC 20555-0001

M. C. Shannon  
NRC Senior Resident Inspector  
Oconee Nuclear Station

J. B. Brady  
NRC Senior Resident Inspector  
McGuire Nuclear Station

E. F. Guthrie  
NRC Senior Resident Inspector  
Catawba Nuclear Station

## **Attachment 1**

### **Schedule For Implementation Of Compensatory Measures Related To Training Enhancements On Tactical And Firearms Proficiency And Physical Fitness Applicable To Armed Nuclear Power Plant Security Force Personnel**

#### **C. 1**

Implementation of the requirements of this section began immediately upon receipt of the Order and will continue through October 29, 2004.

#### **C. 2. a. 1-5**

Lesson plans and training programs consistent with these requirements will be developed and approved no later than October 31, 2003. Individual training components of these requirements will be completed no later than October 29, 2004.

#### **C. 2. a. 6**

Current program meets these requirements. No additional actions are required.

#### **C. 2. b**

This requirement will be implemented prior to the implementation of the individual training components as listed in C. 2. a. 1-5.

#### **C. 3. a. 1**

This requirement will be completed by October 29, 2004

#### **C. 3. a. 2-3**

Procedures will be revised to meet these requirements no later than October 31, 2003.

#### **C. 4**

Current program meets these requirements. No additional actions are required.