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DUKE POWER

September 5, 1996

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

Subject: McGuire Nuclear Station
Docket Nos: 50-369 and 370
Emergency Plan - Section J.6
Emergency Response Organization
Respiratory Qualifications

Reference: 4/19/95 Duke Power Letter - EP Plan, Rev. 95-2
2/22/96 NRC Inspection Report 95-29
4/22/96 Duke Power letter - EP Plan, Rev 96-1
8/20/96 NRC Letter - Review of Rev 96-1
8/27/96 Duke Power letter

Dear Sir:

On 4/19/95, McGuire submitted Emergency Plan, Rev. 95-2 consisting of the annual review as required by 10CFR50.47. Rev. 95-2 included changes to the ERO respiratory requirements. The subject changes were analyzed per 10CFR 50.54q and determined not to decrease the Emergency Plan effectiveness. As a conservative measure, McGuire management decided to wait until receipt of NRC concurrence with the Rev 95-2 changes prior to implementing the section J.6 changes. Thus, ERO respiratory requirements as implemented onsite have remained as originally approved by the NRC in 1981 for the McGuire ERO.

NRC Region II reviewed this matter via a site inspection as documented in NRC inspection report 95-29 dated Feb. 22, 1996. The IR reads as follows: '...a violation of the regulatory requirements did not occur, principally because the licensee decided not to implement the changes delineated in Section J.6 of Revision 95-2 of the Emergency Plan.' Thus, ERO respiratory requirements have remained as originally approved for the McGuire ERO.

On April 22, 1996, McGuire issued Revision 96-1 consisting of the annual review of the Emergency Plan as required by 10CFR50.47. In part, it was the intention of Rev. 96-1 to return the wording of Part J.6 to that wording originally approved by the NRC. This would result in the Emergency Plan documentation again reflecting the actual implemented practice regarding ERO respiratory qualifications. In compiling Rev. 96-1, the Part J.6 changes were erroneously omitted, thus section J.6 remained as proposed in the

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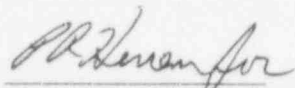
Rev. 95-2 submittal. A problem investigation report (PIP) has been initiated by site Emergency Planning personnel to investigate this matter. The resolution of the PIP will identify the root cause and appropriate corrective actions. The corrective actions identified will be communicated to you in the near future. ERO respiratory requirements have remained as originally approved for the McGuire ERO, thus no Emergency Planning program deficiency occurred, i.e. the subject deficiency was limited to plan documentation only. McGuire understands the importance of proper documentation and will evaluate the documentation issue through the PIP evaluation process.

Prior to receipt of the 8/20/96 NRC letter, McGuire issued the 8/27/96 letter '...' to return Section J.6 as originally approved by the NRC'. The 8/27/96 letter completes the intended 4/22/96 revision to section J.6.

In summary, throughout this period, the McGuire Emergency Plan ERO respiratory qualifications as implemented have remained as originally approved by the NRC. No Emergency Plan program deficiency occurred since the proposed Rev. 95-2, part J.6 changes were not implemented. The deficiency was limited to program documentation and will be evaluated through the McGuire PIP evaluation process.

If you require further information, please contact R. L. Hasty at (704)875-4662.

Very truly yours,



T. C. McMeekin
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