



Duke Power Company

A Duke Energy Company

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December 19, 2000

Ms. Brenda J. Shelton, Chief
Records Management Branch
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555-0001

Subject: McGuire Nuclear Station, Units 1 and 2
Catawba Nuclear Station, Units 1 and 2
Docket Nos. 50-369, 50-370, 50-413, 50-414

**REQUEST FOR EXCEPTION TO 10 C.F.R. § 50.4,
WRITTEN COMMUNICATIONS**

Dear Ms. Shelton:

Pursuant to 10 C.F.R. Part 54, Duke Energy Corporation (Duke) plans to submit an application to renew the operating licenses for McGuire Nuclear Station, Units 1 & 2, and Catawba Nuclear Station, Units 1 & 2. Duke anticipates that this application will be filed with the Nuclear Regulatory Commission in June 2001. In connection with this upcoming licensing submittal, we note that 10 C.F.R. Part 2, 10 C.F.R. § 50.4, and 10 C.F.R. § 50.30 contain NRC requirements for submitting and distributing copies of an application for license renewal. 10 C.F.R. § 51.55 contains similar requirements for the Environmental Report, which is required to support the renewal application.

Pursuant to 10 C.F.R. § 50.4(c), Duke hereby requests that the NRC grant Duke an exception to the requirement in 10 C.F.R. § 50.4 that the applicant must provide printed copies in the form of "unglazed paper" when submitting and distributing an application for license renewal. Duke requests this exception in connection with its upcoming submittal of the license renewal application for McGuire and Catawba. Specifically, Duke requests approval to submit 24 of the 37 copies required to be submitted pursuant to 10 C.F.R. § 50.4 on compact disk (CD-ROM) medium rather than hard-copy paper, as further clarified below.

10 C.F.R. § 50.4(b)(3) requires that an applicant submit one signed original and 13 copies to the Nuclear Regulatory Commission, Document Control Desk and one copy to the appropriate NRC Regional Office. No exception to this requirement is being requested. Duke will submit the signed original and 13 copies in paper form to the Nuclear Regulatory Commission, Document Control Desk and one paper copy to the NRC Region II Office. However, upon completion of the acceptance review by the staff and in order to meet the requirements of 10

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C.F.R. § 50.4(b)(2)(ii) for the total number of required copies, Duke proposes to submit a signed transmittal letter and 24 CD-ROM copies of the application to the NRC Document Control Desk. As required by 10 C.F.R. § 50.4 (b)(2)(ii), Duke will also provide a paper copy to the NRC Resident Inspector at each of the stations.

10 C.F.R. § 51.55(a) requires Duke to submit 41 copies of the Environmental Report to the Director of the Office of Nuclear Reactor Regulation. Since the Environmental Reports relating to the renewal of the McGuire and Catawba operating licenses will be included as appendices to the joint license renewal application, and since the NRC's distribution requirements for technical information and environmental information may be different, we propose to meet this requirement through the submittal of 27 additional paper copies of each station's Environmental Report.

10 C.F.R. § 2.101(a)(3)(ii) requires that an applicant submit one copy of an NRC application to the chief executive of the municipality or, if the facility is not located within a municipality, the county in which the facility for which the application is filed is located. To meet this requirement, we propose to submit one CD-ROM copy of the renewal application to the chief executive of Mecklenburg County, North Carolina, and one CD-ROM copy of the renewal application to the chief executive of York County, South Carolina, unless the recipient specifically requests that a paper copy be provided. (Duke will ascertain the preferences of these counties in this regard.)

10 C.F.R. § 2.101(a)(3)(iii) requires Duke to make direct distribution of additional copies of the application to Federal, State, and local officials, as instructed by the Director of the NRC Office of Nuclear Reactor Regulation. 10 C.F.R. § 50.30(a)(2) requires that 30 copies of the application be retained for that purpose. Also, 10 C.F.R. § 51.55(a) requires that Duke retain 109 copies of the Environmental Report for distribution to "parties and Boards in the NRC proceedings," Federal, State and local officials, and any affected Indian tribes, as instructed by the Director of NRR. To meet the intent of these requirements, Duke proposes to retain the joint application, including the Environmental Report, in the form of electronic files which, upon request, can be used to readily produce paper or CD-ROM copies of the application. We plan to provide only CD-ROM copies unless the recipient specifically requests that a paper copy be provided.

The CD-ROM versions of the license renewal application for McGuire and Catawba will be in portable document format (PDF). Also included on each CD-ROM will be optional installation software that consists of Adobe Acrobat™ Reader (to access the PDF files).

Information on the CD-ROMs will not contain any material that is subject to Duke copyright restrictions, proprietary information, or other information that is exempt from public disclosure. Adobe Acrobat™ Reader software includes an electronic end-user license agreement that allows unlimited reproduction and distribution of copies to other persons or entities, provided the license agreement, copyright notices, and other proprietary notices appearing on or in the software are included with each copy.

The license renewal application for McGuire and Catawba is currently scheduled to be submitted in early summer 2001. To minimize our submittals in paper form, Duke requests approval of this exception by March 1, 2001. We believe that the issuance of the requested exception is consistent with recent NRC approval of similar requests made in connection with the submittal of license renewal applications for the Hatch Nuclear Plant, the Surry and North Anna Power Stations, and the Turkey Point Nuclear Station.

If you have any questions regarding this request, please contact Robert L. Gill, Jr. at 704-382-3339.

Very truly yours,



M. S. Tuckman

December 19, 2000
McGuire Nuclear Station, Units 1 & 2/Catawba Nuclear Station, Units 1 & 2
Request for Exception to 10 CFR 50.4 Requirements

xc:

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