

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

RAS 3557

DOCKETED 11/13/01

ATOMIC SAFETY AND LICENSING BOARD PANEL

SERVED 11/13/01

Before Administrative Judges:

Ann Marshall Young, Chair  
Dr. Charles N. Kelber  
Lester S. Rubenstein

In the Matter of

DUKE ENERGY CORPORATION

(McGuire Nuclear Station, Units 1 and 2,  
Catawba Nuclear Station, Units 1 and 2)

Docket No's. 50-369-LR, 50-370-LR,  
50-413-LR, and 50-414-LR

ASLBP No. 02-794-01-LR

November 13, 2001

ORDER

(Setting Response Deadline and Telephone Conference)

Petitioner Nuclear Information and Resource Service (NIRS) has, since issuance of the Board's November 9, 2001, Memorandum and Order (Denying Request for Additional Extension of Time), filed two documents, dated November 9 and 12, 2001, in which it requests additional time for filing the petitioners' amended and supplemented petitions and contentions; protests the limitation of documents provided (or to be provided) by the Staff to the daily event reports for the four Duke plant units at issue in this proceeding, stating that it wishes to have access to daily event reports "generated by all operating pressurized water reactors including those of the same design, model and vintage as the Catawba and McGuire units"; and states that as of November 12, 2001, no daily event reports had been received.

With regard to these NIRS filings, the Board directs the Staff and Duke Energy Corporation to file electronic responses by noon, Wednesday, November 14, 2001, after which all participants shall appear for a telephone conference to discuss and resolve the issues raised by NIRS in its latest filings, at 4:00 p.m. Eastern time November 14, 2001. In the interim, the petitioners are advised that they are to continue to prepare their amended and supplemented

petitions and contentions under the assumption that the deadlines and dates specified in the November 9 Memorandum and Order shall remain in effect.

Participants will be notified by e-mail of the number and passcode to use to be connected to the November 14 telephone conference.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>1</sup>

*/RA/*

---

Ann Marshall Young, Chair  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
November 13, 2001

---

<sup>1</sup>Copies of this Order were sent this date by Internet e-mail or facsimile transmission, if available, to all participants or counsel for participants.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
DUKE ENERGY CORPORATION ) Docket Nos. 50-369/370/413/414-LR  
 )  
(McGuire Nuclear Station, Units 1 and 2; )  
Catawba Nuclear Station, Units 1 and 2) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (SETTING RESPONSE DEADLINE AND TELEPHONE CONFERENCE) have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Ann Marshall Young, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Charles N. Kelber  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge, ASLBP  
Lester S. Rubenstein  
4760 East Country Villa Drive  
Tucson, AZ 85718

Susan L. Uttal, Esq.  
Antonio Fernández, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Michael S. Tuckman, Executive Vice President  
Nuclear Generation  
Duke Energy Corporation  
526 South Church Street  
P.O. Box 1006  
Charlotte, NC 28201-1006

Mary Olson  
Director of the Southeast Office  
Nuclear Information and Resource Service  
729 Haywood Road, 1-A  
P.O. Box 7586  
Asheville, NC 28802

Janet Marsh Zeller, Executive Director  
Blue Ridge Environmental Defense League  
P.O. Box 88  
Glendale Springs, NC 28629

Docket Nos. 50-369/370/413/414-LR  
LB ORDER (SETTING RESPONSE DEADLINE  
AND TELEPHONE CONFERENCE))

David A. Repka, Esq.  
Anne W. Cottingham, Esq.  
Winston & Strawn  
1400 L Street, NW  
Washington, DC 20005

Lisa F. Vaughn, Esq.  
Duke Energy Corporation  
422 South Church Street  
Charlotte, NC 28202

Paul Gunter  
Nuclear Information and Resource Service  
1424 16<sup>th</sup> St., NW  
Washington, DC 20026

[Original signed by Evangeline S. Ngbea]

---

Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 13<sup>th</sup> day of November 2001