

February 4, 2002

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

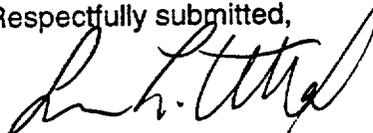
In the Matter of)
)
DUKE ENERGY CORPORATION) Docket Nos. 50-369, 370, 413 and 414
)
(McGuire Nuclear Station,)
Units 1 and 2, and)
Catawba Nuclear Station,)
Units 1 and 2))

NRC STAFF NOTICE OF APPEAL OF LBP-02-04
GRANTING INTERVENTION AND ADMISSION OF CONTENTIONS

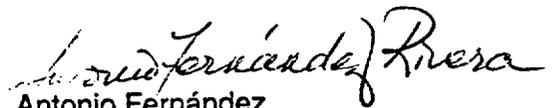
Please take notice that, pursuant to 10 C.F.R. § 2.714a(c), the NRC staff (Staff) hereby files its appeal of the Atomic Safety and Licensing Board's January 24, 2002 decision in LBP-02-04 granting the petitions for intervention and requests for hearing filed by the Nuclear Information and Resource Service (NIRS) and the Blue Ridge Environmental Defense League (BREDL), for litigation in this license renewal proceeding, on the grounds that the Board erred in admitting two contentions.

In support of this Appeal, the Staff submits herewith NRC Staff's Brief in Support of Appeal From LBP-02-04.

Respectfully submitted,



Susan L. Uttal
Counsel for NRC Staff



Antonio Fernández
Counsel for NRC Staff

Dated at Rockville, Maryland
this 4th day of February 2002.