

RAS 6833

UNITED STATES OF AMERICA

DOCKETED 09/17/03

NUCLEAR REGULATORY COMMISSION

SERVED 09/17/03

DUKE ENERGY CORPORATION
MCGUIRE NUCLEAR STATION, UNITS 1 AND 2
CATAWBA NUCLEAR STATION, UNITS 1 AND 2

Docket Nos. 50-369-OLA, 50-370-OLA, 50-413-OLA, and 50-414-OLA

ASLBP No. 03-815-03-OLA

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972), and Sections 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717, 2.721, and 2.772(j) of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established to preside over the following proceeding:

DUKE ENERGY CORPORATION
McGuire Nuclear Station, Units 1 and 2
Catawba Nuclear Station, Units 1 and 2

This Board is being established pursuant to a notice of consideration of issuance of an operating license amendment and opportunity for a hearing published in the Federal Register (68 Fed. Reg. 44,107 (July 25, 2003)). The proceeding involves petitions for intervention submitted on August 21, and August 25, 2003, respectively, by the Nuclear Information and Resource Service and the Blue Ridge Environmental Defense League challenging a request by Duke Energy Corporation to amend its operating licenses for the McGuire Nuclear Station, Units 1 and 2, and Catawba Nuclear Station, Units 1 and 2, near Charlotte, North Carolina. The amendment would change certain facility technical specifications to allow the use of four mixed oxide (MOX) lead assemblies at either the Catawba or McGuire plants.

The Board is comprised of the following administrative judges:

Administrative Judge Ann Marshall Young, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Administrative Judge Anthony J. Baratta
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Administrative Judge Thomas S. Elleman
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

All correspondence, documents, and other materials shall be filed with the administrative judges in accordance with 10 C.F.R. § 2.701.

/RA/

G. Paul Bollwerk, III
Chief Administrative Judge
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,
this 17th day of September 2003.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
DUKE ENERGY CORPORATION) Docket Nos. 50-369/370/413/414-OLA
)
(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 ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD 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
Anthony J. Baratta
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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

Susan L. Uttal, Esq.
Antonio Fernández, Esq.
Kathleen A. Kannler, 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

Diane Curran, Esq.
Harmon, Curran, Spielberg
& Eisenberg, L.L.P.
1726 M Street, NW, Suite 600
Washington, DC 20036

Docket Nos. 50-369/370/413/414-OLA
ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING
BOARD

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

Lisa F. Vaughn, Esq.
Duke Energy Corporation
Mail Code - PB05E
422 South Church Street
P.O. Box 1244
Charlotte, NC 28201-1244

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 17th day of September 2003