

December 19, 2003

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

Thomas S. Elleman
Administrative Judge
Atomic Safety and Licensing Board
5207 Creedmoor Rd. #101
Raleigh, NC 27612

Anthony J. Baratta
Administrative Judge
Atomic Safety and Licensing Board
U. S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555

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

Dear Administrative Judges:

Pursuant to the Board's Order of December 8, 2003, wherein the NRC staff (Staff) was instructed to provide "any additional authorities and sources on the state of the art with regard to the use of MOX fuel," the Staff provides the following information.

Attached is a list of publicly available documents available on ADAMS discussing aspects of MOX fuel as it relates to proceedings before the NRC. Many of the documents have not been formally reviewed by the Staff, and, therefore, the Staff has not taken a position on their validity or accuracy. As such, they are listed here for informational purposes only and their inclusion in the attached list cannot be deemed as endorsement or approval by the Staff. Nor can any conclusion be drawn that the listed documents represent the universe of research regarding MOX fuel or that Staff finds them, in all cases, to contain information that may be classified as "state of the art."

Sincerely,

/RA/

Susan Uttal
Counsel for NRC Staff

Attachment: As stated

cc w/ attachment: Service List

1. Summary of meeting held on October 12, 2000, with Framatome Cogema Fuels, Duke Cogema Stone & Webster and Duke Power to brief the NRC staff on the fuel qualification Plan for the Department of Energy Materials Disposition Program. ADAMS # ML003776476.
2. Summary of meeting held on December 12, 2000, with Oak Ridge National Laboratory, Framatome Cogema Fuels, Duke Cogema Stone & Webster, and Duke Energy, to discuss the ORNL MOX Fuel Research and Development Program, ADAMS # ML010190064.
3. Letter, G. A. Meyer, Framatome ANP, "Transmittal of Updated MOX Fuel Qualification Plan," April 16, 2001, ADAMS # ML011220513, ML010300288.
4. Framatome Topical Report submitted by letters dated May 30, October 27, November 24, December 5 and December 16, 2003, BAW-10238, Revision 1, "MOX Fuel Design Report." ADAMS # ML031550349.
5. Framatome Topical Report, BAW-10231P, "COPERNIC Fuel Rod Design Code" Draft SE @ ADAMS # ML033290099.
6. Memorandum to the Commissioners from the EDO, "Mixed Oxide Fuel Use in Commercial Light Water Reactors," April 14, 1999. ADAMS # ML993620025.
7. Letter, P. S. Hastings, Duke Cogema Stone & Webster, to A. Persinko, NRC, dated July 14, 2000, transmitting ORNL/TM-13428, *Survey of Worldwide Light Water Reactor Experience with Mixed Uranium-Plutonium Oxide Fuel*, May 2000. ADAMS # ML003738319.