

February 3, 2004

LICENSEE: Duke Energy Corporation

FACILITY: Catawba Nuclear Station, Units 1 and 2

SUBJECT: SUMMARY OF MEETING ON JANUARY 22, 2004, WITH DUKE ENERGY AND  
FRAMATOME ANP ON MIXED OXIDE FUEL

Representatives of the Duke Energy Corporation (Duke), and Framatome ANP met with members of the Nuclear Regulatory Commission (NRC) staff at NRC Headquarters on January 22, 2004, in Rockville, Maryland. The meeting addressed issues related to Duke's application dated February 27, 2003, as supplemented on September 15 and 23, October 1 (two letters), October 3, November 3 and 4, December 10 and 20, 2003, on the use of mixed oxide (MOX) lead test assemblies (LTAs) at the Catawba Nuclear Station. A list of attendees is provided in Enclosure 1. Duke's handouts provided in the meeting are provided in Enclosure 2 and a further detailed agenda is provided in Enclosure 3.

Duke Power presented a brief discussion on the status of the overall plutonium disposition program that touched on the status of the Russian Plutonium Disposition program, the United States MOX Fuel Fabrication Facility and the U.S. reactor use of MOX fuel as outlined in Enclosure 2. The most recent meeting on this subject was on November 13, 2003, and the presentation material from that meeting may be found at ADAMS ML040210337. Following Duke's presentation, discussions were held on the agenda items in Enclosure 3. A summary of the status of the items on the agenda is as follows:

- The final Safety Evaluation for the COPENIC (BAW-10231P) topical report was issued on January 14, 2004.
- The Safety Evaluation for the nuclear design topical report, DPC-NE-1005P, was projected to be issued within the next two to four weeks.
- The Reactor Systems staff indicated that, subject to the resolution of one issue on the Post Irradiation Examination (PIE) program, that it could complete its reviews of Topical Reports BAW-10238P, "MOX Fuel Design Report," and BAW-10239P, "Advanced Mk-BW Design Report."
- The discussion of technical issues briefly included the dose consequences analysis issues in the NRC staff's draft request for additional information (RAI) (ADAMS ML040220396), an issue regarding the loss-of-coolant accident (LOCA) analysis models used, and the quality assurance (QA) program.

Future actions recognized and planned during the meeting included the following:

- Duke will submit responses to the November 21, 2003, RAI on environmental issues by January 30, 2004.

- Duke will submit responses to the December 16, 2003, RAIs on materials and radiological issues by January 30, 2004.
- Duke will submit responses to the December 24, 2003, RAI on QA by January 30, 2004.
- A telephone conference is planned for the week of January 26, 2004, to discuss the PIE program within the BAW-10238 review.
- A telephone conference is planned for the week of January 26, 2004, to discuss the LOCA analysis issue.
- A meeting was considered for the latter part of February 2004 to discuss the Framatome QA program for MOX LTAs.
- It was noted that an additional RAI on dose consequence issues is currently in the process of being issued.
- It was noted that RAIs are planned to be issued in the near future on the September 15, 2003, submittal on the requested exemptions for the security and safeguards plan. The NRC staff suggested that a meeting should be held soon after the issuance of those RAIs to address the issues raised by the RAIs.
- Duke suggested holding another status meeting on or about February 6, 2004. The NRC staff indicated that it preferred to wait several weeks before committing to the date for that meeting, given the current uncertainties in the scheduling of numerous other activities associated with Duke's license amendment application.

/RA/

Robert E. Martin, Senior Project Manager, Section 1  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-413 and 50-414

Enclosures:   1. List of Meeting Participants  
                  2. Duke's Handouts  
                  3. Duke's Handouts

cc w/encls: See next page

- Duke will submit responses to the December 16, 2003, RAIs on materials and radiological issues by January 30, 2004.
- Duke will submit responses to the December 24, 2003, RAI on QA by January 30, 2004.
- A telephone conference is planned for the week of January 26, 2004, to discuss the PIE program within the BAW-10238 review.
- A telephone conference is planned for the week of January 26, 2004, to discuss the LOCA analysis issue.
- A meeting was considered for the latter part of February 2004 to discuss the Framatome QA program for MOX LTAs.
- It was noted that an additional RAI on dose consequence issues is currently in the process of being issued.
- It was noted that RAIs are planned to be issued in the near future on the September 15, 2003, submittal on the requested exemptions for the security and safeguards plan. The NRC staff suggested that a meeting should be held soon after the issuance of those RAIs to address the issues raised by the RAIs.
- Duke suggested holding another status meeting on or about February 6, 2004. The NRC staff indicated that it preferred to wait several weeks before committing to the date for that meeting, given the current uncertainties in the scheduling of numerous other activities associated with Duke's license amendment application.

/RA/

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cc w/encls: See next page

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**Meeting Notice: ML040120803    Package: ML040340746    Enclosure 3: ML040360219**  
**Meeting Summary: ML040340719    Enclosure 2: ML040370740**

OFC	PDII-1/PM	PDII-1/LA	PDII-1/SC
NAME	RMartin:as	CHawes	Jnakoski
DATE	02/03/04	02/03/04	02/03/04

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Dated: February 3, 2004

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RMclntyre

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DHolland

MHart

LWert (RGN-II/DRP/RPB3)

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ATTENDEES LIST

JANUARY 22, 2004

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