



Duke Power
Energy Center
P.O. Box 1006
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March 31, 2004

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555

Subject: Duke Energy Corporation
Catawba Nuclear Station Units 1 & 2, Docket Nos. 50-413, 50-414
Fuel Burn-up Limit Commitment
(TAC Nos. MB7863, MB7864)

- References:
- (1) M. S. Tuckman letter to the U. S. Nuclear Regulatory Commission (NRC) dated February 27, 2003, Catawba Nuclear Station Units 1 & 2, McGuire Nuclear Station Units 1 & 2, Proposed Amendments to the Facility Operating License and Technical Specifications to Allow Insertion of Mixed Oxide (MOX) Fuel Lead Assemblies and Request for Exemptions from Certain Regulations in 10 CFR Part 50
 - (2) MOX Fuel Design Report
BAW-10238 (P) Revision 1 May 2003

By letter dated February 27, 2003 (Reference 1), as subsequently modified, Duke Energy submitted an application to amend the Catawba operating licenses to allow the use of four mixed oxide (MOX) fuel lead assemblies. On May 30, 2003 Framatome ANP, Inc. submitted reference 2 in support of the license application. Page 1-1 of the MOX Fuel Design Report contains the following passage:

“Extended irradiation of one or more of the lead assemblies for a third cycle. This irradiation would take the assemblies beyond the burnup limit (50,000 MWd/MThm maximum rod average) requested for batch implementation, but not beyond 60,000 MWd/MWThm maximum rod average.”

Duke Energy commits to limiting the MOX lead assembly burnup to 60,000 MWd/MThm (Megawatt Days per Metric Ton Heavy Metal) maximum rod average as provided in the MOX Fuel Design Report submittal. Inquiries on this matter should be directed to Michael T. Cash at (704) 382-5826.

H.B. Barron
Executive Vice President - Nuclear Generation
Duke Energy Corporation

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Oath and Affirmation

I affirm that I, HB Barron, am the person who subscribed my name to the foregoing, and that all the matters and facts set forth herein are true and correct to the best of my knowledge.

HB Barron

HB Barron

Subscribed and sworn to before me on this 31st day of March 2004.

M.T. Cash

Notary Public

My Commission expires:

January 22, 2008

Date

MICHAEL T. CASH
Notary Public
Lincoln County, North Carolina
Commission Expires January 22, 2008



cc: w/attachment

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