

**RELATED CORRESPONDENCE**

June 29, 2004

DOCKETED  
USNRC

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

July 8, 2004 (1:19PM)

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

In the Matter of: )  
)  
DUKE ENERGY CORPORATION )  
)  
(Catawba Nuclear Station, )  
Units 1 and 2) )  
)  
)

Docket Nos. 50-413-OLA  
50-414-OLA

DUKE ENERGY CORPORATION'S THIRD SUPPLEMENTAL RESPONSE TO BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE'S FIRST DISCOVERY REQUEST

On April 14, 2004, Duke Energy Corporation ("Duke") filed a Response to the March 31, 2004 "Blue Ridge Environmental Defense League's First Set of Discovery Requests Directed to Duke Energy Corporation" ("BREDL's First Set"). Consistent with the direction of the Licensing Board in Paragraph 15 of its "Corrected Order (Confirming Matters Addressed at March 25 Telephone Conference)," addressing the parties' obligation to supplement discovery responses in this proceeding, Duke provided its first supplemental response to BREDL's First Set on May 5, 2004, and its second supplemental response to BREDL's First Set on June 18, 2004. Duke herein provides its third supplemental response to BREDL's First Set.

**GENERAL INTERROGATORY NO. 3:** *For each witness identified in response to General Interrogatory No. 2 above, describe the facts and opinions to which each witness is expected to testify, including a summary of the grounds for each opinion, and identify the documents (including all pertinent pages or parts thereof), data or other information which each witness has reviewed and considered, or is expected to consider or to rely on for his or her testimony.*

The following additional documents, all publicly available and/or previously identified to BREDL in discovery responses, have been reviewed or considered by one or more Duke witness and may be relied on in testimony on Contention 1:

- NUREG/CR-3314, "PWR FLECHT-SEASET 163-Rod Bundle Blockage (October 1983) (Accession # 831140526).
- NUREG-0630, "Cladding Swelling and Rupture Models for LOCA Analysis" (April 1980) (Accession # 8005120229).
- M. Lambert et al., "Synthesis of an EDF and Framatome ANP Analysis on Fuel Relocation Impact in Large Break LOCA", Proceedings of the Topical Meeting on LOCA Fuel Safety Criteria, Aix-en-Provence (March 2001) (provided by Duke in Bates # 010972 through 011076).
- C. Grandjean et al., "High Burnup UO<sub>2</sub> Fuel LOCA Calculations to Evaluate the Possible Impact of Fuel Relocation after Burst", proceedings of the Topical Meeting on LOCA Fuel Safety Criteria, Aix-en-Provence (March 2001) (provided by Duke in Bates # 010972 through 011076).
- Presentations at the SEGFSM Topical Meeting on LOCA Issues, Argonne National Laboratory (May 25-27, 2004) (referenced by NRC Staff in its June 15, 2004 discovery supplement).

**REQUEST NO. 2:** *All documents in your possession, custody or control relevant to each BREDL admitted contention, and to the extent possible, segregated by contention and separated from already produced documents.*

**REQUEST NO. 3:** *All documents (including experts' opinions, workpapers, affidavits, and other materials used to render such opinion) supporting or otherwise relating to testimony or evidence that you intend to use in the hearing on each BREDL admitted contention.*

**Duke Response to General Document Production Requests 2 and 3:**

A document dated June 24, 2004, entitled "Data Generated to Support MOX Fuel Lead Assembly License Amendment Request Hearing on Contention 1 (File 1607.23-04)" (Bates Numbers 011329-011334), is being provided.

Respectfully submitted,

A handwritten signature in black ink that reads "David A. Repka". The signature is written in a cursive style with a long horizontal line extending to the right.

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ATTORNEYS FOR DUKE ENERGY  
CORPORATION

Dated in Washington, District of Columbia  
This 29<sup>th</sup> day of June 2004

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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Units 1 and 2) 50-414-OLA  
 )  
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CERTIFICATE OF SERVICE

I hereby certify that copies of "DUKE ENERGY CORPORATION'S THIRD SUPPLEMENTAL RESPONSE TO BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE'S FIRST DISCOVERY REQUEST" in the captioned proceeding have been served on the following by deposit in the United States mail, first class, this 29<sup>th</sup> day of June, 2004. Additional e-mail service, designated by \*, has been made this same day, as shown below.

Copies of the referenced filing with the document being provided in connection with the filing have been served by courier only to counsel for Blue Ridge Environmental Defense League and the NRC Staff (identified by †).

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Office of Commission Appellate  
Adjudication  
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Atomic Safety and Licensing Board Panel  
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