

RAS 8166

~~RELATED CORRESPONDENCE~~

WINSTON & STRAWN LLP

35 WEST WACKER DRIVE
CHICAGO, ILLINOIS 60601-9703

43 RUE DU RHONE
1204 GENEVA, SWITZERLAND

CITY POINT
1 ROPEMAKER STREET
LONDON, EC2Y 9HT

MARK J. WETTERHAHN
(202) 371-5703
mwetterhahn@winston.com

1400 L STREET, N.W.
WASHINGTON, D.C. 20005-3502

(202) 371-5700

FACSIMILE (202) 371-5950

www.winston.com

333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071-1543

200 PARK AVENUE
NEW YORK, NEW YORK 10166-4193

21 AVENUE VICTOR HUGO
75116 PARIS, FRANCE

101 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA 94111-5894

~~SAFEGUARDS INFORMATION~~

July 16, 2004

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Via Hand Delivery

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Antonio Fernández, Esq.
Susan L. Uttal, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

SUBJ: In the Matter of Duke Energy Corporation, Catawba Nuclear Station
Units 1 and 2 (Docket Nos. 50-413-OLA, 50-414-OLA)

Dear Ms. Uttal and Mr. Fernández:

This letter is a follow-up to my letters to you dated July 2 and July 6, 2004 on behalf of Duke Energy Corporation ("Duke") relating to "need-to-know" determinations regarding security-related documents responsive to Blue Ridge Environmental Defense League discovery requests. The July 2, 2004 letter noted that certain documents listed in Attachment 1 to Duke's Response to Blue Ridge Environmental Defense League's First Document Production Request on BREDL Security Contention 5, in Duke's view, require that the NRC Staff make a "need-to-know" determination prior to a decision on disclosure of such information to BREDL.

By this letter, I am forwarding to you Document Nos. 12-14, 26, 67 and 68 listed on Attachment 1. Such documents should be treated as Safeguards Information until they have been determined to not be within that classification. The last two remaining documents, Document Nos. 28 and 30, are in electronic form and will be transmitted to you after copying.

~~SAFEGUARDS INFORMATION~~

~~ATTACHMENTS TO THIS LETTER CONTAIN SAFEGUARDS INFORMATION~~

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SECY-02

WINSTON & STRAWN LLP

Antonio Fernández, Esq.
Susan L. Uttal, Esq.
July 16, 2004
Page 2

If you have any questions concerning this matter, please let me know.

Very truly yours,



Mark J. Wetterhahn
Counsel for Duke Energy Corporation

cc: Service List w/o Enclosures



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~~ATTACHMENTS TO THIS LETTER CONTAIN SAFEGUARDS INFORMATION~~