

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

RAS 6885

DOCKETED 10/08/03

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

SERVED 10/08/03

Ann Marshall Young, Chair
Dr. Charles N. Kelber
Lester S. Rubenstein

In the Matter of

DUKE ENERGY CORPORATION

(McGuire Nuclear Station, Units 1 and 2,
Catawba Nuclear Station, Units 1 and 2)

Docket No's. 50-369-LR, 50-370-LR,
50-413-LR, and 50-414-LR

ASLBP No. 02-794-01-LR

October 8, 2003

MEMORANDUM to COMMISSION

(Regarding Ruling on Request to Reinstate Contention 1)

In further response to the Commission's concern expressed in CLI-03-11 regarding the schedule for decisions in this proceeding, the Chair on behalf of the Licensing Board provides the following update to the Commission: At this point it is anticipated that the Board will issue a Memorandum and Order ruling on Blue Ridge Environmental Defense League's [BREDL's] and Nuclear Information and Resource Service's [NIRS's] Request for Reinstatement of NIRS Contention 1 Regarding Environmental Impacts of MOX Fuel Use (April 11, 2003), on or before October 17, 2003, barring unforeseen circumstances. If it appears that this deadline will not be met, an additional update will be provided.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Ann Marshall Young, Chair
ADMINISTRATIVE JUDGE

Rockville, Maryland
October 8, 2003¹

¹Copies of this Memorandum were sent this date by Internet e-mail or facsimile transmission, if available, to all participants or counsel for participants.

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NUCLEAR REGULATORY COMMISSION

In the Matter of)	
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DUKE ENERGY CORPORATION)	Docket Nos. 50-369/370/413/414-LR
)	
(McGuire Nuclear Station, Units 1 and 2;)	
Catawba Nuclear Station, Units 1 and 2))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM TO COMMISSION (REGARDING RULING ON REQUEST TO REINSTATE CONTENTION 1) have been served upon the following persons by deposit in the U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Ann Marshall Young, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Charles N. Kelber
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge, ASLBP
Lester S. Rubenstein
4760 East Country Villa Drive
Tucson, AZ 85718

Susan L. Uttal, Esq.
Antonio Fernández, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Michael S. Tuckman, Executive Vice President
Nuclear Generation
Duke Energy Corporation
526 South Church Street
P.O. Box 1006
Charlotte, NC 28201-1006

Mary Olson
Director of the Southeast Office
Nuclear Information and Resource Service
729 Haywood Road, 1-A
P.O. Box 7586
Asheville, NC 28802

Janet Marsh Zeller, Executive Director
Blue Ridge Environmental Defense League
P.O. Box 88
Glendale Springs, NC 28629

Docket Nos. 50-369/370/413/414-LR
LB MEMORANDUM TO COMMISSION
(REGARDING RULING ON REQUEST TO
REINSTATE CONTENTION 1)

David A. Repka, Esq.
Anne W. Cottingham, Esq.
Winston & Strawn LLP
1400 L Street, NW
Washington, DC 20005

Paul Gunter
Nuclear Information and Resource Service
1424 16th St., NW
Washington, DC 20026

Lisa F. Vaughn, Esq.
Duke Energy Corporation
Mail Code - PB05E
422 South Church Street
P.O. Box 1244
Charlotte, NC 28201-1244

Diane Curran, Esq.
Harmon, Curran, Spielberg
& Eisenberg, L.L.P.
1726 M Street, NW, Suite 600
Washington, DC 20036

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 8th day of October 2003