



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION II  
SAM NUNN ATLANTA FEDERAL CENTER  
61 FORSYTH STREET SW SUITE 23T85  
ATLANTA, GEORGIA 30303-8931

November 29, 2004

EA 04-189

Duke Energy Corporation  
ATTN: Mr. D. M. Jamil  
Site Vice President  
Catawba Nuclear Station  
4800 Concord Road  
York, SC 29745

SUBJECT: MEETING ANNOUNCEMENT - PUBLIC MEETING  
CATAWBA NUCLEAR STATION - DOCKET NOS. 50-413 and 50-414

Dear Mr. Jamil:

This letter confirms the telephone conversation between Mr. Lee Keller of your staff and Mr. Robert Carroll of this office on November 8, 2004, concerning a Predecisional Enforcement Conference (Category One public meeting) which has been scheduled for December 17, 2004, from 9:00 a.m. to 11:00 a.m. The meeting notice, which provides additional details, is enclosed. The purpose of this conference is to discuss the three apparent violations (AVs) identified in NRC Inspection Report 05000413,414/2004010, regarding Duke Energy Corporation's proposed license amendment request to allow the use of mixed oxide fuel at Catawba Nuclear Station, Units 1 and 2. Two of the AVs involve the completeness and accuracy of the aforementioned amendment request, and the third involves a related failure to periodically update the Final Safety Analysis Report. The conference is being held to obtain information to assist the NRC in making an enforcement decision about these AVs. This may include information to determine whether violations occurred, information to determine the significance of violations, information related to the identification of violations, and information related to any corrective actions taken or planned. The conference will provide an opportunity for you to provide your perspective on these matters and any other information that you believe the NRC should take into consideration in making an enforcement decision.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room (PDR) or from the Publicly Available Records (PARS) component of NRC's Agencywide Document Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room). (Note: Public access to ADAMS has been temporarily suspended so that security reviews of publicly available documents may be performed and potentially sensitive information removed. Please check the NRC Web site for updates on the resumption of ADAMS access.)

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Should you have any questions concerning this meeting, please contact me at (404)562-4638.

Sincerely,

**/RA/**

Michael E. Ernstes, Chief  
Reactor Projects Branch 1  
Division of Reactor Projects

Docket Nos. 50-413, 50-414  
License Nos. NPF-35, NPF-52

Enclosure: As stated

cc w/encl:

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- E-Mail

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OFFICE	RII/DRP								
SIGNATURE	REC1								
NAME	R Carroll								
DATE	11/29/2004								
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO
PUBLIC DOCUMENT	YES NO								



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SUBJECT: PREDECISIONAL ENFORCEMENT CONFERENCE WITH DUKE ENERGY CORPORATION

FACILITY: Catawba Nuclear Station

DOCKETS: 50-413 and 50-414

DATE & TIME: Friday, December 17, 2004  
9:00 a.m. to 11:00 p.m. (EDT)

LOCATION: Two White Flint North  
11545 Rockville Pike  
Rockville, Maryland 20852-2738  
Room: T-2B3

PURPOSE: The purpose of this conference is to discuss the apparent violations identified in NRC Inspection Report 05000413,414/2004010, regarding Duke Energy Corporation's proposed license amendment request to allow the use of mixed oxide fuel at Catawba Nuclear Station, Units 1 and 2. The NRC's Policy Statement, "Enhancing Public Participation in NRC Meetings," effective May 28, 2002, applies to this meeting. The policy statement may be found on the NRC Web site, [www.nrc.gov](http://www.nrc.gov), and contains information regarding visitors and security.

CATEGORY: This is a **Category 1** meeting: The public is invited to observe this meeting and will have one or more opportunities to communicate with the NRC after the business portion, but before the meeting is adjourned.

NRC OFFICE(S)  
PARTICIPATING: Region II (RII)  
Office of Nuclear Reactor Regulation (NRR)  
Office of Enforcement (OE)  
Office of General Counsel (OGC)

OTHER  
ORGANIZATIONS  
PARTICIPATING: None

PARTICIPANTS: NRC

W. Travers, Regional Administrator, RII  
V. McCree, Director, Division of Reactor Projects (DRP), RII

Enclosure

M. Ernstes, Chief, Reactor Projects Branch 1, DRP, RII  
C. Evans, Regional Counsel and Enforcement Officer, RII  
L. Marsh, Director, Division of Licensing Project Management, NRR  
C. Nolan, Section Chief, Enforcement Policy and Program Oversight, OE  
J. Hull, Attorney, Office of Material Litigation and Enforcement, OGC  
E. Hackett, Project Director, Project Directorate II (PDII), NRR  
R. Martin, Project Manager, PDII-1, NRR  
S. Peters, Lead Project Manager, PDII-1, NRR  
S. Uttal, Office of General Counsel, OGC  
R. Franovich, Division of Inspection Program Management, NRR  
B. Sheron, Associate Director, Project Licensing and Technical Analysis,  
NRR

LICENSEE

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D. Jamil, Vice President, Catawba Nuclear Station (CNS)  
T. Ray, Safety Assurance Manager, CNS  
L. Keller, Regulatory Compliance Manager, CNS  
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S. Nesbit, Nuclear Engineering Supervisor II, MOX Fuel Project  
S. Schultz, Manager, Nuclear Engineering Design, Nuclear Support  
R. Cummings, Community Relations Manager, Public Affairs

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