



BRYAN J. DOLAN
VP, Nuclear Plant Development

Duke Energy
EC09D / 526 South Church Street
Charlotte, NC 28201-1006

Mailing Address:
P.O. Box 1006 - EC09D
Charlotte, NC 28201-1006

704 382 0605

bjdolana@duke-energy.com

February 8, 2008

Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Attention: R. William Borchardt, Director
Office of New Reactors

Subject: Duke Energy Carolinas, LLC
William States Lee III Nuclear Station - Project 742
Part 5, *Emergency Plan*, Revision 1
Update With More Recent Revisions of State Emergency Plans

Reference: Dolan to Document Control Desk, *Application for Combined License for William States Lee III Nuclear Station Units 1 and 2*, dated December 12, 2007

In the referenced letter, Duke Energy Carolinas, LLC (Duke) submitted an application for a combined construction and operating license (COL or combined license) for William States Lee III Nuclear Station (Lee Nuclear Station) Units 1 & 2, located in Cherokee County, South Carolina.

During the acceptance review, the NRC staff identified three instances where a component of a state emergency plan was either missing from the application or a more recent revision was available. The NRC staff requested a supplement to the COL for the Lee Nuclear Station to address these issues. The supplement is enclosed (Enclosure 1) as Revision 1 to COL Part 5.

The content of the Lee Nuclear Station Emergency Plan was unaffected by changes to these state plans. Current versions of selected state and county emergency plans are included as reference material in the COL application to facilitate the NRC review of the Lee Nuclear Station Emergency Plan and its interface with the state and local government plans.

The state plans affected are:

North Carolina EAS (Emergency Alert System) State Plan,
North Carolina Emergency Operations Plan, and
North Carolina Emergency Radiological Emergency Response Plan.

AX45
D079
NKO

The COL application also contains proposed changes demonstrating how state and local governments intend to update their plans in the event that Lee Nuclear Station is constructed and operated. In addition to proposed changes included in the original submittal of the combined license application, the following tables are included as supplemental information:

North Carolina EAS State Plan Table of Proposed Changes, and
North Carolina Emergency Operating Plan Table of Proposed Changes.

Part 5 of the COL application contains an introduction that, in part, provides a table listing the contents of the Lee Nuclear Station Emergency Plan and other supplemental information. The table did not list the North Carolina Radiological Emergency Response Plan, Part 2, Section 4, Cleveland County Plan, separately, as supplemental information even though it was provided in Part 5. This oversight was identified during the NRC acceptance review and is corrected with this submittal. In addition, the following information is added to the introductory table:

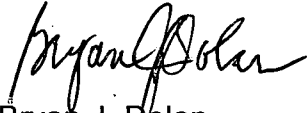
North Carolina EAS (Emergency Alert System) State Plan,
North Carolina EAS State Plan Table of Proposed Changes, and
North Carolina Emergency Operating Plan Table of Proposed Changes.

Finally, during the Duke review of this revision, editorial changes were identified in the William States Lee III COL Emergency Plan, Section II., P.68. The title for the North Carolina Radiological Emergency Response Plan for Nuclear Power Facilities is corrected as the word "Radiological" was inadvertently omitted from the original title. Additionally, the reference to the Cleveland County, NC, Emergency Operations Plan is eliminated because it is part of the aforementioned plan.

Based on the volume of documentation associated with the state emergency plans, Duke elected to revise the entire contents of Part 5, *Emergency Plan*, to Revision 1 and provide an electronic submittal. A complete set of Part 5 documents is provided in electronic file format on the enclosed disk (Enclosure 1). Part 5 does not contain any proprietary, financial, personal, sensitive unclassified, or safeguards information. Appropriate pre-submission checks were successfully performed on the files for the disk to ensure compliance with the guidelines provided on the NRC web site and they were found acceptable for electronic submittal. The disk includes a "packing slip" describing its contents, pursuant to NRC instructions for electronic filing.

Revision bars identify the portions of Part 5 that have changes as a result of Revision 1. In cases where Duke is updating supplemental information that was provided to Duke by a state or local government, Duke has not added revision bars to these documents as these documents are not under Duke's control.

If you have any questions or need any additional information, please contact Peter Hastings, Nuclear Plant Development, Licensing Manager, at (980) 373-7820.



Bryan J. Dolan
Vice President
Nuclear Plant Development

Enclosure:

1. Lee Nuclear Station Units 1 and 2 COL Application, Part 5, *Emergency Plan*, Revision 1 (electronic submittal)

xc (w/out enclosure):

Gary Holahan, Deputy Director, Office of New Reactors
David Matthews, Director, Division of New Reactor Licensing
James Lyons, Director, Site and Environmental Reviews
Glenn Tracy, Director, Division of Construction Inspection and Operational Programs
Victor McCree, Acting Regional Administrator, Region II
Loren Plisco, Deputy Regional Administrator, Region II
Thomas A. Bergman, Deputy Division Director, DNRL
Stephanie M. Coffin, Branch Chief, DNRL
Joelle L. Starefos, Senior Project Manager, DNRL

AFFIDAVIT OF BRYAN J. DOLAN

Bryan J. Dolan, being duly sworn, states that he is Vice President, New Plant Development, Duke Energy Carolinas, LLC, that he is authorized on the part of said Company to sign and file with the U. S. Nuclear Regulatory Commission this supplement to the combined license application for the William States Lee III Nuclear Station and that all the matter and facts set forth herein are true and correct to the best of his knowledge.

Bryan J. Dolan
Bryan J. Dolan

Subscribed and sworn to me: February 8, 2008
Date

Heather Paige Blum
Notary Public

My Commission Expires: 1/9/2013

