

April 09, 2008

Mr. Don Klima, Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, Suite 809
Washington, DC 20004

SUBJECT: REQUEST FOR PARTICIPATION IN THE SCOPING PROCESS FOR THE
WILLIAM STATES LEE III NUCLEAR STATION, UNITS 1 AND 2 COMBINED
LICENSES APPLICATION REVIEW

Dear Mr. Klima:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Duke Energy Carolinas, LLC (Duke) for a combined license (COL) for construction and operation of two new nuclear power plants at its William States Lee III Nuclear Station, Units 1 and 2 (Lee) site in Gaffney, South Carolina. As part of the review of this COL application, the NRC is preparing an environmental impact statement (EIS) as required by Title 10 of the *Code of Federal Regulations* (10 CFR), Part 51, the NRC's regulation that implements the National Environmental Policy Act of 1969, as amended (NEPA). The NRC staff is currently seeking information from consulting parties and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area to identify issues relating to the proposed undertaking's potential effects on historic properties.

Duke submitted the application for the COL on December 13, 2007, pursuant to NRC requirements at 10 CFR Part 52. The application was accepted for docketing on February 25, 2008, and is available through the web-based version of the NRC's Agencywide Documents Access and Management System (ADAMS), accessible at <http://www.nrc.gov/reading-rm/adams.html>. The application is listed under accession number ML073510876. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's Public Document Room (PDR) Reference staff by telephone at 1-800-397-4209 or 301-415-4737 or by e-mail at pdrr@nrc.gov. The Lee COL application is also available on the Internet at <http://www.nrc.gov/reactors/new-licensing/col/lee.html>. In addition, the Cherokee County Public Library located at 300 E. Rutledge Avenue Gaffney, SC 29340, has agreed to make the environmental report available for public inspection.

The Lee site is located on approximately 1900 acres in the eastern portion of Cherokee County in north central South Carolina approximately 7.5 miles southeast of Gaffney, South Carolina, on the west side of the Broad River, just upstream from the Ninety-Nine Islands Hydroelectric Plant. Duke Power Company partially constructed the proposed Cherokee Nuclear Station on this site between 1977 and 1982. Duke plans to construct two new nuclear units at the existing site.

In accordance with 36 CFR 800.8(c), the NRC staff is using the process required by NEPA for the preparation of the EIS to comply with the obligations imposed under Section 106 of the National Historic Preservation Act of 1966, as amended, in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. Accordingly, the NRC staff is identifying parties who may wish to consult with the staff on the proposed action and is inviting them to consult with the NRC staff on this matter.

Consultation will include participation in the scoping process; identification of historic properties on the Lee site; assessment of the effects of the proposed action on any historic properties identified; and development of alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. Duke has also identified three alternative sites that will be evaluated in the EIS. The staff's review will consider alternatives, including an evaluation of the alternative sites. The NRC staff will involve the public in this process in accordance with the NRC procedures in 10 CFR Part 51.

This letter serves as the NRC staff consultation, under Section 106 of the NHPA, with the Council regarding Duke's application. To complete the consultation under 36 CFR 800.8(c), the NRC will forward the draft EIS to you for your review and comment and will address all comments in the final EIS. Your office will receive a copy of the draft EIS along with a request for comments after it is issued. The anticipated publication date for the draft EIS is May 2009.

The NRC plans to hold a public meeting on Thursday, May 1, 2008, at Gaffney High School, 149 Twin Lake Road, Gaffney, SC 29341 from 7:00 p.m. to 10:00 p.m., to provide the public with the opportunity to participate in an environmental scoping process. The meeting will be preceded by an open house from 5:00 p.m. to 7:00 p.m., during which members of the public may meet and talk with NRC staff members on an informal basis. You and your staff are invited to attend. In addition, during the week of the April 28, the NRC staff plans to conduct a site audit at the Lee site, to discuss the background details of the preparation of the application, to perform a walk down of the site and its environs, and to review documentation.

Please submit any written comments your office may have to offer on the scope of the environmental review by May 20, 2008. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 or by e-mail to Lee.COLAEIS@nrc.gov.

Mr. D. Klima

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If you have any questions or require additional information, please contact Ms. Linda Tello, Environmental Project Manager, at 301-415-2907 or by e-mail at Linda.Tello@nrc.gov.

Sincerely,

Richard P. Raione, Branch Chief /RA/
Environmental Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos.: 52-018 and 52-019

cc: See next page

Mr. D. Klima

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If you have any questions or require additional information, please contact Ms. Linda Tello, Environmental Project Manager, at 301-415-2907 or by e-mail at Linda.Tello@nrc.gov.

Sincerely,

Richard P. Raione, Branch Chief /RA/
Environmental Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos. 52-018 and 52-019

cc: See next page

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