December 16, 2008

LICENSEE: DUKE ENERGY CAROLINAS, LLC (DUKE)

FACILITY: OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3 (OCONEE)

SUBJECT: SUMMARY OF CLOSED AUGUST 28, 2008, MEETING TO DISCUSS THE AUGUST 15, 2008, 50.54(f) LETTER ON EXTERNAL FLOODING (TAC NOS. MD8224, MD8225, AND MD8226)

On August 28, 2008, the U.S. Nuclear Regulatory Commission (NRC) had a closed meeting with Duke (the licensee) to discuss the August 15, 2008, 50.54(f) letter (ML081640244) on external flooding at Oconee. A copy of the slides presented by the NRC staff is available under ADAMS accession number ML082550290. Enclosed is a list of the meeting attendees.

The August 15, 2008, 50.54(f) letter had recommended that the licensee meet with the NRC staff within 3 weeks to discuss the issues and questions in the letter in order to ensure that the licensee's responses will have sufficient level of detail for the NRC staff to make an appropriate determination.

The NRC staff presented the basis for its concern with the protection against external flooding at Oconee. The NRC staff then discussed each of the three questions contained in the August 15, 2008, letter and NRC expectation for the response.

Following are some of the comments made by the licensee during the meeting:

1. The NRC internal guidance that prohibits contact with the licensee during the backfit process should be re-evaluated.
2. A 2004 Federal Energy Regulatory Commission study provided additional information on the Jocassee Dam.
3. The licensee considers the 1992 Inundation Study to be conservative.
4. The licensee intends to evaluate the frequency of specific mechanisms of dam failure and create a class of flood heights associated with these specific failure mechanisms.
5. The licensee is considering interim measures, such as providing protection against flood heights of about 10 feet and utilizing the B.5.b equipment to mitigate the postulated flood.

Following are some of the comments made by the NRC staff during the meeting:

1. Adequate protection issues are distinct from risk issues.
2. It would be a challenge for the NRC to accept the licensee eliminating complete failure of the Jocassee Dam because it is not "credible."

3. The issuance of a 50.54(f) letter is very unusual and reflects the NRC's level of concern on the failure of the Jocassee Dam.

***/RA/***

Leonard N. Olshan, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-269, 50-270, and 50-287

Enclosure:
Meeting Attendees

4. The issuance of a 50.54(f) letter is very unusual and reflects the NRC's level of concern on the failure of the Jocassee Dam.

***/RA/***

Leonard N. Olshan, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-269, 50-270, and 50-287

Enclosure:
Meeting Attendees

Docket Nos. 50-269, 50-270, and 50-287

Enclosure:
Meeting Attendees

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| RidsOgcMailCenter Resource | RidsNrrDra Resource | R. Carroll, DRP |
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| RidsNrrDpr Resource | W. Rodgers, DRS | |

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| OFFICE | LPL2-1/PM | LPL2-1/LA | LPL2-1/BC |
|---|---|---|---|
| NAME | LOlshan | MO'Brien | MWong (RMartin for) |
| DATE | 12/8/08 | 12/8/08 | 12/16/08 |

**OFFICIAL AGENCY RECORD**

MEETING ATTENDEES
AT THE CLOSED AUGUST 28, 2008, MEETING
WITH DUKE ENERGY CAROLINAS, LLC (DUKE)
TO DISCUSS THE AUGUST 15, 2008, 50.54(f) LETTER ON EXTERNAL FLOODING

| NRC | DUKE |
|---|---|
| J. Grobe | |
| J. Giitter | D. Baxter |
| T. McGinty | R. Freudenberger |
| P. Hiland | T. Brown |
| M. Galloway | D. Cummings |
| L. Wert | R. McCoy |
| S. Bahadur | S. Nader |
| K. Lois | G. Davenport* |
| M. Simon | S. Severance* |
| K. Manoly | R. Meixell* |
| J. Zimmerman | |
| M. Wong | |
| E. Williamson | |
| G. DeMoss | |
| G. Mizuno | |
| R. Pichumani | |
| J. Vail | |
| J. Thompson | |
| L. Olshan | |
| R. Carroll* | |
| W. Rogers* | |
| A. Hutto* | |
| E. Riggs* | |

*Participated by phone