

January 5, 2010

Mr. Bryan J. Dolan  
Vice President  
Nuclear Plant Development  
Duke Energy Carolinas, LLC  
P.O. Box 1006 – ECO9D  
Charlotte, NC 28201-1006

SUBJECT: DUKE ENERGY CAROLINAS, LLC WILLIAM STATES LEE III NUCLEAR  
STATION UNITS 1 AND 2 COMBINED APPLICATION LICENSE REVIEW  
SCHEDULE

Dear Mr. Dolan:

By letter dated December 12, 2007, as supplemented by letters dated January 28, 2008, February 6, 2008, and February 25, 2009, Duke Energy Carolinas, LLC (Duke) submitted its application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for two AP1000 advanced passive pressurized water reactors in accordance with the requirements contained in 10 CFR Part 52, "Licenses, Certifications and Approvals for Nuclear Power Plants."

In the original application dated December 12, 2007, Duke stated that it planned a Commercial Operation Date (COD) for the second quarter of 2016 for the William States Lee Nuclear Station Units 1 & 2 (Lee Station). Subsequently, Duke amended its application on February 25, 2009, which moved its COD out to the third quarter of 2018. Most recently, Duke stated in a letter dated September 14, 2009, that the COD is now planned for 2021. Duke also stated that it anticipates working with the staff in the near future on schedule impacts, but asserted that it expects that the COL review schedule will not be significantly impacted.

The NRC will continue work on the Lee Station application consistent with your longer term schedule. However, the full extent of the impact of the change in Duke's COD on the Lee Station safety evaluation review schedule will not be known until after the staff completes its re-baselining activities within the AP1000 design center and a reevaluation of the previously established schedule in light of Duke's revised COD.

On a separate but related topic, this letter also includes a revised environmental review schedule which reflects the new addition of Make-Up Pond C to your application. The revised milestone schedule is contained in the enclosure to this letter. An additional impact on the hydrology review schedule in support of the staff safety evaluation may also be expected to resolve any issues arising from the addition of Make-Up Pond C.

B.J. Dolan

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If you have any questions or comments regarding this matter, I may be reached at (301) 415-1199 or [frank.akstulewicz@nrc.gov](mailto:frank.akstulewicz@nrc.gov)

Sincerely,

**/RA/**

Frank Akstulewicz, Deputy Director  
Division of New Reactor Licensing  
Office of New Reactors

Dockets: 52-018  
52-019

Enclosure:  
As stated

B.J. Dolan

-2-

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Sincerely,

**/RA/**

Frank Akstulewicz, Deputy Director  
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52-019

Enclosure:  
As stated

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### **Public Milestone Dates for the William States Lee III (Lee) Environmental Review**

In a letter dated February 26, 2009, the public schedule for the Lee environmental review was changed to indeterminate (TBD) pending submission of complete responses to Requests for Additional Information (RAIs), Revision 1 of the Environmental Report (ER), and information regarding Make-Up Pond C. At that time, Duke Energy Carolinas, LLC (Duke) was informed that a new schedule would be established once adequate information was received (ML090420471). By letter dated March 30, 2009, Duke submitted Revision 1 of the ER (ML090990081), and by letter dated September 24, 2009, Duke submitted a supplement to its ER to address the addition of Make-up Pond C to the project scope (ML092810257). Duke has also provided responses to outstanding RAIs. Links to NRC RAIs and Duke's responses are contained on the Lee project webpage at <http://www.nrc.gov/reactors/new-reactors/col/lee.html>.

Phase 1 of the Lee environmental review, environmental scoping and issuance of the scoping summary report, was completed in September 2008. However, the addition of Pond C to the project requires a second public scoping period, which will occur in early 2010. Additionally, the evaluation of potential environmental impacts from Make-Up Pond C will need to be incorporated into the draft Environmental Impact Statement (EIS).

Below is a summary of the major public milestones for the Lee environmental review which takes into account the additional review required to analyze the potential impacts from Make-Up Pond C and availability of NRC resources. The revised schedule assumes timely and complete responses to staff's RAIs.

Phase 2 - Draft EIS issued to EPA	07/2011
Phase 3 - Response to public comments on draft EIS issued	02/2012
Phase 4 - Final EIS issued to EPA	08/2012

Enclosure

COL - Duke Energy - Lee Mailing List  
cc:

(Revised 12/15/2009)

Ms. Michele Boyd  
Legislative Director  
Energy Program  
Public Citizens Critical Mass Energy  
and Environmental Program  
215 Pennsylvania Avenue, SE  
Washington, DC 20003

Mr. Peter Hastings  
Duke Energy / NuStart  
EC09D / PO Box 1006  
Charlotte, NC 28201-1006

Dhiaa M. Jamil  
Group Executive and Chief Nuclear Officer  
Duke Energy Carolinas, LLC  
P.O. Box 1006 - EC03XM  
526 South Church St.  
Charlotte, NC 28201-1006

## COL - Duke Energy - Lee Mailing List

### Email

APH@NEI.org (Adrian Heymer)  
awc@nei.org (Anne W. Cottingham)  
BrinkmCB@westinghouse.com (Charles Brinkman)  
chris.maslak@ge.com (Chris Maslak)  
CumminWE@Westinghouse.com (Edward W. Cummins)  
cwaltman@roe.com (C. Waltman)  
david.lewis@pillsburylaw.com (David Lewis)  
Derlinda.Bailey@chguernsey.com (Derinda Bailey)  
gzinke@entergy.com (George Alan Zinke)  
jgutierrez@morganlewis.com (Jay M. Gutierrez)  
jim.riccio@wdc.greenpeace.org (James Riccio)  
JJNesrsta@cpsenergy.com (James J. Nesrsta)  
John.O'Neill@pillsburylaw.com (John O'Neill)  
Joseph\_Hegner@dom.com (Joseph Hegner)  
KSutton@morganlewis.com (Kathryn M. Sutton)  
kwaugh@impact-net.org (Kenneth O. Waugh)  
lchandler@morganlewis.com (Lawrence J. Chandler)  
Marc.Brooks@dhs.gov (Marc Brooks)  
maria.webb@pillsburylaw.com (Maria Webb)  
mark.beaumont@wsms.com (Mark Beaumont)  
Mark.Crisp@chguernsey.com (Mark Crisp)  
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)  
media@nei.org (Scott Peterson)  
mike\_moran@fpl.com (Mike Moran)  
MSF@nei.org (Marvin Fertel)  
murawski@newsobserver.com (John Murawski)  
nirsnet@nirs.org (Michael Mariotte)  
Nuclaw@mindspring.com (Robert Temple)  
patriciaL.campbell@ge.com (Patricia L. Campbell)  
paul.gaukler@pillsburylaw.com (Paul Gaukler)  
Paul@beyondnuclear.org (Paul Gunter)  
pshastings@duke-energy.com (Peter Hastings)  
RJB@NEI.org (Russell Bell)  
sabinski@suddenlink.net (Steve A. Bennett)  
sandra.sloan@areva.com (Sandra Sloan)  
sfrantz@morganlewis.com (Stephen P. Frantz)  
stephan.moen@ge.com (Stephan Moen)  
Tansel.Selekler@nuclear.energy.gov (Tansel Selekle)  
Vanessa.quinn@dhs.gov (Vanessa Quinn)  
VictorB@bv.com (Bill Victor)  
Wanda.K.Marshall@dom.com (Wanda K. Marshall)

P