Lopas, Sarah

From: tomclements329@cs.com
Sent: Thursday, September 24, 2009 8:36 AM
To: Lopas, Sarah
Cc: LeeCOLAEIS Resource; Schaaf, Robert; Moser, Michelle; hipwazee@gmail.com; jscorbett@mindspring.com; bguild@mindspring.com
Subject: Re: New lake at Duke reactor site?

Hello Ms. Lopas -

Thanks for your message about "Pond C" at Duke's Lee reactor site.

I have toured the Lee reactor site so have seen the existing impoundments and am familiar with how far they are from the Broad River. I look forward to receiving more information about the size of the new lake and the reopening of the EIS. Can you tell me if the proposed new impoundment is on the Lee reactor site or actually on the Broad River itself?

Given that we have long know about the possible stresses to the Broad River by the consumptive use of water by the proposed Lee reactors, as was raised more than a year ago during scoping comments, it strikes me as strange that Duke has now come back to propose a new cooling-water lake. It was quite clear last year that the low flow of the Broad River - which one person during oral scoping comments said should be renamed the **Skinny River** if the reactor project went forward - would not be sufficient to supply both the reactors and provide water for the flow of the river during low-flow periods.

Duke was aware of water demands at the time of the EIS scoping meeting so it is hard to understand why this lake is being proposed now and not at the start of the whole EIS process. This reflects very poorly on both Duke and the NRC in that the water supply and use issue was of concern to the public 1.5 years ago and the low-flow impacts well-known at that time.

If the NRC had been on its toes and truly working in the public interest, this issue of need for more water would have been on the table from the start of the environmental review process. That the NRC did not realize or admit the stresses being posed to the Broad River by the proposed reactors, as was reflected in a letter from the SC Department of Natural Resources, with which I'm sure you are familiar, is hard to accept. This does call into question the NRC's ability to adequately review Duke's environmental documentation.

As this matter will come up during any reopened EIS scoping process, I expect a full public explanation to be offered both by the NRC and Duke as to why we have only learned this far along into the process about the need for a new make-up water lake (of unknown size). Many of us saw this coming a long time ago and speculated on the possibility that Duke would pose a new lake, so either the NRC and Duke are way behind in their analysis of impacts to the Broad River or the plan for a new lake existed earlier and is only just now being revealed. But I am open to any other explanation as to why we are only learning about this proposed lake at this late point.

I look forward to receiving more information about "Pond C," the history of why it is only now being publicly revealed, and the reopening of the EIS scoping process.

Sincerely,

Tom Clements
Southeastern Nuclear Campaign Coordinator

Friends of the Earth
Columbia, SC 29201

-----Original Message-----
From: Lopas, Sarah <Sarah.Lopas@nrc.gov>
To: tomclements329@cs.com <tomclements329@cs.com>
Cc: LeeCOLAEIS Resource <LeeCOLAEIS.Resource@nrc.gov>; Schaaf, Robert <Robert.Schaaf@nrc.gov>; Moser, Michelle <Michelle.Moser@nrc.gov>
Sent: Wed, Sep 23, 2009 11:13 am
Subject: RE: New lake at Duke reactor site?

Hi Mr. Clements,

As you stated in your email, dated September 16, 2009, Duke has indicated to the NRC that they plan to submit supplemental information regarding the proposed additional source of make-up water (Pond C) to the NRC on September 30, 2009. This supplemental information will be posted to the Lee website after a security review has been completed. The Lee website is located at the following page: http://www.nrc.gov/reactors/new-reactors/col/lee/documents.html. NRC, in coordination with the U.S. Army Corps of Engineers, a cooperating agency for the Lee EIS, will re-open scoping and will also hold another public scoping meeting in Cherokee County, SC regarding the proposed Pond C. The dates for the second scoping period and public meeting will be announced after a sufficiency review of the supplemental information on Pond C has been completed. These dates will be publicly announced through a *Federal Register* notice, and will be posted on the Lee website.

Regarding your second question, prior to construction and operation of new units, Duke is required to hold certain Federal, State, and local environmental permits, as well as meet applicable statutory and regulatory requirements. In its environmental report (a link to which can be found on the Lee website: http://www.nrc.gov/reactors/new-reactors/col/lee/documents.html), Duke provided a list of environmental approvals and consultations associated with construction and operation of the proposed Units 1 and 2. The NRC will also provide a list of required permits and other Federal, state, and local approvals that are required prior to construction and operation. As part of the NRC's review process for the additional scoping period on Pond C, we will be contacting the appropriate Federal, State, and local agencies, and tribes, regarding the proposed new make-up water pond.

Please let us know if you have any other questions, and we will keep you updated as we receive information from Duke and move forward with our environmental review. As per your request, your e-mails will be included in the second scoping summary report that we plan to issue in spring 2010, and in the draft EIS.

Sincerely,

Sarah L. Lopas
Environmental Project Manager
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U.S. Nuclear Regulatory Commission
P (301) 415-1147
F (301) 415-5399

Please consider the environment before printing this email.

From: tomclements329@cs.com [mailto:tomclements329@cs.com]
Sent: Wednesday, September 23, 2009 9:06 AM
To: Moser, Michelle; Lopas, Sarah
Cc: tomclements329@cs.com; LeeCOLAEIS Resource
Subject: Re: New lake at Duke reactor site?

Hello Moser & Ms. Lopas -

As the matter of a new lake at the proposed site for new nuclear reactors by Duke Energy is of concern, I am anticipating a response to my message below. I would think that the NRC would have already made a public statement that the EIS for Duke's Lee reactor will be reopened if any new lake is proposed but I can't find such a public statement.

For purposes of NEPA, I ask that you retain this message for the public EIS record on the Lee reactors.

Thanks you.

Tom Clements
Southeastern Nuclear Campaign Coordinator
Friends of the Earth
Columbia, SC

-----Original Message-----
From: tomclements329@cs.com
To: Michelle.Moser@nrc.gov; Sarah.Lopas@nrc.gov
Sent: Wed, Sep 16, 2009 7:05 pm
Subject: New lake at Duke reactor site?

Hello Ms. Moser & Ms. Lopas -

I see that Duke is proposing to build a new lake at its Lee reactor site in Cherokee SC, for cooling water purposes. We in South Carolina had speculated about this given the consistently low flow in the Broad River as it passes the Lee site (after flowing by the Cliffside coal plant site).

I have two questions:

1. Does the NRC now have plans in place to reopen the EIS for comment if this proposal for a new lake is pursued?

2. Have appropriate SC licensing authorities been notified by Duke and have these SC agencies indicated that such licensing of a lake is even possible?

Thanks for your response.

Tom Clements
Southeastern Nuclear Campaign Coordinator
Friends of the Earth

Columbia, SC