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March 4, 2010

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

Subject: Duke Energy Carolinas, LLC  
William States Lee III Nuclear Station Units 1 and 2  
Docket Nos. 52-018 and 52-019  
Response to NRC Regulatory Issue Summary (RIS) 2010-01  
Ltr # WLG2010.03-01

Reference: RIS 2010-01, *Process for Scheduling Acceptance Reviews of New Reactor Licensing Applications and Process for Determining Budget Needs for Fiscal Year 2012*, dated February 03, 2010

The referenced document was issued by the Nuclear Regulatory Commission (NRC) Staff, in part, to "assist the NRC in determining fiscal year (FY) 2012 resource and budget needs with respect to future construction-related activities and other anticipated 10 CFR Part 52 licensing actions." Regulatory Issue Summary (RIS) 2010-01 requested certain information from 10 CFR Part 52 applicants/licensees who anticipate potential licensing actions and related activities. The RIS also requested that potential applicants who previously projected a submission date beyond FY 2012 revisit estimated submission dates on an annual basis and inform the NRC, in writing, of the projected application submission dates.

Enclosed with this letter is the Duke Energy Carolinas response to the referenced RIS. 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  
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Enclosure:

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xc (w/o enclosure):

Loren Plisco, Deputy Regional Administrator, Region II  
Stephanie Coffin, Branch Chief, DNRL

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Brian Hughes, Senior Project Manager, DNRL

## **Response to Requested Information**

NRC RIS 2010-01 requested information in four (4) areas. The NRC requests have been repeated below and paired with the associated Duke Energy Carolinas response. These responses are related to the W. S. Lee III Nuclear Station.

### NRC Request No. 1

The staff is seeking notification on the number and the degree of complexity of ESP, LWA, DC, and COL applications, and any other licensing requests that applicants expect to submit in FY2012, no later than 30 days from the date of this RIS. This information will assist the staff in determining FY 2012 budget needs.

### Response

Duke has no plans to amend or supplement the COL application (except for RAI responses and routine semi-annual and annual updates as required by regulation).

### NRC Request No. 2

The staff is seeking notification of any changes to previously announced or submitted schedules concerning the construction of power reactors under 10 CFR Part 52. In support of staffing and planning, this includes projected submission dates beyond FY 2012.

### Response

On September 14, 2009, Duke Energy notified the NRC Staff of a change in the expected commercial operation date (COD) for the Lee Nuclear Station from 2018 to 2021. Since that time, the NRC Staff has notified Duke Energy of a change in schedule for the environmental review for Lee Nuclear Station and has indicated plans to communicate schedule information for the safety review. The anticipated construction schedule, reflecting the change in COD and the known change in NRC review schedule, is included in Revision 2 of the Lee Final Safety Analysis Report, which was submitted on February 25, 2010.

### NRC Request No. 3

The staff requests that, 90 days before the expected submission date, an applicant or licensee (as applicable) declare the expected submission date (month, day, and year) and the degree of complexity of each of its ESP, LWA, DC, and partial or complete COL applications or licensing action request that it intends to submit to the NRC.

### Response

As indicated above, Duke Energy has no current plans to submit additional licensing action requests associated with the Lee Nuclear Station.

NRC Request No. 4

In addition, the NRC staff is requesting the voluntary submission to the NRC of addressee construction plans and schedules for the fabrication of large components and modules, when available.

Response

Duke Energy does not yet have detailed construction plans and schedules for the fabrication of large components and modules, but expects to provide such information when it is available.

Additional Information

In 2006, Duke Energy Carolinas also announced designation of two additional sites – in Davie County, NC, and Oconee County, SC – for possible future Early Site Permit (ESP) development. While limited site characterization has been conducted on these two sites, substantive work that would require pre-application interactions with the Staff is not anticipated in the near term. Duke Energy will coordinate such interactions at a later date, with ample advance notice to facilitate NRC Staff resource planning.