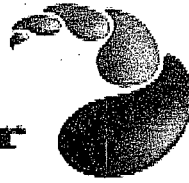


# Cleveland County Water



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July 7, 2010

Chief  
Rules, Announcements, and Directives Branch  
Division of Administrative Services  
OFFICE OF ADMINISTRATION  
Mailstop TWB-05\_B01M  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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2010 JUL 13 PM 2:25

RULES AND DIRECTIVES  
BRANCH  
ISN:NC

5/24/2010  
75FR 28822  
8

RE: William States Lee III Nuclear Station  
Additional Mark-Up Pond C  
Duke Energy  
Gaffney, South Carolina

Dear Sirs:

Cleveland County Water (CCW) we would like to comment on the proposed make-up pond "C" for the William States Lee III Nuclear Station in Gaffney South Carolina. CCW is a regional provider of potable water with a water treatment plant utilizing the First Broad River in Cleveland County, North Carolina. Cleveland County abuts Cherokee County and Gaffney at the South Carolina/North Carolina border and provides water to a small number of customers in South Carolina as well as more than 56,896 customers in North Carolina.

CCW supports the development of the new Lee Nuclear Station and believes that clean, inexpensive, reliable power is a necessity to recover from the economic downturn and provide an improved standard of living for our customers and others in North Carolina and South Carolina. The Lee Nuclear Plant can provide this for our region. We also recognize that the proposed nuclear power plant is a regional solution to providing power to not only Duke Energy customers in South Carolina but also customers in North Carolina.

Given the fact that the proposed power plant is a regional solution we are perplexed as to why Duke Energy has not considered a more regional option to supply the additional storage of water for the project. CCW has been working for more than 10 years on the development of a reservoir on the First Broad River to supply potable water for our water system as well as the City of Shelby water system. CCW presented this idea to Duke Energy during its study of the Broad River Water Supplies conducted in 2007. It is our understanding that Duke's study

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*Template = ADM-013*

*E-REDS = ADM-03*  
*Call = J. Lopez (SLL2)*

indicated there was an inadequate supply of water from the Broad River during extreme drought conditions and that an additional supply of raw water was needed for cooling water for the proposed Lee Nuclear Station. Duke's conclusion as to inadequate water supply supports the position of CCW as to the need for an additional supply of raw water.

During the course of the Duke study, CCW proposed to Duke Energy that it consider the possibility of utilizing the proposed reservoir on the First Broad River to provide the additional water needed for the Lee Nuclear Station. At the time of the study we were told that the First Broad River Reservoir option did not work for Duke. However there was no indication that Duke for the proposed Lee Nuclear Station needed a second reservoir. Now that a second reservoir is needed (Make-up pond "C") CCW requests that USNRC and the USACOE re-evaluate the use of a proposed joint reservoir on the First Broad River.

If this is to truly be a regional project for power supply then a regional solution to providing the additional water supply should also be considered regardless of state borders.. CCW feels that the proposed First Broad River Reservoir provides a regional solution that not only can provide water for the much needed cooling water make-up for the nuclear plant but also much needed water supply for the region.

To date CCW has spent a considerable amount of funding toward this project and has discovered a number of interesting facts that must be dealt with in the development of a reservoir. One of the more challenging hurdles is the issue of minimum release (minimum in-stream flows) from any proposed reservoir. This minimum release is being required by a number of different organizations and resource agencies, including the US Fish and Wildlife Service (USF&WS). We trust that the USNRC and the USF&WS will impose the same requirements for minimum release if the Pond "C" option is pursued. CCW has discovered that this minimum release, depending upon the number, can have a major impact on the safe yield of any reservoir. The minimum release could impact the size of the proposed 620 acre pond "C" reservoir.

In conclusion, CCW supports the proposed Duke Energy Lee Nuclear Station development and its impact on the region. We request that the USNRC and the USACOE re-evaluate the potential use of a proposed reservoir on the First Broad River which we feel can be a regional solution not only for the additional cooling water needed for the Lee Nuclear Station but also for public water supply. If you have any questions, please do not hesitate to contact me.

Sincerely,

Cleveland County Water  
*Clyde E Smith*  
Clyde E. "Butch" Smith  
Manager