



DHIAA M. JAMIL
Group Executive,
Chief Generation Officer and
Chief Nuclear Officer

Duke Energy
526 South Church Street
Charlotte, NC 28202

December 15, 2010

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

Mailing Address:
P.O. Box 1006 / EC03XM
Charlotte, NC 28201-1006
704-382-2200
704-382-4869 fax
dhiaa.jamil@duke-energy.com

Subject: Duke Energy Carolinas, LLC
William States Lee III Nuclear Station Units 1 and 2
Docket Nos. 52-018 and 52-019

Duke Energy Ohio, Inc.
Southern Ohio Clean Energy Park

Response to NRC Regulatory Issue Summary (RIS) 2010-10
Ltr # WL2010.12-02
Ltr # MW2010.12-01

Reference: RIS 2010-10, *Process for Scheduling Acceptance Reviews of New Reactor Licensing Applications and Process for Determining Budget Needs for Fiscal Year 2013*, dated November 15, 2010

The referenced document was issued by the Nuclear Regulatory Commission (NRC) Staff, in part, to "assist the NRC in determining fiscal year (FY) 2013 resource and budget needs with respect to future construction-related activities and other anticipated 10 CFR Part 52 licensing actions." Regulatory Issue Summary (RIS) 2010-10 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 2013 revisit estimated submission dates on an annual basis and inform the NRC, in writing, of the projected application submission dates.

Enclosed are the responses to this RIS for Duke Energy Carolinas, for the W. S. Lee III Nuclear Station, and for Duke Energy Ohio, for the Southern Ohio Clean Energy Park. If you have any questions or need any additional information, please contact Peter Hastings, Nuclear Plant Development, Licensing Manager, at (980) 373-7820.

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Enclosures:

- 1) Duke Energy Carolinas Response to RIS 2010-10
- 2) Duke Energy Ohio Response to RIS 2010-10

xc (w/enclosures):

Michael Johnson, Director, Office of New Reactors
David Matthews, Director, Division of New Reactor Licensing, NRO
Frank Akstulewicz, Deputy Director, Division of New Reactor Licensing, NRO
Scott Flanders, Director, Division of Site and Environmental Reviews, NRO
Brian Hughes, Senior Project Manager, DNRL
Luis Reyes, Regional Administrator, Region II
Loren Plisco, Deputy Regional Administrator, Region II

ENCLOSURE 1

**DUKE ENERGY CAROLINAS
RESPONSE TO
RIS 2010-10**

Response to Requested Information

NRC RIS 2010-10 requested information in four 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 (Lee) 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 FY 2013, no later than 30 days from the date of this RIS. This information will assist the staff in determining FY 2013 budget needs.

Response

Duke Energy expects to submit routine amendments and/or supplements to the Lee combined license (COL) application to reflect RAI responses and routine semi-annual and annual updates as required by regulation. Additionally, Duke Energy anticipates submitting one or more COL license amendments in FY 2013, following issuance of the COL, to true up design changes, technical specification changes, and/or updated analysis. Duke Energy anticipates the process for these additional submittals to be similar to that used following issuance of the license to the AP1000 reference plant.

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 2013.

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. Subsequently, in January 2010, the NRC Staff notified Duke Energy of a change in schedule for the environmental review for Lee Nuclear Station (Duke Energy Carolinas, LLC William States Lee III Nuclear Station Units 1 and 2 Combined License Application Review Schedule, January 5, 2010, ML092660080). Based on this information, Duke Energy has estimated a COL receipt date of 1Q-2Q FY 2013 (based on the published date for receipt of a Final Environmental Impact Statement of August 2012).

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 (FSAR), which was submitted on February 25, 2010. While various pre-construction activities (outside the scope of "Site Preparation" as shown in the

FSAR) are planned for early CY 2013, and therefore could occur prior to receipt of a COL, certain long-lead procurements currently are not planned until after receipt of the COL, making COL receipt critical path to the planned 2021 commercial operation date.

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

Duke Energy has no current plans to submit additional licensing action requests associated with the Lee Nuclear Station beyond those discussed above. Duke Energy will provide the NRC periodic information regarding the project schedule, and would expect to be able to provide that information well in advance of the submittals discussed above.

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.

ENCLOSURE 2

**DUKE ENERGY OHIO
RESPONSE TO
RIS 2010-10**

Response to Requested Information

NRC RIS 2010-10 requested information in four areas. The NRC requests have been repeated below and paired with the associated Duke Energy response. These responses are related to the Southern Ohio Clean Energy Park Project, introduced to the NRC in response to NRC RIS 2010-01 in a Duke Energy letter dated March 1, 2010 (ML100640666).

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 FY 2013, no later than 30 days from the date of this RIS. This information will assist the staff in determining FY 2013 budget needs.

Response

Refer to response to NRC Request No. 2 below.

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 2013.

Response

Duke Energy Ohio, Inc. indicated in March 2010 an expectation to submit an ESP application sometime between the 4th quarter of FY 2012 and the 2nd quarter of FY 2013. Duke Energy's evaluation of the opportunities associated with the development of an ESP application indicates a submittal will not occur in FY 2013. A later submittal date is under evaluation, and as planning for this activity progresses, Duke Energy will closely coordinate any submittal with the NRC Staff as far in advance as practical.

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

Duke Energy will provide the NRC periodic information regarding the project schedule, and would expect to be able to provide that information well in advance of the submittal discussed above.

Enclosure 2

Duke Letter Dated: December 15, 2010

Southern Ohio Clean Energy Park Response to RIS 2010-10

Page 2 of 2

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 plans to develop a technology-neutral ESP utilizing a PPE. Duke Energy will share information regarding construction plans and schedules with the NRC when the information is available.