

December 12, 2011

Mr. Jay B. Herrington, Field Supervisor
U.S. Fish and Wildlife Service
Southeast Region 4
176 Croghan Spur Road, Suite 200
Charleston, South Carolina 29407-7558

SUBJECT: REQUEST FOR COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT
STATEMENT FOR THE WILLIAM STATES LEE III NUCLEAR STATION,
UNITS 1 AND 2 COMBINED LICENSE APPLICATION REVIEW

Dear Mr. Herrington:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Duke Energy Carolinas, LLC (Duke), for combined licenses (COLs) for construction and operation of two new nuclear units at its William States Lee III Nuclear Station (Lee Nuclear Station) site in Cherokee County, South Carolina. As part of its review of the proposed action, the NRC staff has prepared a draft environmental impact statement (EIS) (NUREG-2111 – enclosed). The draft EIS includes analyses of relevant environmental issues and documents the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of two new nuclear units. The U.S. Army Corps of Engineers (USACE), Charleston District, is a cooperating agency on the draft EIS.

To ensure compliance with Section 7 of the Endangered Species Act of 1973 (ESA) and fulfill consultation requirements as required by the Fish and Wildlife Coordination Act (FWCA), please provide any information and comments on the enclosed draft EIS that you consider appropriate under the provisions of the ESA or FWCA by March 6, 2012. If no response from the U.S. Fish and Wildlife Service (FWS) South Carolina Ecological Services Field Office is received by this date, the NRC will consider the consultation closed. The draft EIS is also available through the NRC's Agencywide Documents Access and Management System (ADAMS), which is accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html> at Accession No. ML1134300194. In addition, the draft EIS can be found online at the NRC's Lee Nuclear Station specific webpage at <http://www.nrc.gov/reactors/new-reactors/col/lee/documents/nrc-2011.html>.

In a letter dated April 9, 2008, NRC requested that the FWS Southeast Regional Office in Atlanta, Georgia, provide information regarding Federally listed, proposed, and candidate species and critical habitat that may occur in the vicinity of the Lee Nuclear Station site and the associated transmission line rights-of-way (ML080840475). On May 13, 2008, FWS provided a response letter indicating four listed and one candidate species and no critical habitat occurred in Cherokee, Union, and York Counties, which encompass the Lee Nuclear Station site, the Make-Up Pond C site, the two proposed transmission-line corridors, and the railroad-spur corridor (ML081430228). In a separate letter dated May 21, 2008, FWS provided comments on the scope of the Lee Nuclear Station environmental review (ML081540399). After Duke's

September 2009 submission of a supplemental environmental report regarding the addition of Make-Up Pond C to the Lee Nuclear Station project scope, the NRC requested any additional information regarding threatened and endangered species or critical habitat related to the development of Make-Up Pond C in a letter to the FWS South Carolina Ecological Services Field Office dated May 24, 2010 (ML093580019).

There are no Federally listed threatened or endangered species known to exist at the Lee Nuclear Station site. There are no areas designated as critical habitat for threatened and endangered species in the vicinity of the Lee Nuclear Station site. In response to Duke's submissions of field survey results, the FWS concurred in a series of four letters dated August 22, 2007; April 1, 2009; August 26, 2009; and October 28, 2009; that the proposed project will have no effect on Federally listed species at the Lee Nuclear Station site, the railroad-spur corridor, and the two proposed transmission-line corridors, and is not likely to have reasonably foreseeable adverse effects on Federally listed species at the Make-Up Pond C area, respectively.

One Federal candidate species, the Georgia aster (*Symphyotrichum georgianum*), was identified in an area of inundation in the proposed Make-Up Pond C study area. Duke has stated it would consult with the FWS regarding mitigation and monitoring of this species' occurrence. Duke is considering conceptual mitigation that would include either relocation of the Georgia aster population to a suitable nearby site where a different population of the species was identified during a recent botanical survey, or relocation of the population to a botanical garden. In its analysis in the draft EIS, the NRC has made a preliminary determination that impacts to the Georgia aster would be minimal.

The NRC and USACE staff plan to hold two public meetings to discuss the analyses and results in the draft EIS on Thursday, January 19, 2012, at Restoration Church International, 1905 North Limestone Street, Gaffney, South Carolina 29340. The first meeting will convene at 1:00 p.m. and will continue until 4:00 p.m., as necessary. The second meeting will convene at 7:00 p.m., with a repeat of the overview portions of the first meeting, and will continue until 10:00 p.m., as necessary. The meetings will be transcribed and will include: (1) a presentation of the contents of the draft EIS; and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC and USACE staff will host informal discussions one hour before the start of each meeting during which members of the public may meet and talk with NRC and USACE staff on an informal basis. You and your staff are invited to attend.

Please provide any information, comments, or concerns you feel are appropriate on the draft EIS during the comment period, which ends on March 6, 2012. Comments can be submitted: (1) by mail to the Chief, Rulemaking, Directives, and Editing Branch, Division of Administrative Services, Office of Administration, Mailstop TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001; (2) via e-mail to Lee.COLEIS@nrc.gov; or (3) in person during the public meetings on January 19, 2012.

J. Herrington

- 3 -

If you have any questions regarding this matter, please contact the NRC environmental Project Manager, Ms. Sarah Lopas at 301-415-1147, or via e-mail to Sarah.Lopas@nrc.gov.

Sincerely,

/RA/

William F. Burton, Chief
Environmental Projects Branch 1
Division of New Reactor Licensing
Office of New Reactors

Docket Nos.: 52-018, 52-019

Enclosure:
As stated

cc w enclosure: Mark Caldwell
cc w/o enclosure: See next page

If you have any questions regarding this matter, please contact the NRC environmental project manager, Ms. Sarah Lopas at 301-415-1147, or via e-mail to Sarah.Lopas@nrc.gov.

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Docket Nos.: 52-018 and 52-019

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As stated

cc w enclosure: Mark Caldwell
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ADAMS Accession No.: ML11332A001

NRO-002

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