

December 12, 2011

Ms. Rebekah Dobrasko
State Historic Preservation Office
South Carolina Department of Archives and History
8301 Parklane Road
Columbia, SC 29223

SUBJECT: NOTIFICATION OF THE ISSUANCE OF THE DRAFT ENVIRONMENTAL
IMPACT STATEMENT FOR THE WILLIAM STATES LEE III NUCLEAR
STATION UNITS 1 AND 2

Dear Ms. Dobrasko:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Duke Energy Carolinas, LLC (Duke) for combined licenses (COL) 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). The U.S. Army Corps of Engineers, Charleston District (USACE), is a cooperating agency on the draft EIS. The draft EIS includes analyses of relevant environmental issues, including potential impacts and effects on historic properties, and documents the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of two new nuclear plants.

Through this letter, the NRC and USACE staff are forwarding the draft EIS to you, in your position as the Section 106 contact at the South Carolina State Historic Preservation Office (SCSHPO), for your review and comment. Pursuant to Title 36 of the *Code of Federal Regulations* (36 CFR) 800.8(c), we are requesting your comments on the draft EIS and on our preliminary conclusions regarding historic properties. We will address your comments in the final EIS, thus completing consultation under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA) with the SCSHPO, regarding the Lee Nuclear Station COL application.

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 number 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>.

The NRC initiated consultation and notified the SCSHPO that it intended to integrate the Section 106 consultation requirement with the National Environmental Policy Act of 1969, as amended (NEPA) process in April 2008 (ML080840533) and again in May 2010 regarding the addition of Make-Up Pond C to the project scope (ML093480445). The NRC staff also contacted eight Federally recognized Native American tribes to request information regarding historic, cultural, and archaeological resources potentially affected by the proposed Lee Nuclear Station project.

The Catawba Indian Nation and Eastern Band of Cherokee Indians expressed interest in the Lee Nuclear Station environmental review and NRC staff has maintained communication with these two tribes.

The NRC staff conducted an environmental audit at the Lee Nuclear Station site and reviewed information for cultural resources and historic properties within both the direct and indirect areas of potential effect (APE), as documented in reports prepared by Duke for the COL action and previously submitted to your office for review and comment. The results of the NRC staff's review, including conclusions regarding the presence of cultural resources and historic properties within the APEs and the potential effects of the COL action on historic properties, are documented in this draft EIS. Chapter 2 describes historic properties and cultural resources located within the direct and indirect APEs for the Lee Nuclear Station site, the Make-Up Pond C site, the transmission-line corridors, and the railroad-spur corridor. Chapter 4 discusses impacts to cultural resources during pre-construction and NRC-authorized construction, and Chapter 5 discusses impacts during operation of the proposed Lee Nuclear Station. Chapter 7 addresses cumulative impacts to historic properties and cultural resources in the vicinity of the Lee Nuclear Station APEs.

The NRC has concluded that upon implementation of the proposed Memorandum of Agreement (MOA) currently being finalized between Duke, your office, USACE, the Eastern Band of Cherokee Indians, and the Catawba Indian Nation, impacts to historic properties and cultural resources at the Lee Nuclear Station site and associated facilities would be minimal. Implementation of the MOA would include protection of known historic properties and cultural resources, investigations prior to ground-disturbing activities, and procedures for inadvertent cultural resources discoveries. Inundation of Make-Up Pond C would require the relocation of the Service Family cemetery, which Duke has stated it would undertake in consultation with your office, in accordance with South Carolina law, and in cooperation with descendents.

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.

R. Dobrasko

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If you have any questions or require additional information, please contact Ms. Sarah Lopas, Environmental Project Manager, by phone 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 and 52-019

Enclosure:
As stated

cc w/o enclosure: See next page

R. Dobrasko

- 3 -

If you have any questions or require additional information, please contact Ms. Sarah Lopas, Environmental Project Manager, by phone at 301-415-1147 or via e-mail to Sarah.Lopas@nrc.gov.

Sincerely,

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Docket Nos.: 52-018 and 52-019

Enclosure:
As stated

cc w/o enclosure: See next page

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Accession No.: ML11332A002

NRO-002

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(Revised 04/06/2011)

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