

January 15, 2013

Mr. Christopher Fallon, Vice President
Duke Energy
Nuclear Development
P.O. Box 1006 – EC09D
Charlotte, North Carolina 28201

SUBJECT: ACKNOWLEDGMENT OF RECEIPT OF LETTER REGARDING RELOCATING
THE WILLIAM STATES LEE III UNITS 1 AND 2 NUCLEAR ISLANDS

Dear Mr. Fallon:

This letter acknowledges receipt of your letter dated October 17, 2012, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12293A238), informing the U.S. Nuclear Regulatory Commission of your decision to relocate the AP1000, William States Lee III, Units 1 and 2 (LEE) nuclear islands at the former Cherokee site located in Cherokee County, South Carolina. You also provided your schedule of submittal dates ranging from October 26, 2012, through January 31, 2014, to supply revisions to the current COLA submission.

The NRC plans to complete a review of the changes to your application to ensure that the submittal is complete and technically sufficient in both scope and depth to perform the follow-on technical reviews. However the NRC will need a more comprehensive list of changes. For example specific calculations related to the control room intake height increase related to the chlorine accident, the cooling tower plume effects, topographic maps, and flooding calculations and methods. If the staff finds your revised application to be acceptable, we will develop a review schedule for your application after receipt of your revision 7 COLA update scheduled for 2013 which will incorporate all the necessary changes. The NRC staff will not review areas which are not complete. To the extent possible, the staff will communicate with you as issues arise during the acceptance review.

The NRC staff will hold public meetings with Duke Energy to support NRC staff review of your final submittals to gain additional clarifications and insights and to assure ourselves that we know the full scope of the changes. This will allow us to utilize our limited resources to conduct our review of your revised application in the most efficient manner and prepare a schedule with the appropriate resources, priority and time estimates to prepare new safety evaluation reports.

Since much of this work is new and the NRC staff's review based on the original location of the nuclear islands was complete, the NRC staff's review of your revised application will be documented in revised Safety Evaluation Reports. This revision will require significant amounts of rework and review hours by NRC staff and management. In addition, your request for multiple Advisory Committee on Reactor Safeguards (ACRS) meetings beyond those necessary for the Advanced Final Safety Evaluation Report, Subcommittee and Full Committee meetings cannot be supported by the NRC staff due to limited resources.

Since your letter dated October 17, 2012, states you will not submit the updated information for the seismic ground motion model until 2014, we will factor that into our schedule for the Advanced Final Safety Evaluation Report (AFSER). The ACRS meetings to discuss the AFSER

C. Fallon

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will be scheduled for sometime after the NRC staff completes its review of your proposed 2014 FSAR update which will include the Central Eastern United States Seismic Source Characterization (CEUS-SSC) for nuclear facilities conclusions for the LEE site and after the NRC staff's AFSER is approved and issued.

If you need any additional information or have questions, please contact Brian Hughes, Senior Project Manager, Office of New Reactors, at (301) 415-6582.

Sincerely,

/RA/

Brian Hughes, Senior Project Manager
Licensing Branch 4
Division of New Reactor Licensing
Office of New Reactors

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Sincerely,

/RA/

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Division of New Reactor Licensing
Office of New Reactors

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NRO-002

OFFICE	LA:DNRL/LB4	PM:NRO/LB4	BC:DNRL/LB4 (A)
NAME	RButler	BHughes	LBurkhart
DATE	01/08/2013	01 /10/2013	01/10/2013

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(Revised 09/26/2012)

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