

Mitman, Jeffrey

From: Galloway, Melanie *JNR*
Sent: Wednesday, December 16, 2009 5:09 PM
To: Mitman, Jeffrey; James, Lois *JNR*
Subject: RE: Order Concerning Oconee External Flooding

This is interesting. We need hold off. Jack has given this direction and DE has assumed it. I don't know what is gained by this. Lois will need to follow up with Gloria, John's BC.

For the record, I agree with Jack's direction to issue an Order. His view on upsides, which I agree with, is that an Order puts this external flooding issue in Oconee's licensing basis and clearly outlines as an enforceable requirement that they need to address this in a timely manner. His concern is that they plan on dragging out ultimate resolution by delaying plant mods. The potential downsides which might be John's angle is that Duke has the oppty for a hearing. If that occurs, we will need to be very clear and credible and technically sound on why we believe this is adequate protection. Hence, the exercise we are embarking on through e-mails today and meetings tomorrow. Are you guys up for a hearing?

From: Mitman, Jeffrey
Sent: Wednesday, December 16, 2009 4:18 PM
To: James, Lois; Galloway, Melanie
Subject: FW: Order Concerning Oconee External Flooding
Importance: High

Lois and Melanie, how should I respond to this request?

Jeff

From: Stang, John *JNR*
Sent: Wednesday, December 16, 2009 3:15 PM
To: Mitman, Jeffrey; Khanna, Meena; Kulesa, Gloria; Wilson, George
Subject: Order Concerning Oconee External Flooding

At the request of Jack Grobe please provide the pros and cons of issuing and Order in the near term requiring the licensee to mitigate the external flooding issue at the Oconee site based on the information received to date. Or issuing a letter to the licensee requesting clarification of the information contained in their November 30, 2009, letter followed by issuing an Order once the NRC staff is convinced that the inundation study performed the licensee is bounding for the random failure of the Jocassee Dam. Please provide this information the me by COB 12/17/09. Sorry for the short turn around. Thanks for your support.

John Stang
301-415-1345