

July 22, 2013

Mr. Christopher M. Fallon, Vice President
Nuclear Development
Duke Energy
P.O. Box 1006 – EC09D
Charlotte, NC 28201-1006

SUBJECT: WILLIAM STATES LEE III NUCLEAR STATION, UNITS 1 AND 2 COMBINED
LICENSE APPLICATION REVIEW SCHEDULE REVISION

Dear Mr. Fallon:

By letter dated December 12, 2007, as supplemented by letters dated January 28 and February 6, 2008, and February 25, 2009, Duke Energy Carolinas, LLC (Duke) submitted its application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for two AP1000 advanced passive pressurized water reactors in accordance with the requirements contained in Part 52 of Title 10 of the *Code of Federal Regulations*, "Licenses, Certifications and Approvals for Nuclear Power Plants."

Enclosed is a revised schedule that takes into account Duke's letter dated October 17, 2012 (Agencywide Documents Access and Management System Accession No. ML12293A238), informing the NRC of the relocation of the AP1000, William States Lee III, Units 1 and 2 nuclear islands. The letter also incorporates Duke's proposed schedule submittal date of January 2014, for your response to the Fukushima Near-Term Task Force Recommendations request for additional seismic information. The decision to relocate the nuclear islands will require rework and affect the staff's completion of the review. In addition, the timing of the seismic analysis submittal creates additional delays.

The staff's revised schedule reflects the availability of NRC resources and recently imposed budgetary constraints resulting in substantial impacts on licensing activities associated with combined licensing reviews and early site permit applications. The NRC is taking steps to mitigate the effects of the budget constraints by looking for opportunities to use its staff and expertise, as resources permit, to continue the review of applications; however, NRC will require additional time for staff review of the submittals and request for additional information responses. If the budgetary situation and resource availability in critical areas improves, the staff expects to review its schedules and adjust them, as appropriate.

Because of the limited seismology resources to support new and operating reactor Fukushima reviews as well as specific limited environmental resources, the failure of any applicant to meet a response date, or analysis results requiring more review than estimated, has the potential to affect the schedule for that applicant, and other applicants as well. The enclosed schedule is a summary of the revised major public milestones for the Lee Nuclear Station COL review.

The staff will continue to look for opportunities to mitigate these schedule impacts as the COL review progresses. Should you have any questions regarding the environmental review schedule, please contact Patricia Vokoun at (301) 415-3470, or via e-mail to Patricia.Vokoun@nrc.gov. If you have any questions regarding the safety review schedule, please contact Brian Hughes at 301-415-6582, or via e-mail to Brian.Hughes@nrc.gov.

Sincerely,

/RA/

David B. Matthews, Director
Division of New Reactor Licensing
Office of New Reactors

Docket Nos.: 52-018
52-019

Enclosure:
As stated

cc: See next page

The staff will continue to look for opportunities to mitigate these schedule impacts as the COL review progresses. Should you have any questions regarding the environmental review schedule, please contact Patricia Vokoun at (301) 415-3470, or via e-mail to Patricia.Vokoun@nrc.gov. If you have any questions regarding the safety review schedule, please contact Brian Hughes at 301-415-6582, or via e-mail to brian.hughes@nrc.gov.

Sincerely,

/RA/

David B. Matthews, Director
Division of New Reactor Licensing
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52-019

Enclosure:
As stated

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NRO-002

OFFICE	DNRL/LB4:PMM	DNRL/LB4:LA	DSEA:PM	DSEA/EPB1:BC
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NAME	LBurkhart (BHughes for)	SFlanders	DMatthews	
DATE	06/12/13	06/11/13	07/22/13	

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COL - Duke Energy - Lee Mailing List
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(Revised 06/17/2013)

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COL Review for William States Lee III Nuclear Station Units 1 and 2 Key Milestones	Previous Date	New Completion Date Actual – A Target - T
Environmental Reviews		
Phase 1 Environmental impact statement (EIS) summary report issued	09/2008	09/2008 - A
Phase 2 – Draft Environmental Impact Statement (EIS) issued to Environmental Protection Agency	12/2011	12/2011 - A
Phase 3 – Resolve public comments on the draft EIS	06/2012	06/2012 - A
Phase 4 – Final EIS (FEIS) issued to Environmental Protection Agency	Not Scheduled	12/2013 - T
Safety Review		
Phase A - Requests for Additional Information (RAIs) Issued to Applicant	05/2010	05/2010 - A
Phase B – Advanced Final Safety Evaluation Report (FSER) without Open Items	05/2012	05/2015* - T
Phase C – ACRS Review of Advanced FSER	08/2012	09/2015* - T
Phase D – FSER	11/2012	12/2015* - T
Hearing		
Mandatory Hearing	03/2013	04/2016** - T

* The staff will review target dates for possible improvements consistent with availability of NRC resources and priorities

** The target date for completion of the mandatory hearing is based on guidance in the staff requirements memorandum (SRM) for “SECY-10-0082 — Mandatory Hearing Process for Combined License Application Proceedings under 10 CFR Part 52,” dated December 23, 2010. The SRM states that the objective for completing the mandatory hearing will be four months after the issuance of the FSER or FEIS.

Enclosure