



SECRETARY

UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 7, 1999

DOCKETED  
USNRC

'99 JAN -7 A10:55

OFFICE OF  
RULEMAKING  
ADJUDICATION & AFF

The Honorable Ernest F. Hollings  
United States Senate  
Washington, DC 20510

SERVED JAN - 7 1999

Dear Senator Hollings:

I am responding to your letter dated December 17, 1998, addressed to Chairman Shirley Ann Jackson. Your letter raised several issues for consideration by the Commission during the Oconee license renewal process. Under Nuclear Regulatory Commission procedural rules for adjudications, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that Commissioners must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission.

On September 16, 1998, an Atomic Safety and Licensing Board (ASLB) was established to consider intervention petitions that addressed license renewal for the Oconee Nuclear Station. On December 29, 1998, the ASLB issued a decision which denied intervention to the petitioners in the proceeding. A copy of that Order, LBP-98-33, is enclosed. The petitioners are entitled to an appeal of the decision in LBP-98-33 to the Commission.

A copy of your letter and this response will be placed in the Oconee hearing docket and served on the parties to the proceeding.

Sincerely,

A handwritten signature in cursive script that reads "Annette L. Vietti-Cook".

Annette L. Vietti-Cook

Enclosure: As stated

cc: Oconee Service List  
w/o enclosure

19876



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 7, 1999

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USNRC

'99 JAN -7 AIG:55

ORIGINAL FILED IN  
FILE # 100-100000-100  
ADMINISTRATIVE

SERVED JAN - 7 1999

The Honorable Strom Thurmond  
United States Senate  
Washington, DC 20510

Dear Senator Thurmond:

I am responding to your letter dated December 17, 1998, addressed to Chairman Shirley Ann Jackson. Your letter raised several issues for consideration by the Commission during the Oconee license renewal process. Under Nuclear Regulatory Commission procedural rules for adjudications, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that Commissioners must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission.

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OFFICE OF THE  
GENERAL COUNSEL  
ADJUTANT GENERAL

The Honorable Floyd Spence  
United States House of  
Representatives  
Washington, DC 20515

SERVED JAN - 7 1999

Dear Congressman Spence:

I am responding to your letter dated December 17, 1998, addressed to Chairman Shirley Ann Jackson. Your letter raised several issues for consideration by the Commission during the Oconee license renewal process. Under Nuclear Regulatory Commission procedural rules for adjudications, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that Commissioners must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission.

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WASHINGTON, D.C. 20555-0001

January 7, 1999

DOCKETED  
1/7/99

'99 JAN -7 10:55

OUT  
NOT  
ADJUDICATED

SERVED JAN - / 1999

The Honorable John M. Spratt, Jr.  
United States House of  
Representatives  
Washington, DC 20515

Dear Congressman Spratt:

I am responding to your letter dated December 17, 1998, addressed to Chairman Shirley Ann Jackson. Your letter raised several issues for consideration by the Commission during the Oconee license renewal process. Under Nuclear Regulatory Commission procedural rules for adjudications, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that Commissioners must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission.

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WASHINGTON, D.C. 20555-0001

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'99 JAN -7 10:55

Office of  
Administrative  
Services

SERVED JAN - 7 1999

The Honorable Lindsey O. Graham  
United States House of  
Representatives  
Washington, DC 20515

Dear Congressman Graham:

I am responding to your letter dated December 17, 1998, addressed to Chairman Shirley Ann Jackson. Your letter raised several issues for consideration by the Commission during the Oconee license renewal process. Under Nuclear Regulatory Commission procedural rules for adjudications, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that Commissioners must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission.

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WASHINGTON, D.C. 20555-0001

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USNRC

'99 JAN -7 AIG :55

Original  
File  
ADJUTANT  
GENERAL

The Honorable James E. Clyburn  
United States House of  
Representatives  
Washington, DC 20515

SERVED JAN - 7 1999

Dear Congressman Clyburn:

I am responding to your letter dated December 17, 1998, addressed to Chairman Shirley Ann Jackson. Your letter raised several issues for consideration by the Commission during the Oconee license renewal process. Under Nuclear Regulatory Commission procedural rules for adjudications, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that Commissioners must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission.

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DOCKETED  
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'99 JAN -7 A10:56

OFFICE OF THE  
SECRETARY  
ADJUTANT GENERAL

The Honorable Mark Sanford  
United States House of  
Representatives  
Washington, DC 20515

SERVED JAN - 7 1999

Dear Congressman Sanford:

I am responding to your letter dated December 17, 1998, addressed to Chairman Shirley Ann Jackson. Your letter raised several issues for consideration by the Commission during the Oconee license renewal process. Under Nuclear Regulatory Commission procedural rules for adjudications, the Commission has an appellate role in proceedings commenced before its Atomic Safety and Licensing Boards. Because of that role, I trust that you will understand that Commissioners must remain impartial during the pendency of a case, whether it is before a Licensing Board or on appeal to the Commission.

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w/o enclosure

# Congress of the United States

Washington, DC 20515

DOCKETED  
LQ:DC

'99 JAN -7 A10:55

December 17, 1998

REC'D BY SECY

Shirley Jackson

Chair

Nuclear Regulatory Commission

11555 Rockville Pike

Rockville, MD 20852

CITIZEN  
BUSINESS  
ADVISORY

SERVED JAN - 7 1999

Dear Ms. Jackson,

We are writing with regard to the license renewal of Duke Energy's Oconee Nuclear Station Units 1, 2, and 3. Oconee has been an environmentally clean and efficient provider of energy to the Upstate of South Carolina since 1975. As you evaluate Duke's application there are a number of issues we believe you should consider.

Duke is a leader in all phases of nuclear energy generation and currently operates a number of efficient nuclear facilities across the region. Since the station began supplying electricity, it has safely generated more electricity than any other nuclear power plant in the country and has broken world records for continuous operation. Unit 1 was the first unit to generate more than 100 million megawatt-hours of electricity. We believe these successes are a direct result of Duke's high level of commitment to excellence in its nuclear operations and facilities.

Duke's dedication to excellence is well documented at Oconee; as it provides numerous benefits to the surrounding communities and to the ratepayers. The electricity produced at Oconee would require a fossil fuel plant to burn 137 rail cars of coal per day for 25 years. Avoiding the emissions associated with such a fossil fuel plant is of great environmental benefit to the entire state and the region. There is no feasible way to replace the energy provided by the Oconee station without significantly increasing the amount of sulfur dioxide, nitrous oxide, and carbon dioxide to which the region is exposed. We believe the environmental benefits of avoiding these emissions are obvious, and that these benefits are relevant to any site specific review your agency makes.


Spent fuel management should be a significant consideration in any environmental review of nuclear facilities. As members of Congress who have worked for years to solve the nation's spent nuclear fuel disposal challenge, we have confidence in the ultimate success of the repository program. We believe that the NRC should be able to express confidence in the program and that it should be considered under Oconee's site specific evaluation. Furthermore, due to Duke's forward outlook and commitment to excellence in its nuclear facilities and operations, they are leaders in on-site interim storage. Anticipating the Department of Energy's failure to accept spent fuel in 1998, Duke made the requisite investment in safe on-site interim storage, so as not to disrupt the energy supply, on which our constituent's depend.



Finally, we would like to commend you for the steps the agency has undertaken to conclude the renewal process. It is of the utmost importance that the process remain focused on the question: Can the Oconee Station continue to operate safely in the renewal period? We believe that the agency should be able to answer that question within the time frame that you have set.

We appreciate your time and your attention to our concerns and ask that they be included in the final docket.

Sincerely,



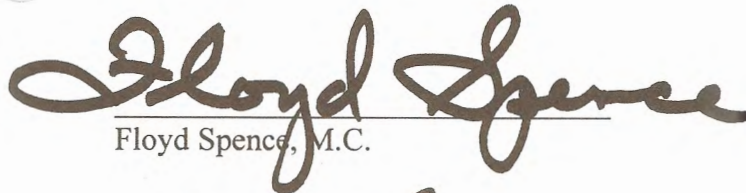
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Senator Fritz Hollings



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Senator Strom Thurmond



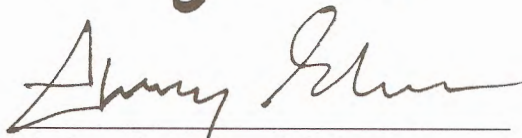
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Floyd Spence, M.C.



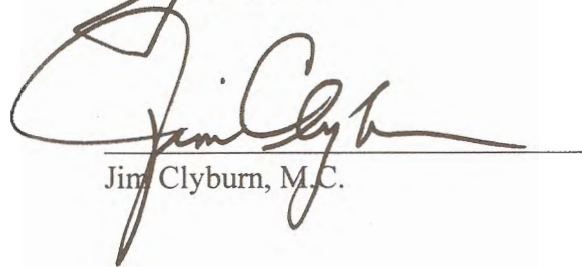
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John Spratt, M.C.



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Lindsey O. Graham, M.C.



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Jim Clyburn, M.C.



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Mark Sanford, M.C.

cc: Commissioner Greta J. Dicus  
Commissioner Niles J. Diaz  
Commissioner Edward McGaffigan, Jr.  
Commissioner Jeffrey S. Merrifield

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

DUKE ENERGY CORPORATION

(Oconee Nuclear Station,  
Units 1, 2, and 3)

Docket No.(s) 50-269/270/287-LR

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing 7 SECY LTRS W/CONG. INCOMING.. have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of Commission Appellate Adjudication U.S. Nuclear Regulatory Commission Washington, DC 20555	Administrative Judge B. Paul Cotter, Jr., Chairman Atomic Safety and Licensing Board Panel Mail Stop - T-3 F23 U.S. Nuclear Regulatory Commission Washington, DC 20555
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Administrative Judge Richard F. Cole Atomic Safety and Licensing Board Panel Mail Stop - T-3 F23 U.S. Nuclear Regulatory Commission Washington, DC 20555	Administrative Judge Peter S. Lam Atomic Safety and Licensing Board Panel Mail Stop - T-3 F23 U.S. Nuclear Regulatory Commission Washington, DC 20555
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Marian L. Zobler, Esquire Robert M. Weisman, Esquire Office of the General Counsel Mail Stop - 0-15 B18 U.S. Nuclear Regulatory Commission Washington, DC 20555	Paul R. Newton, Esquire Lisa F. Vaughn, Esquire Duke Energy Corporation 422 South Church St. (Mail Code PBO5E) Charlotte, NC 28202
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J. Michael McGarry, III, Esquire David A. Repka, Esquire Winston & Strawn 1400 L Street, N.W. Washington, DC 20005	Norman "Buzz" Williams 190 Mountain Cove Rd. Mountain Rest, SC 29664
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Docket No.(s)50-269/270/287-LR  
7 SECY LTRS W/CONG. INCOMING..

William "Butch" Clay  
P.O. Box 53  
Long Creek, SC 29658

W. S. Lesan  
P.O. Box 66  
Long Creek, SC 29658

Chattooga River Watershed Coalition  
P.O. Box 2006  
Clayton, GA 30525

Dated at Rockville, Md. this  
7 day of January 1999

  
Office of the Secretary of the Commission