

~~PRE-DECISIONAL INFORMATION. THIS INFORMATION IS LIMITED TO USE BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL. THIS INFORMATION SHALL NOT BE DISCLOSED WITHOUT PRIOR NRC PERMISSION.~~



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 10, 2015

Ms. Susan Jenkins, Manager
South Carolina Department
of Health and Environmental Control
Division of Waste Management
2600 Bull Street
Columbia, South Carolina, 29201

SUBJECT: REVIEW OF THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE
CATAWBA NUCLEAR STATION INDEPENDENT SPENT FUEL STORAGE
INSTALLATION DECOMMISSIONING FUNDING PLAN

Dear Ms. Jenkins:

By letter dated December 13, 2012, Duke Energy Carolinas, LLC (Duke) submitted a decommissioning funding plan (DFP) for the Catawba Nuclear Station (CNS) Independent Spent Fuel Storage Installation (ISFSI), located in York, South Carolina, for U.S. Nuclear Regulatory Commission (NRC) staff review and approval.

The NRC regulations at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater than Class C Waste," govern the storage of spent nuclear fuel (spent fuel) generated at commercial nuclear power reactors licensed by the NRC. Spent fuel that has been removed from the reactor's spent fuel pool is typically stored at a nuclear power plant's ISFSI.

The NRC requires its licensees to plan for the eventual decommissioning of their licensed facilities prior to license termination. On June 17, 2011, the NRC published a final rule amending its decommissioning planning regulations (*76 Federal Register* (FR) 35512). The final rule amended the NRC regulation, 10 CFR 72.30, which concerns financial assurance and decommissioning for ISFSIs. This regulation now requires each holder of, or applicant for, a license under 10 CFR Part 72 to submit, for NRC review and approval, a DFP. The purpose of the DFP is to demonstrate the licensee's financial assurance, *i.e.*, that funds will be available to decommission the ISFSI. The NRC staff is reviewing the information submitted by Duke. Specifically, the NRC must determine whether Duke's DFP contains the information required by 10 CFR 72.30(b) and whether Duke has provided reasonable assurance that funds will be available to decommission the ISFSI.

The CNS ISFSI DFP is publicly available in the NRC's Agencywide Documents Access and Management System (ADAMS) accessible at <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS accession number for the application package is ML12353A033.

~~PRE-DECISIONAL INFORMATION. THIS INFORMATION IS LIMITED TO USE BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL. THIS INFORMATION SHALL NOT BE DISCLOSED WITHOUT PRIOR NRC PERMISSION.~~

S. Jenkins

-2-

In accordance with 10 CFR Part 51, the NRC regulations that implement the National Environmental Policy Act of 1969, as amended, the agency has prepared a draft environmental assessment (EA) for the proposed action (enclosed). We are providing your office with the opportunity to review the draft EA and comment on environmental issues prior to the public issuance and publication of the EA. We request that distribution and use of the enclosed draft EA be limited only to those staff involved in the review and comment process.

Please submit any comments within 30 days of the receipt of this letter to the U.S. Nuclear Regulatory Commission, ATTN: Michele Sampson, Mail Stop: T-4B34, U.S. Nuclear Regulatory Commission, Washington, DC 20555. If you have any questions, please contact Mr. Jose Cuadrado of my staff by telephone at 301-415-0606, or by e-mail at jose.cuadrado@nrc.gov. The NRC staff will consider your timely comments and will revise the EA, as appropriate, before its final issuance and publication. Thank you for your assistance.

Sincerely,

/RA/

Michele Sampson, Chief
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-45
TAC No.: L24720

Enclosure:
Draft Environmental Assessment

~~PRE-DECISIONAL INFORMATION. THIS INFORMATION IS LIMITED TO USE BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL. THIS INFORMATION SHALL NOT BE DISCLOSED WITHOUT PRIOR NRC PERMISSION.~~

S. Jenkins

-2-

In accordance with 10 CFR Part 51, the NRC regulations that implement the National Environmental Policy Act of 1969, as amended, the agency has prepared a draft environmental assessment (EA) for the proposed action (enclosed). We are providing your office with the opportunity to review the draft EA and comment on environmental issues prior to the public issuance and publication of the EA. We request that distribution and use of the enclosed draft EA be limited only to those staff involved in the review and comment process.

Please submit any comments within 30 days of the receipt of this letter to the U.S. Nuclear Regulatory Commission, ATTN: Michele Sampson, Mail Stop: T-4B34, U.S. Nuclear Regulatory Commission, Washington, DC 20555. If you have any questions, please contact Mr. Jose Cuadrado of my staff by telephone at 301-415-0606, or by e-mail at jose.cuadrado@nrc.gov. The NRC staff will consider your timely comments and will revise the EA, as appropriate, before its final issuance and publication. Thank you for your assistance.

Sincerely,

/RA/

Michele Sampson, Chief
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-45
TAC No.: L24720

Enclosure:
Draft Environmental Assessment

G:\SFST\72.30 Decommissioning Funding Plans\Duke\Catawba DFP Consultation Letter to State.docx
G:\SFST\72.30 Decommissioning Funding Plans\Duke\Catawba Draft EA for Consultation.docx
ADAMS P8 Accession No.: ML15224A217 Letter: ML15224A292 Enclosure: ML15224A335

OFC	DSFM		DSFM		DSFM				
NAME	JArce		WWheatley		MSampson				
DATE	7/20/15		7/21/15		8/10/15				

C = COVER E = COVER & ENCLOSURE N = NO COPY

OFFICIAL RECORD COPY

~~PRE-DECISIONAL INFORMATION. THIS INFORMATION IS LIMITED TO USE BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL. THIS INFORMATION SHALL NOT BE DISCLOSED WITHOUT PRIOR NRC PERMISSION.~~