

~~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

March 15, 2021

Anuradha Nair, Director
South Carolina Department of
Health and Environmental Control
Bureau of Environmental Health Services
2600 Bull Street
Columbia, SC 29201

SUBJECT: REVIEW OF THE DRAFT ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT FOR CATAWBA NUCLEAR STATION AND OCONEE NUCLEAR STATION INDEPENDENT SPENT FUEL STORAGE INSTALLATIONS DECOMMISSIONING FUNDING PLANS

Dear Mr. Nair:

By letter dated December 13, 2012 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML12353A033), Duke Energy Carolinas, LLC (referred to as Duke Energy) submitted an initial decommissioning funding plan (DFP) for the Catawba Nuclear Station (Catawba), located in York, South Carolina, and Oconee Nuclear Station (Oconee), located in Seneca, South Carolina, Independent Spent Fuel Storage Installations (ISFSIs), for U.S. Nuclear Regulatory Commission (NRC) staff review and approval. By letter dated March 30, 2015 (ADAMS Accession No. ML15089A394), Duke Energy Progress and Duke Energy Carolinas (hereinafter all referred to as Duke Energy) submitted an updated DFP for the Catawba and Oconee ISFSIs, for NRC staff review and approval.

The NRC initially consulted with the South Carolina Department of Health and Environmental Control (State) on August 10, 2015, via letters concerning the initial DFPs for the Catawba (ADAMS Accession No. ML15224A217) and Oconee (ADAMS Accession No. ML15224B558) ISFSIs. Subsequent to that initial consultation, the NRC staff completed its review of the updated DFP. The NRC staff is seeking the South Carolina Department of Health and Environmental Control's consultation on the initial and updated DFPs, as a combined review, for the Catawba and Oconee ISFSIs.

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

Upon removal of the enclosure(s),
this document is decontrolled.

~~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.~~

A. Nair

-2-

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 ISFSI. 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 Energy. Specifically, the NRC must determine whether Duke Energy DFPs contain the information required by 10 CFR 72.30(b), and whether Duke Energy has provided reasonable assurance that funds will be available to decommission Catawba and Oconee ISFSIs.

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 separate draft environmental assessment (EA) for Catawba and Oconee ISFSIs for the proposed action (enclosed). We are providing your office with the opportunity to review the draft EAs and comment on environmental issues prior to the public issuance and publication of the EAs. We request that distribution and use of the enclosed draft EAs be limited only to those staff involved in the review and comment process.

Please submit any comments within 30 days from the date of this letter to the U.S. Nuclear Regulatory Commission, Document Control Desk, ATTN: John McKirgan, Mail Stop: TWFN 4B34, U.S. Nuclear Regulatory Commission, Washington, DC 20555. If you have any questions, please contact Tilda Liu of my staff by telephone at 404-997-4730, or by e-mail at Tilda.Liu@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,

John B.
McKirgan

Digitally signed by John B.
McKirgan
Date: 2021.03.15 18:04:21
-04'00'

John McKirgan, Chief
Storage and Transportation Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 72-45, 72-04, 72-40
License Nos.: SFGL-31, SNM-2503,
SFGL-06
EPID Nos.: L-2017-FPR-0014,
L-2017-FPR-0048, L-2017-FPR-0003

Enclosures:

1. Draft EA for Catawba Nuclear Station ISFSI
2. Draft EA for Oconee Nuclear Station ISFSIs

~~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.~~

A. Nair

-3-

SUBJECT: REVIEW OF THE DRAFT ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT FOR CATAWBA NUCLEAR STATION AND OCONEE NUCLEAR STATION INDEPENDENT SPENT FUEL STORAGE INSTALLATIONS DECOMMISSIONING FUNDING PLANS

DATE: March 15, 2021

DISTRIBUTION:

DFM r/f
PJehle, OGC
NMertz, OGC

ADAMS Accession Nos.: ML21071A036 (pkg); ML21071A037 (ltr)

*concurrence via email

OFFICE	DFM/STLB	DFM/STLB	DFM/STLB
NAME	TLiu	WWheatley*	JMcKirgan*
DATE	3/12/2021	3/12/2021	3/15/2021

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.~~