

Morgan Lewis

Ryan K. Lighty

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August 22, 2024

The Honorable G. Paul Bollwerk, III, Chair
The Honorable Dr. Sue H. Abreu
The Honorable Dr. Arielle J. Miller
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: Duke Energy Carolinas, LLC; Oconee Nuclear Station, Units 1, 2, and 3; Docket Nos. 50-269, 50-270 & 50-287-SLR-2; Non-Disclosure Declarations

Dear Administrative Judges:

Pursuant to the Protective Orders issued by the Atomic Safety and Licensing Board (ASLB) on August 19, 2024 (Orders), Duke Energy Carolinas, LLC (Duke) hereby submits the attached Non-Disclosure Declarations of Ryan Lighty, Paul Bessette, Tracey LeRoy, and Molly Mattison, with a reservation of rights as noted below.

In Duke's view, certain provisions of the Orders are ambiguous and, if construed broadly, could have significant unintended consequences, including possible impairment of Duke's ongoing ability to manage its design and licensing bases. Accordingly, Duke is planning to consult with the other parties and intends to submit a motion to the ASLB seeking clarification of those terms. However, the ASLB's resolution of that motion would not occur until after expiration of the three-day deadline for submission of Non-Disclosure Declarations under the Orders.

Therefore, in order to comply with the requested deadlines and keep the proceeding moving forward, I, Mr. Bessette, Ms. LeRoy, and Ms. Mattison have executed the attached Non-Disclosure Declarations; however, we do so with a full reservation of rights to revoke and rescind those Non-Disclosure Declarations, pending resolution of the anticipated motion for clarification.

Sincerely,



Ryan K. Lighty

Enclosures as Stated

DB1/ 150301501.1

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY
COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

DUKE ENERGY CAROLINAS, LLC

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

Docket Nos. 50-269-SLR-2, 50-270-SLR-2, and 50-287-SLR-2

ASLBP No. 24-985-03-SLR-BD01

NONDISCLOSURE DECLARATION

I, PAUL Bessette, state:

1. I have read the Licensing Board's Protective Order issued in the above-captioned proceeding and will comply in all respects with its terms and conditions regarding the Sensitive Unclassified Non-Safeguards Information (SUNSI) subject to that Protective Order, specifically Identified CEII and Board-Designated Information as defined in that Protective Order. I will protect and keep in confidence all Identified CEII and Board-Designated Information in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.
2. I will not disclose Identified CEII or Board-Designated Information to anyone except an Authorized Holder as defined in the Protective Order. I will protect documents containing Identified CEII or Board-Designated Information in written or recorded form (including any portions of transcripts of in camera hearings, filed testimony, or any other documents containing such Identified CEII or Board-Designated Information), so that the Identified CEII or Board-Designated Information contained therein remains at all times under the control of an Authorized Holder and is not revealed to anyone else.
3. I will keep, protect, and transmit Identified CEII and Board-Designated Information (including, without limitation, transcripts, pleadings, documents that I generate, and any notes and copies that I make containing such information) in accordance with the terms of the Protective Order.
4. I will mark each document containing Identified CEII or Board-Designated Information in accordance with the terms of the Protective Order.
5. Neither during nor after this proceeding, will I publicly reveal any Identified CEII or

Board-Designated Information that I receive by virtue of this proceeding as long as the information remains Identified CEI or Board-Designated Information.

6. I acknowledge that any violation of the terms of this declaration or the Licensing Board's Protective Order, which incorporates the terms of this declaration, may result in the imposition of such sanctions on me that the Licensing Board (or the Commission) may deem to be appropriate, or any other legal or equitable remedies that may be available in the event of actual or anticipated disclosure of SUNSI.

WHEREFORE, I certify under penalty of perjury that the foregoing is true and correct and do solemnly agree to protect and keep in confidence such Identified CEI and Board-Designated Information as may be disclosed to me in the above-captioned proceeding in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.

Paul Bessette
Signature

8/20/24
Date Executed

Address: 1111 PENNSYLVANIA AVE, WASHINGTON DC 20004

Phone Number: 202 739 5796

E-mail: paul.bessette@morganlewis.com

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

DUKE ENERGY CAROLINAS, LLC

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

Docket Nos. 50-269-SLR-2,
50-270-SLR-2, and 50-287-SLR-2

ASLBP No. 24-985-03-SLR-BD01

NONDISCLOSURE DECLARATION

I, PAUL Bessette, state:

1. I have read the Licensing Board's Protective Order issued in the above-captioned proceeding and will comply in all respects with its terms and conditions regarding the Sensitive Unclassified Non-Safeguards Information (SUNSI) subject to that Protective Order, specifically the Specified E-Mails and Specified E-Mails SUNSI as defined in that Protective Order. I will protect and keep in confidence the Specified E-Mails and all Specified E-Mail SUNSI in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.
2. I will not disclose the Specified E-Mails or Specified E-Mails SUNSI to anyone except an Authorized Holder as defined in the Protective Order. I will protect the Specified E-Mails and documents containing Specified E-Mails SUNSI in written or recorded form (including any portions of transcripts of in camera hearings, filed testimony, or any other documents containing Specified E-Mails SUNSI), so that the Specified E-Mails SUNSI contained therein remains at all times under the control of an Authorized Holder and is not revealed to anyone else.
3. I will keep, protect, and transmit the Specified E-Mails and Specified E-Mails SUNSI (including, without limitation, transcripts, pleadings, documents that I generate, and any notes and copies that I make containing such information) in accordance with the terms of the Protective Order.
4. I will mark each document containing Specified E-Mails SUNSI in accordance with the terms of the Protective Order.
5. Neither during nor after this proceeding, will I publicly reveal the Specified E-Mails or any Specified E-Mails SUNSI that I receive by virtue of this proceeding as long as the

information remains Specified E-Mails SUNSI.

6. I acknowledge that any violation of the terms of this declaration or the Licensing Board's Protective Order, which incorporates the terms of this declaration, may result in the imposition of such sanctions on me that the Licensing Board (or the Commission) may deem to be appropriate, or any other legal or equitable remedies that may be available in the event of actual or anticipated disclosure of the Specified E-Mails or Specified E-Mails SUNSI.

WHEREFORE, I certify under penalty of perjury that the foregoing is true and correct and do solemnly agree to protect and keep in confidence the Specified E-Mails and such Specified E-Mails SUNSI as may be disclosed to me in the above-captioned proceeding in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.

Paul Bessette
Signature

8/21/24
Date Executed

Address: 1111 PENNSYLVANIA AVE, NW WASHINGTON DC 20004

Phone Number: 202 739 5796

E-mail: PAUL.BESSETTE@MORGENTHAU.COM

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In the Matter of

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Docket Nos. 50-269-SLR-2, 50-270-SLR-2, and 50-287-SLR-2

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NONDISCLOSURE DECLARATION

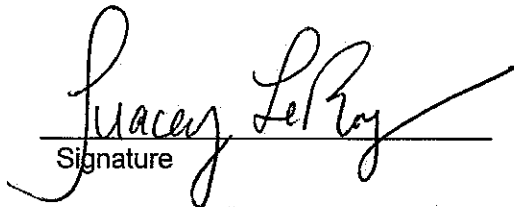
I, Tracey LeRoy, state:

1. I have read the Licensing Board's Protective Order issued in the above-captioned proceeding and will comply in all respects with its terms and conditions regarding the Sensitive Unclassified Non-Safeguards Information (SUNSI) subject to that Protective Order, specifically Identified CEII and Board-Designated Information as defined in that Protective Order. I will protect and keep in confidence all Identified CEII and Board-Designated Information in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.
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4. I will mark each document containing Identified CEII or Board-Designated Information in accordance with the terms of the Protective Order.
5. Neither during nor after this proceeding, will I publicly reveal any Identified CEII or

Board-Designated Information that I receive by virtue of this proceeding as long as the information remains Identified CEII or Board-Designated Information.

6. I acknowledge that any violation of the terms of this declaration or the Licensing Board's Protective Order, which incorporates the terms of this declaration, may result in the imposition of such sanctions on me that the Licensing Board (or the Commission) may deem to be appropriate, or any other legal or equitable remedies that may be available in the event of actual or anticipated disclosure of SUNSI.

WHEREFORE, I certify under penalty of perjury that the foregoing is true and correct and do solemnly agree to protect and keep in confidence such Identified CEII and Board-Designated Information as may be disclosed to me in the above-captioned proceeding in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.


Signature

August 21, 2024
Date Executed

Address: 529 South Tryon Street, Mail Code : DEP-09B, Charlotte, NC 28202

Phone Number: 704-382-8317

E-mail: tracey.leroy@duke-energy.com

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NONDISCLOSURE DECLARATION

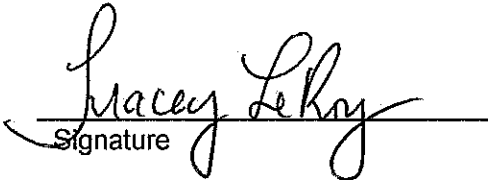
I, Tracey LeRoy, state:

1. I have read the Licensing Board's Protective Order issued in the above-captioned proceeding and will comply in all respects with its terms and conditions regarding the Sensitive Unclassified Non-Safeguards Information (SUNSI) subject to that Protective Order, specifically the Specified E-Mails and Specified E-Mails SUNSI as defined in that Protective Order. I will protect and keep in confidence the Specified E-Mails and all Specified E-Mail SUNSI in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.
2. I will not disclose the Specified E-Mails or Specified E-Mails SUNSI to anyone except an Authorized Holder as defined in the Protective Order. I will protect the Specified E-Mails and documents containing Specified E-Mails SUNSI in written or recorded form (including any portions of transcripts of in camera hearings, filed testimony, or any other documents containing Specified E-Mails SUNSI), so that the Specified E-Mails SUNSI contained therein remains at all times under the control of an Authorized Holder and is not revealed to anyone else.
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4. I will mark each document containing Specified E-Mails SUNSI in accordance with the terms of the Protective Order.
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information remains Specified E-Mails SUNSI.

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WHEREFORE, I certify under penalty of perjury that the foregoing is true and correct and do solemnly agree to protect and keep in confidence the Specified E-Mails and such Specified E-Mails SUNSI as may be disclosed to me in the above-captioned proceeding in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.


Signature

August 21, 2024
Date Executed

Address: 529 South Tryon Street, Mail Code: 09B, Charlotte, NC 28202

Phone Number: 704-382-8317

E-mail: tracey.leroy@duke-energy.com

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

Docket Nos. 50-269-SLR-2, 50-270-SLR-2, and 50-287-SLR-2

ASLBP No. 24-985-03-SLR-BD01

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I, Ryan K. Lighty, state:

1. I have read the Licensing Board's Protective Order issued in the above-captioned proceeding and will comply in all respects with its terms and conditions regarding the Sensitive Unclassified Non-Safeguards Information (SUNSI) subject to that Protective Order, specifically Identified CEII and Board-Designated Information as defined in that Protective Order. I will protect and keep in confidence all Identified CEII and Board-Designated Information in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.
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WHEREFORE, I certify under penalty of perjury that the foregoing is true and correct and do solemnly agree to protect and keep in confidence such Identified CEII and Board-Designated Information as may be disclosed to me in the above-captioned proceeding in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.



Signature

August 21, 2024

Date Executed

Address: Morgan, Lewis & Bockius LLP, 1111 Pennsylvania Ave., N.W., Washington, D.C. 20004

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E-mail: ryan.lighty@morganlewis.com

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Signature

August 21, 2024

Date Executed

Address: Morgan, Lewis & Bockius LLP, 1111 Pennsylvania Ave., N.W., Washington, D.C. 20004

Phone Number: (202) 739-5274

E-mail: ryan.lighty@morganlewis.com

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ASLBP No. 24-985-03-SLR-BD01

NONDISCLOSURE DECLARATION

I, Molly Mattison, state:

1. I have read the Licensing Board's Protective Order issued in the above-captioned proceeding and will comply in all respects with its terms and conditions regarding the Sensitive Unclassified Non-Safeguards Information (SUNSI) subject to that Protective Order, specifically Identified CEII and Board-Designated Information as defined in that Protective Order. I will protect and keep in confidence all Identified CEII and Board-Designated Information in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.
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WHEREFORE, I certify under penalty of perjury that the foregoing is true and correct and do solemnly agree to protect and keep in confidence such Identified CEII and Board-Designated Information as may be disclosed to me in the above-captioned proceeding in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.

Molly Mattison

Signature

8/22/24

Date Executed

Address: 1111 Pennsylvania Ave., NW Washington DC 20004

Phone Number: 202-739-5540

E-mail: molly.mattison@morganlewis.com

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DUKE ENERGY CAROLINAS, LLC

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

Docket Nos. 50-269-SLR-2,
50-270-SLR-2, and 50-287-SLR-2

ASLBP No. 24-985-03-SLR-BD01

NONDISCLOSURE DECLARATION

I, Molly Mattison, state:

1. I have read the Licensing Board's Protective Order issued in the above-captioned proceeding and will comply in all respects with its terms and conditions regarding the Sensitive Unclassified Non-Safeguards Information (SUNSI) subject to that Protective Order, specifically the Specified E-Mails and Specified E-Mails SUNSI as defined in that Protective Order. I will protect and keep in confidence the Specified E-Mails and all Specified E-Mail SUNSI in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.
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WHEREFORE, I certify under penalty of perjury that the foregoing is true and correct and do solemnly agree to protect and keep in confidence the Specified E-Mails and such Specified E-Mails SUNSI as may be disclosed to me in the above-captioned proceeding in accordance with the terms of the Protective Order and of this Nondisclosure Declaration.

Molly Mattison

Signature

8/21/24

Date Executed

Address: 1111 Pennsylvania Ave., NW Washington DC 20004

Phone Number: 202-739-5540

E-mail: molly.mattison@morganlewis.com

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:

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

Docket Nos. 50-269-SLR-2

50-270-SLR-2

50-287-SLR-2

August 22, 2024

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305, I certify that, on this date, a copy of the foregoing Letter from Ryan Lighty to the Atomic Safety and Licensing Board, and Non-Disclosure Declarations of Ryan Lighty, Paul Bessette, Tracey LeRoy, and Molly Mattison, were served upon the Electronic Information Exchange (the NRC's E-Filing System) in the above-captioned docket.

Signed (electronically) by Ryan K. Lighty

RYAN K. LIGHTY, Esq.

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

(202) 739-5274

ryan.lighty@morganlewis.com

Counsel for Duke Energy Carolinas, LLC