

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

LBP-25-02

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

G. Paul Bollwerk, III, Chair  
Dr. Sue H. Abreu  
Dr. Arielle J. Miller

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

January 22, 2025

MEMORANDUM AND ORDER

(Serving and Placing Unredacted Version of LBP-25-01  
into the Public Record and Terminating Proceeding)

This proceeding concerns the June 2021 subsequent license renewal (SLR) application of Duke Energy Carolinas, LLC, seeking an additional twenty-year term for the 10 C.F.R. Part 50 operating licenses for Oconee Nuclear Station (ONS) Units 1, 2, and 3. In its January 17, 2025 decision in LBP-25-01, the Licensing Board determined that petitioners Beyond Nuclear, Inc., and the Sierra Club, Inc., (collectively Petitioners) in their April 29, 2024 hearing petition (as amended May 1, 2024) had established their standing to intervene in this proceeding. See LBP-25-01, 101 NRC \_\_, \_\_–\_\_ (slip op. at 55–56) (Jan. 17, 2025). Additionally, the Board found inadmissible each of Petitioners' three contentions challenging the adequacy of the Nuclear Regulatory Commission (NRC) Staff's February 2024 National Environmental Policy Act draft site-specific supplemental environmental impact statement assessing the impacts of the ONS facility's proposed SLR. See id. at \_\_ (slip op. at 56). Because of the possibility that the Board's decision might contain Sensitive Unclassified

Non-Safeguards Information (SUNSI), the Board placed that decision into the nonpublic portion of this proceeding's docket pending NRC Staff review to determine whether any redactions were necessary. See id. at \_\_\_–\_\_\_ (slip op. at 56–59).

On January 17, 2025, the NRC Staff informed the Board that, based on its review, LBP-25-01 does not contain any nonpublic information so the decision can be placed in the public portion of this proceeding's docket.<sup>1</sup> As a result, the Board has provided its LBP-25-01 decision to the Office of the Secretary (SECY) for E-Filing system service and placement in the proceeding's public docket without the header "CONTAINS PROTECTED INFORMATION – SUBJECT TO PROTECTIVE ORDER A" that the Board placed on the document to indicate its nonpublic status while it was under SUNSI review by the NRC Staff.

Additionally, contemporaneous with this issuance, the Board has provided SECY with a file containing the LBP-25-01 decision that was placed in the nonpublic docket of the proceeding and served on the NRC Staff for its SUNSI review from which the header "CONTAINS PROTECTED INFORMATION – SUBJECT TO PROTECTIVE ORDER A" has been stricken. That file will replace the file now residing in the nonpublic portion of this proceeding's docket. The lined-out header signifies that the information in the document is no longer nonpublic, thereby avoiding viewer uncertainty about the status of the information in the document as well as questions regarding its availability status during any future document repository reviews or scans. The availability status of that document also will be changed by SECY from "Non-Publicly Available" to "Publicly Available" so that the document will appear in the public portion of this proceeding's docket. Moreover, the following comment will be added to the ADAMS metadata for that file:<sup>2</sup> Pursuant to the January 22, 2025 Atomic Safety and Licensing

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<sup>1</sup> See NRC Staff Notification Regarding Review of the Licensing Board's January 17, 2025, Nonpublic Decision (Jan. 17, 2025) at 1. The Board appreciates the NRC Staff's prompt action in reviewing the Board's decision and providing notice of the results of that review.

<sup>2</sup> The ADAMS accession number for this issuance will be incorporated into the metadata

Board Memorandum and Order, LBP-25-02 (MLXXXXXXXXXX), the header “CONTAINS PROTECTED INFORMATION – SUBJECT TO PROTECTIVE ORDER A” has been stricken from this document to reflect that the information in this document is no longer considered nonpublic and its availability status has been changed from “Non-Publicly Available” to “Publicly Available.”

Finally, in accordance with LBP-25-01, 101 NRC at \_\_ (slip op. 59), with E-Filing system service of that issuance upon the participants to this proceeding and its placement in the proceeding’s public docket, this proceeding is terminated before the Licensing Board.

It is so ORDERED.

THE ATOMIC SAFETY  
AND LICENSING BOARD

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G. Paul Bollwerk, III, Chair  
ADMINISTRATIVE JUDGE

*/RA/*

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Dr. Sue H. Abreu  
ADMINISTRATIVE JUDGE

*/RA/*

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Dr. Arielle J. Miller  
ADMINISTRATIVE JUDGE

Rockville, Maryland

January 22, 2025

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comment field once that number is assigned as part of the agency’s document processing regimen.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
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DUKE ENERGY CAROLINAS, LLC, ) Docket Nos. 50-269 SLR-2  
 ) 50-270 SLR-2  
 ) 50-287 SLR-2  
 )  
(Oconee Nuclear Station Units 1, 2, and 3) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **MEMORANDUM AND ORDER (Serving and Placing Unredacted Version of LBP-25-01 into the Public Record and Terminating Proceeding)** have been served upon the following persons by Electronic Information Exchange.

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**Duke Energy Carolinas, LLC (Oconee Nuclear Station Units 1, 2, and 3, Docket Nos. 50-269, 50-270, and 50-287 SLR-2)**  
**MEMORANDUM AND ORDER (Serving and Placing Unredacted Version of LBP-25-01 into the Public Record and Terminating Proceeding)**

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Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 22<sup>nd</sup> day of January 2025.