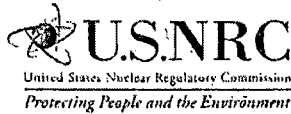


FOIA/PA NO: 2016-0071

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ETS

Electronic Tracking System

Task Number: G20120808

General Information

Lead Assignee: NRR

OEDO Due Date:

Other Assignees:

SECY Due Date:

Other Parties:

Subject: Ignoring Perceived Security Concerns Regarding Jocassee Dam

Description:

CC Routing: RegionII

ADAMS Accession Numbers - Incoming: ML12312A12 Response / Package: N/A

Other Information

Cross Reference LTR-12-0589

SRM/Other: No

Process Information

Action Type: Appropriate Action

OEDO Concurrence: No

Signature Level: No Signature Required

OCM Concurrence: No

Special Instructions:

OCA Concurrence: No

NRR determined this action is not an allegation. For Appropriate Action.

Document Information

Originator Name: Lawrence Criscione, PE

Date of Incoming: 10/16/2012

Originator Org: Citizen

Document Received by OEDO Date: 10/16/2012

Date Response Requested by

Originator:

Addressee: Charmian Macfarlane

Incoming Task: E-mail

OEDO POC: Dan Merzke

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Oct 16, 2012 13:57

PAPER NUMBER: LTR-12-0589

LOGGING DATE: 10/16/2012

ACTION OFFICE:

EDO

AUTHOR: Lawrence Criscione

AFFILIATION: IL

ADDRESSEE: Chairman Resource

SUBJECT: Allegation Material - Concerns NRC Ignoring Safety Concerns at Oconee due to the Jocassee Dam

ACTION: Appropriate

DISTRIBUTION: Chrm, Comrs, OIG

LETTER DATE: 10/16/2012

ACKNOWLEDGED No

SPECIAL HANDLING: Allegation Material

NOTES:

FILE LOCATION: Safe

DATE DUE:

DATE SIGNED:

EDO --G20120808

Joosten, Sandy

From: Lawrence Criscione (b)(6)
Sent: Tuesday, October 16, 2012 1:31 AM
To: pete.king@mail.house.gov; jim_mcgee@hsgac.senate.gov;
david_bibeau@collins.senate.gov; homeland.security@mail.house.gov;
nicole.johnson@mail.house.gov; peter.spencer@mail.house.gov;
stephen.salsbury@mail.house.gov; CHAIRMAN Resource; carolyn.lerner@osc.gov;
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Clark; Bunting; Tyson Slocum; Jim Riccio
Cc: Buckham, Matt (DeMint); matt_rimkunas@lgraham.senate.gov;
matthew_rimkunas@graham.senate.gov; valerie_manak@epw.senate.gov;
nathan_mccray@epw.senate.gov; dave_smith@carper.senate.gov; Marty Gelfand;
vic.edgerton@mail.house.gov; Michal Freedhoff; komaki.foster@mail.house.gov;
sc03dcintern1@mail.house.gov; Zimmerman, Jacob; Correia, Richard; Coe, Doug; Beasley,
Benjamin; Bernhard, Rudolph; Ferrante, Fernando; Hanna, John; Kanney, Joseph; Kozak,
Laura; Loveless, David; Marksberry, Don; Mitman, Jeffrey; Passehl, Dave; Schmidt, Wayne;
Vaughn, Stephen; Wood, Jeffery; Zoulis, Antonios; Galloway, Melanie; Giitter, Joseph; Leeds,
Eric; Wilson, George; Perkins, Richard; Bensl, Michelle; Philip, Jacob; Sancaktar, Selim;
Ottenberg, Geoffrey; Ellis, Kevin; Demoss, Gary; Coyne, Kevin
Subject: NRC Ignoring Perceived Security Concerns Regarding Jocassee Dam?
Attachments: Ignoring Perceived Security Concerns Regarding Jocassee Dam.pdf

Please see the attached document.

I do not know whether or not there is an actual security concern regarding Jocassee Dam. What I do know is that, if there is, the NRC is not ensuring Oconee Nuclear Station is adequately protected from such a concern.

If there is a credible security threat to Jocassee Dam, then the three reactors at the Oconee Nuclear Station need to be shutdown as long as the volume of water impounded by Jocassee and Keowee Dams is sufficient to overcome the flood barriers at Oconee's Standby Shutdown Facility. If there is not a credible security threat to Jocassee Dam, then the NRC needs to quit withholding from the public under the guise of "Security-Related Information" all its correspondence, memos and studies concerning safety liabilities from a failure of Jocassee Dam due to natural phenomena or latent engineering/construction flaws.

Either there is a security concern or there is not. If there is not, then the NRC needs to quit stamping everything regarding Jocassee Dam "Security-Related". If there is, then the NRC needs to either ensure Jocassee Dam is guarded to the same Design Basis Threat that ONS is guarded to or ensure the reactors at ONS are shutdown whenever the volume of water impounded in Lake Jocassee is great enough to jeopardize those reactors. Merely withholding from the public the specifics of the safety liability which the water impounded in Lake Jocassee poses to the reactors at ONS is not an adequate method for addressing a bonafide security concern.

Monday, October 15, 2012

(b)(6)

Senator Joseph Lieberman, Chairman
U.S. Senate Committee on Homeland Security & Governmental Affairs
706 Hart Office Building
Washington, DC 20510

Dear Senator Lieberman:

On September 18, 2012 I sent a letter to the Chairman of the US Nuclear Regulatory Commission concerning the NRC's handling of a safety concern regarding Jocassee Dam and the Oconee Nuclear Station. I copied the letter to a member of your Homeland Security & Governmental Affairs Committee staff as well as to the majority and minority staffs of other Senate and House committees who I believed might be interested.

It has been nearly four weeks since I sent my letter and have not heard from either the NRC Chairman's office or the NRC Office of the Inspector General. The only official communication I have received from the NRC was my branch chief informing me that he was directed to fill out a Form 183 for me failing to stamp my 2012-09-18 letter as "Official Use Only - Security-Related Information".

I am reaching out to your committee because I have several concerns which I believe the NRC is incapable of addressing.

For over 18 years the NRC has been aware that the flood wall surrounding the Standby Shutdown Facility at Oconee Nuclear Station is too short to protect the SSF from a failure of Jocassee Dam.¹

Beginning in 2006² (and possibly earlier) staff personnel at the NRC recognized that a failure of Jocassee Dam could result in a nuclear accident at Oconee station.

Although I have seen no documents indicating that there is a security concern associated with the failure of Jocassee Dam, since 2007 all NRC correspondence concerning Jocassee Dam has been stamped "Official Use Only - Safety-Related Information" so it is obvious to me that for at least the past five years the US NRC has believed there is a security concern associated with Jocassee Dam.

¹ Letter from Albert F. Gibson, NRC, to J. W. Hampton, Duke, "Notice of Violation and Notice of Deviation (NRC Inspection Report Nos. 50-269/93-25, 50-270/93-25, and 50-287/93-25)," dated February 11, 1994

² Letter from Charles Casto, NRC, to Bruce H. Hamilton, Duke, "IR 05000269-06-016, IR 05000270-06-016, IR 05000287-06-016, on 03/31/2006, Oconee Nuclear Station - Preliminary White Finding," dated August 31, 2006

I do not work in nuclear security and I know little about it. It is my understanding that for the commercial nuclear industry the NRC has determined the maximum credible threat with which a nuclear plant might be challenged, and the NRC requires the commercial nuclear reactors which it regulates to adequately guard their plant against such a threat.

It stands to reason that if, as evident from the way the NRC is stamping information regarding Jocassee Dam, there is a credible threat to Jocassee Dam then, because of the danger a failure of Jocassee Dam poses to flooding of the Standby Shutdown Facility at the Oconee Nuclear Station, access to Jocassee Dam should be guarded against the same design basis threat to which the Oconee Nuclear Station and other reactor plants are guarded. I respectfully request that the Senate Committee on Homeland Security & Governmental Affairs verify that the NRC is ensuring access to Jocassee Dam is adequately guarded.

Aside from external terrorist attacks, commercial nuclear reactor plants are required to guard against internal sabotage. Personnel at commercial nuclear facilities are required to receive extensive background checks and, depending on their access to vital areas, are also required to undergo periodic reassessment including interviews with psychologists.

Due to the danger a failure of Jocassee Dam poses to the Oconee Nuclear Station, it stands to reason that the security, operations and maintenance personnel at the Jocassee Dam pumped storage station should be held to the same background checks and periodic reassessments as similar personnel at the Oconee Nuclear Station and other reactor plants. I respectfully request that the Senate Committee on Homeland Security & Governmental Affairs verify that the NRC is ensuring personnel with access to the pump storage plant at Jocassee Dam are adequately screened for insider threats.

As mentioned above, the US NRC decided 5 years ago (since at least 2007) that there is at least enough of a credible security threat to Jocassee Dam to justify withholding from the public all safety related concerns regarding the dam. Although five years is more than enough time to adequately guard Jocassee Dam, the NRC continues to stamp all safety concerns regarding the dam as "Official Use Only - Security-Related Information". This indicates to me that, after five years, the NRC has not been able to adequately ensure the security of Jocassee Dam. This is not surprising to me since the NRC does not regulate Jocassee Dam and therefore has no authority to dictate security measures required there.

As a pumped storage impoundment dam, Jocassee Dam is regulated by the Federal Energy Regulatory Commission (FERC). I know little about FERC, but it is my understanding that FERC does not require the facilities it regulates to be guarded against the same design basis threats that commercial nuclear reactors are guarded against. Although FERC's security requirements are likely adequate for most of the facilities it regulates, in the case of a pumped storage dam whose sabotage is assumed to result in a nuclear accident the only adequate course of action is to require a level of security capable of guarding against a threat equivalent to the design basis threat assumed for commercial nuclear facilities.

Similarly for internal sabotage, FERC's regulations should require that the background checks and periodic reassessments conducted at the Lake Jocassee Dam pumped storage station are equivalent to those conducted at commercial nuclear facilities.

However, I am not sure it is reasonable to expect FERC to be able to treat the Lake Jocassee Dam differently from the other facilities it regulates. FERC might not have the expertise, budget or staffing levels to (1) write the regulations for the Lake Jocassee guard force, (2) periodically inspect the guard force including "Force on Force" exercises, (3) write the regulations for the background checks and periodic reassessments, (4) ensure the background checks were done adequately, and (5) inspect and regulate the periodic reassessment program of the plant personnel including psychological evaluations.

It is apparent to me that during the past five years the NRC has been unable to coordinate with FERC to ensure that the perceived security vulnerability regarding Jocassee Dam has been addressed. Despite this, the three reactors at the Oconee Nuclear Station continue to operate.

In June 2010, the NRC issued Duke Energy a Confirmatory Action Letter (CAL) requiring Duke to upgrade the flood protections at the Oconee Nuclear Station such that by November 30, 2011 the flood barriers adequately protect the equipment at the Standby Shutdown Facility against a failure of Jocassee Dam. This deadline has since been moved to 2016. So for another three or four years Duke Energy is going to be allowed to operate the three reactors at its Oconee Nuclear Station with a perceived security liability unaddressed. This is unacceptable.

If there is truly a security liability posed by Jocassee Dam, Duke Energy can literally address it within hours. Lake Jocassee and Lake Keowee (the lake which Jocassee drains to) are pumped storage impounds. Within a matter of hours, Duke Energy can lower the volume of water impounded by the Lake Jocassee and Lake Keowee Dams such that in the event of a failure of the Jocassee Dam the remaining volume of water impounded will not overtop the inadequately sized flood fall surrounding the Standby Shutdown Facility at the Oconee Nuclear Station.

There is also another solution to the security concern: shut down the three reactors at the Oconee Nuclear Station until the flooding defenses surrounding the Standby Shutdown Facility are adequately improved.

It is understandable that the NRC cannot address the perceived security vulnerabilities at Jocassee Dam since it does not regulate Jocassee Dam. However, the NRC regulates the Oconee Nuclear Station and it is unconscionable that for five years the NRC has suspected a grave security concern and has not addressed it by requiring the three reactors at the Oconee Nuclear Station to be shutdown as long as the volume of water impounded in Lakes Jocassee and Keowee pose a security threat to those reactors. And it is equally unconscionable that the NRC is going to allow this condition to continue for an additional three or four years.

I am not convinced that there is a credible security concern regarding Jocassee Dam. Obviously, all manmade structures can be demolished. But that fact in and of itself does not cause a security threat to exist. For a security threat to exist, the minimum required threat to the structure needs to be less than the maximum credible threat. As mentioned above, the maximum credible threat to the Lake Jocassee Dam is – or should be – assumed to be equivalent to the design basis threat for Oconee Nuclear Station. But what is the minimum required threat to jeopardize the integrity of the dam? Is it a half dozen drunken teenage vandals with some stolen dynamite and a canoe? Or is it a platoon of trained underwater demolition experts from a technologically advanced nation-state?

I do not know enough about dam construction, terrorism or demolition to say what the minimum required threat to Jocassee Dam is. If it is less than (e.g. teenage vandals) or equal to (e.g. a well-armed squad of terrorists) the design basis threat for the Oconee Nuclear Station, then I agree with the NRC that there is a security concern with the Lake Jocassee Dam. If, however, it is greater than the design basis threat for the Oconee Nuclear Station (e.g. underwater demolition experts from the CIA, KGB, Mossad or MI6), then I do not believe there is a credible threat to Jocassee Dam.

I respectfully request the following from the Senate Committee on Homeland Security & Governmental Affairs:

1. Ensure that after five years of assuming there is a security threat to Jocassee Dam, the NRC has adequately assessed the minimum required threat capable of jeopardizing the integrity of the Lake Jocassee Dam.
2. If the minimum required threat capable of jeopardizing the integrity of the Lake Jocassee Dam is greater than the design basis threat for the Oconee Nuclear Station, then request the NRC to cease withholding from the public the correspondence, memos and studies concerning the safety liabilities which a failure of the Lake Jocassee Dam poses to the Oconee Nuclear Station.
3. If the minimum required threat capable of jeopardizing the integrity of the Lake Jocassee Dam is less than or equal to the design basis threat for the Oconee Nuclear Station, then request the NRC to ensure the three reactors at the Oconee Nuclear Station are in a shutdown condition whenever the combined volume of water impounded by the Jocassee and Keowee Dams is great enough to pose a flooding threat to the Oconee Nuclear Station in the event of a failure of Jocassee Dam.

Enclosed with this letter is a list of the correspondence, memos and studies concerning the safety liabilities posed by a failure of the Lake Jocassee Dam. Most of these documents have been stamped by the NRC as "Official Use Only – Security-Related Information" despite not containing any discussion of security concerns. It is my perception that the "security-related" concerns are merely assumed to exist; however it is possible that the NRC has done an actual assessment that shows there is a credible security threat to the dam. If this is the case, then it is unconscionable that in five years the NRC has not done anything to prevent the operation of the three reactors at ONS while an unaddressed vulnerability to their security remains outstanding.

Copied on this letter are several industry groups and government watchdog organizations. There are some within the Nuclear Regulatory Commission who will claim that it is irresponsible for me to share the information in this letter with members of the public. To them I would note that there is nothing in this letter – other than the list of documents enclosed – that is not already public knowledge. With regard to the list of documents enclosed, although these documents are stamped "Official Use Only – Security-Related Information", I do not believe that the mere mention of the existence of these documents constitutes the release of "Security-Related Information".

I have copied politically active organizations on this letter because I believe their participation is vital to the proper functioning of our democratic and republican processes. Although it might not be appropriate to release specific information to these organizations from documents stamped "Security-Related Information", merely informing them that after five years the NRC has failed to adequately address a perceived security threat from the Lake Jocassee Dam is certainly within my rights as a citizen and my duties as a licensed professional engineer.

Very respectfully,



Lawrence S. Criscione, PE

(b)(5)

Enclosure – 5 pages

Cc: Senator Susan Collins, Ranking Member, Homeland Security & Governmental Affairs
Senator Richard Durbin, Illinois
Congressman Pete King, Chairman, Homeland Security
Congressman Bennie Thompson, Ranking Member, Homeland Security
Congressman Fred Upton, Chairman, Energy & Commerce
Congressman Henry Waxman, Ranking Member, Energy & Commerce
Chairman Allison Macfarlane, US Nuclear Regulatory Commission
Special Counsel Carolyn Lerner, US Office of Special Counsel
Michael Corradini, American Nuclear Society
Admiral James Ellis, Institute of Nuclear Power Operations
Leslie Barbour, Nuclear Energy Institute
David Lochbaum, Union of Concerned Scientists
Scott Amey, Project on Government Oversight
Louis Clark, Government Accountability Project
Ken Bunting, National Freedom of Information Coalition
Tyson Slocum, Public Citizen Energy Program
Jim Riccio, Greenpeace

List of NRC Correspondence, Memos and Studies Regarding Failure of Jocassee Dam

Date	ADAMS	Title
1994-FEB-11		Letter from Albert F. Gibson, NRC, to J. W. Hampton, Duke, "Notice of Violation and Notice of Deviation (NRC Inspection Report Nos. 50-269/93-25, 50-270/93-25, and 50-287/93-25)," dated February 11, 1994
1994-MAR-14		Letter from J. W. Hampton, Duke, dated March 14, 1994
1994-OCT-6		Internal NRC memo documenting a meeting between Region II and NRR concerning a hypothetical Jocassee Dam failure.
1994-DEC-19		Letter from Albert F. Gibson, NRC, to J. W. Hampton, Duke, "Notice of Violation and Notice of Deviation (NRC Inspection Report Nos. 50-269/94-31, 50-270/94-31, and 50-287/94-31)," dated December 19, 1994
2000-MAR-15		Letter from David E. LaBarge, NRC, to W. R. McCollum, Jr., "Oconee Nuclear Station, Units 1, 2, and 3 Re: Review of Individual Plant Examination of External Events (TAC Nos. M83649, M83650, and M83651)," dated March 15, 2000
2006-APR-28	<u>ML061180451</u>	OCONEE NUCLEAR STATION - INTEGRATED INSPECTION REPORT 05000269/2006002, 05000270/200602, 05000287/2006002
2006-AUG-31	<u>ML060750143</u>	IR 05000269-06-016, IR 05000270-06-016, IR 05000287-06-016, on 03/31/2006, Oconee Nuclear Station - Preliminary White Finding
2006-OCT-5	ML062890206	Oconee, Units 1, 2 & 3 - Response to Preliminary White Finding
2006-NOV-22	<u>ML063250287</u>	IR 05000269-06-017, IR 05000270-06-017, IR 05000287-06-017, Final Significance Determination for a White Finding and Notice of Violation, Duke Energy Carolinas, LLC
2006-DEC-20	ML063620092	Oconee, Units 1, 2, & 3, Appeal of Final Significance Determination for White Finding and Reply to Notice of Violation; EA-06-199
2007-JAN-29	ML070440345	Summary of Revised Fragility Evaluation Results for Jocassee Dam
2007-FEB-5		Letter from Bruce H. Hamilton, Duke, to NRC, "Seismic Fragility Study"
2007-FEB-22	ML070590329	Manual Chapter 0609.02 Appeal Panel Recommendations (Oconee Reply to a Notice of Violation and White Finding (EA-06-199))
2007-MAR-1	ML070610460	Oconee Appeal Panel Review of Manual Chapter 0609.02 Appeal Panel Review of Oconee Standby Shutdown Facility White Finding (EA-06-199)
2007-MAY-3	ML072970510	Oconee, Units 1, 2 and 3 - Request for NRC to Review Appeal of Final Significance Determination for SSF Flood Barrier White Finding
2007-JUN-22	ML071580259	Consideration of New Information Associated with a Final Significance Determination for a White Finding - Oconee NS
2007-JUN-28		Phone call between the NRC and Duke Energy -
2007-OCT-1	ML072770765	10/01/2007, Slides with Notes for Final Regulatory Assessment of Oconee Flood Barrier Issue
2007-OCT-1	ML072770775	Dam Failure Information
2007-OCT-1	ML072770777	Questions and Answers Related to Oconee Flood Barrier
2007-NOV-20	ML073241045	Reconsideration of Final Significance Determination Associated with Standby Shutdown Oconee Facility Flood Barrier White Finding
2008-MAY-19	ML081350689	Briefing Package For Drop-In Visit By Duke Energy Chief Nuclear Officer With Chairman Klein And Commissioner Jaczko On May 21, 2008
2008-JUN-23	ML082390669	Proposal for a Risk Analysis of the Failure of the Jocassee and Keowee Dams to Assess the Potential Effects on the Safe Shut Down Facility of the Oconee Nuclear Station, South Carolina
2008-JUL-28	ML082120390	Oconee Nuclear Station - Revisions to the Selected Licensee Commitments Manual (SLC)

List of NRC Correspondence, Memos and Studies Regarding Failure of Jocassee Dam

Date	ADAMS	Title
2008-AUG-15	ML081640244	Information Request Pursuant to 10 CFR 50.54(F) Related to External Flooding, Including Failure of the Jocassee Dam at Oconee Nuclear Station, Units 1, 2, and 3 (TAC Nos. MD8224, MD8225, and MD8226)
2008-AUG-26	ML082390690	Kick Off for Risk Analysis of the Failure of the Jocassee and Keowee Dams to Assess the Potential Effects on the Safe Shutdown Facility at the Oconee Nuclear Station
2008-AUG-28	ML083300427	08/28/2008 - Summary of Closed Meeting to with Duke Energy Carolinas, LLC to Discuss the August 15, 2008, 50.54(f) Letter on External Flooding (TAC Nos. MD8224, MD8225, and MD8226)
2008-AUG-28	ML082550290	Meeting with Duke Energy Carolinas, Oconee Flood Protection and the Jocassee Dam Hazard
2008-SEP-6	ML082250166	Oconee Nuclear Station - Communication Plan for Information Request Related to Failure Frequencies for the Jocassee Pumped Storage Dam (Jocassee Dam) at the Oconee Nuclear Station and Potential Generic Implications
2008-SEP-26	ML082750106	Oconee, Units 1, 2 and 3 - Response to 10 CFR 50.54(f) Request
2008-NOV-5	ML091060761	11/05/08 Summary of Closed Meeting with Duke on External Flooding Issues, including failure of the Jocassee Dam, at Oconee Nuclear Station, Units 1, 2, and 3
2008-NOV-5	ML083390650	11/05/2008 Meeting Slides, "Oconee Site Flood Protection," NRC Meeting with Duke Energy Carolinas, LLC
2008-DEC-4	ML091420319	12/04/2008 Meeting Summary, Meeting to Discuss External Flooding at Oconee Nuclear Station (Reissuance, with Error on Page 3 Corrected)
2008-DEC-4	ML090480044	Oconee Nuclear Station, External Flood NRR Meeting, Rockville, MD, December 4, 2008
2009-FEB-3	ML090280474	Briefing Package for Commissioner Lyons Visit to Oconee on February 4, 2009
2009-APR-6	ML091170104	Oconee Nuclear Station, Units 1, 2 And 3 - Non-concurrence on Evaluation of Duke Energy Carolinas, LLC September 26, 2008, Response to Nuclear Regulatory Commission Letter Dated August 15, 2008 Related to External Flooding
2009-APR-9	ML091030172	Oconee External Flooding Briefing for Commissioner Jaczko
2009-APR-30	ML090570779	Oconee Nuclear Station Units 1, 2, and 3, Evaluation of Duke Energy Carolinas September 26, 2008, Response to External Flooding, Including Failure of the Jocassee Dam
2009-MAY-11	ML092940769	05/11/2009 Summary of Closed Meeting with Duke Energy Carolinas, LLC, to Discuss Preliminary Results of the Recent Inundation and Sensitivity Studies Concerning Failure of the Jocassee Dam and Resultant Flooding at Oconee Nuclear Station, 1, 2, and 3
2009-MAY-11	ML090820470	5/11/2009 Notice of Forthcoming Closed Meeting with Duke Energy Carolinas, LLC, to Discuss Sensitivity Studies Concerning Failure of the Jocassee Dam & Resultant Flooding at the Oconee Nuclear Station, Unit 1, 2, & 3
2009-MAY-11	ML091380424	Oconee Nuclear Station, Slides for Closing Meeting May 11, 2009 with Duke on the Oconee Flooding Issue
2009-MAY-20	ML091470265	Oconee, Units 1, 2 & 3, Request for Extension of Duke Response Time to Referenced Letter
2009-MAY-26	ML091480116	E-mail re Briefing Package for Visit to Jocassee Dam on June 23, 2009
2009-JUN-1	ML091590046	Oconee, Units 1, 2, and 3, Request to Withhold Sensitive Information in Presentation Materials Left with Staff
2009-JUN-10	ML091680195	Oconee, Units 1, 2, and 3 - Interim 30-Day Response to Reference 2.

List of NRC Correspondence, Memos and Studies Regarding Failure of Jocassee Dam

Date	ADAMS	Title
2009-JUN-11	ML091620669	6/11/09 Summary of Closed Meeting with Duke Carolina to Discuss External Flooding at Oconee
2009-JUN-25	ML091760072	NRC Site Visit to the Oconee Nuclear Station on June 15, 2009
2009-JUL-9	ML092020480	Oconee, Units 1, 2, & 3, Final 60-Day Response to Reference 2
2009-JUL-28	ML092230608	Oconee, Submittal of Selected Licensee Commitments Manual SLC Revision
2009-AUG-12	ML090570117	Oconee Flood Protection and the Jocassee Dam Hazard Basis for NRC Allowing Continued Operation
2009-AUG-27	ML092380305	Oconee, Slides for Closed Meeting Regarding External Flood Technical Meeting On August 27, 2009
2009-SEP-25	ML092710344	Site Visit Observation on 09/25/2009 by Joel Munday for Oconee
2009-OCT-28	ML093080034	10/28/09 Slides for Oconee Nuclear Station, Units 1, 2, and 3 - Meeting Slides - External Flood NRC Technical Meeting
2009-NOV-30	ML093380701	Oconee Nuclear Station, Units 1, 2, and 3, Oconee External Flood Analyses and Associated Corrective Action Plan
2009-DEC-4	ML090680737	12/04/09 Summary of Closed Meeting to Discuss the Duke Energy Carolinas, LLC., 09/26/08 Response to NRC's August 15, 2008 50.54(f) Letter on External Flooding at Oconee
2010-JAN-6	ML100280954	01/06/2010 Briefing to the Executive Team on the Oconee Nuclear Station External Flooding Issue
2010-JAN-11	ML100150066	Request Additional Information Regarding the Oconee External Flooding Issue
2010-JAN-15	ML100210199	Oconee, Units 1, 2 and 3 - Additional Information Regarding Postulated External Flood Threat Issues
2010-JAN-29	ML100271591	Evaluation of Duke Energy Carolina, LLC (Duke), November 30, 2009, Response to Nuclear Regulatory Commission (NRC) Letter Dated April 30, 2009, Related to External Flooding At Oconee Nuclear Station, Units 1, 2, And 3 (Oconee)
2010-FEB-8	ML100470053	Oconee, Units 1, 2, & 3, External Flood, Response to Request for Additional Information
2010-FEB-26	ML100610674	Oconee, Units 1, 2, & 3, External Flood Revised Commitment Letter
2010-MAR-5	ML103430047	Oconee Nuclear Station, Units 1, 2, & 3, Letter From Duke Energy Carolinas, LLC Regarding External Flood, Response to Request For Additional Information
2010-MAR-15	ML100780084	Generic Failure Rate Evaluation for Jocassee Dam Risk Analysis
2010-MAR-18	ML100810388	Prepare Briefing Book and Material for Eric Leeds for the Duke Fleet Meeting on March 18, 2010
2010-APR-14	ML100760109	Generic Failure Rate Evaluation for Jocassee Dam
2010-MAY-27	ML101600468	Oconee, Units 1, 2 & 3, Response to Requested Information on the Protection Against External Flooding Including a Postulated Failure of the Jocassee Dam
2010-JUN-1	ML101750619	OUO - Communication Plan For Issuance of Confirmatory Action Letter To Duke For Oconee - External Flooding June 2010
2010-JUN-3	ML101610083	Oconee Nuclear Station, Units 1, 2, and 3, - External Flood Commitments
2010-JUN-22	ML101730329	Oconee, Units 1, 2 & 3, Confirmatory Action Letter (CAL 2-10-003), Commitments to Address External Flooding Concerns
2010-JUN-29	ML101890803	06/29/2010 Summary of Closed Meeting With Duke Energy Carolinas, LLC, to Discuss External Flooding at Oconee
2010-JUL-7	ML101880768	OUO - IR 05000269-10-002, 05000270-10-006, 05000287-10-006; 01/01/2010 - 03/31/2010; Oconee Nuclear Station Units 1, 2 and 3; Interim Compensatory Measures for External Flood
2010-JUL-19	ML101900305	Identification of a Generic External Flooding Issue Due to Potential Dam Failures

List of NRC Correspondence, Memos and Studies Regarding Failure of Jocassee Dam

Date	ADAMS	Title
2010-AUG-2	ML102170006	Oconee Units 1, 2, & 3, Response to Confirmatory Action Letter (CAL) 2-10-003
2010-OCT-20	ML102910480	NRC Assessment of Oconee External Flooding Issue (October 18, 2010)
2010-OCT-26	ML102990064	NRC Staff Assessment of Duke Energy Carolinas, LLC, Oconee External Flooding Issue (TAC NOS. ME4441, ME4442, and ME4443)
2010-NOV-29	ML103490330	Oconee Nuclear Site, Units 1, 2, and 3, Oconee Response to Confirmatory Action Letter (CAL) 2-10-003
2011-JAN-5	ML110180609	Enclosure 1, Oconee Nuclear Station, Major Project Plans
2011-JAN-10	ML110260443	Non-concurrence on Oconee Assessment Letter
2011-JAN-28	ML110280153	Staff Assessment of Duke's Response to Confirmatory Action Letter Regarding Duke's Commitments To Address External Flooding Concerns At The Oconee Nuclear Station, Units 1, 2, And 3 (ONS) (TAC NOS. ME3065, ME3066, and ME3067)
2011-MAR-5	ML103410042	Supplement to Technical Basis for Allowing Oconee Nuclear Station to Remain in Operation Through November 2011, Associated with the External Flooding Issues
2011-MAR-15	ML110740482	Analysis Report for the Proposed Generic Issue on Flooding of Nuclear Power Plant Sites Following Upstream Dam Failures
2011-APR-29	ML111460063	Oconee Nuclear Site, Units 1, 2, and 3, Response to Confirmatory Action Letter (CAL) 2-10-003
2011-AUG-16	ML11229A710	E-mail re Briefing Package for Visit to Oconee Nuclear Power Plant on September 12-13, 2011
2011-AUG-18	ML11174A138	Oconee Nuclear Station, Units 1, 2, and 3, Assessment of Duke Energy Carolinas, LLC April 29, 2011, Response to Confirmatory Action Letter Regarding Modifications to Address External Flooding Concerns (TAC Nos. ME6133, ME6134, and ME6135)
2011-AUG-31	ML112430114	Screening Analysis Report for the Proposed Generic Issue on Flooding of Nuclear Power Plant Sites Following Upstream Dam Failures
2011-SEP-1	ML11244A024	Briefing Package for Visit to Oconee Nuclear Power Plant on September 12-13, 2011
2011-OCT-3	ML11278A173	Oconee Nuclear Station (ONS), Units 1, 2, and 3, Response to Requests for Additional Information Regarding Necessary Modifications to Enhance the Capability of the ONS Site to Withstand the Postulated Failure of the Jocassee Dam
2011-OCT-17	ML11294A341	Oconee Nuclear Station (ONS), Units 1, 2, and 3, Response to Requests for Additional Information Regarding Necessary Modifications to Enhance the Capability of the ONS Site to Withstand the Postulated Failure of the Jocassee Dam
2011-DEC-16	ML113500495	Screening Analysis Report for the Proposed Generic Issue on Flooding of Nuclear Power Plant Sites Following Upstream Dam Failures_redacted
2012-JAN-26	ML12026A549	Briefing Package for Commissioner Svinicki Visit to Oconee on February 1, 2012
2012-JAN-31	ML12026A254	Communication Plan for Oconee Nuclear Station (ONS) Following Issuance of GI-204
2012-FEB-3	ML12039A239	Oconee, Units 1, 2 and 3 - Request for Withholding from Public Disclosure Duke Energy Letter Dated May 20, 2009 Involving Postulated Failure of the Jocassee Dam
2012-FEB-9	ML12039A217	Briefing Package Request for Meeting with Duke Energy on February 16, 2012

List of NRC Correspondence, Memos and Studies Regarding Failure of Jocassee Dam

Date	ADAMS	Title
2012-FEB-17	ML12053A016	Duke Energy Carolinas, LLC - Recommended Revisions to the Oconee Nuclear Station Section of NRC's Screening Analysis Report for the Proposed Generic Issue on Flooding of Nuclear Plant Sites Following Upstream Dam Failure
2012-FEB-23	ML12058A236	02/23/12 Summary of a Teleconference between the US NRC and Duke Energy Regarding Comments made by Duke Energy Concerning the Issuance of the Screening Analysis Report for Generic Issue 204
2012-MAR-5	ML12092A002	NRC Information Notice 2012-002 Potentially Nonconservative Screening Value For Dam Failure Frequency In Probabilistic Risk Assessments
2012-MAY-15	ML12129A186	Oconee Nuclear Station, Units 1, 2, and 3 - Request for Additional Information Regarding Modifications to Address the External Flooding Concerns (TAC NOS. ME7970, ME7971, AND ME7972)
2012-JUN-14	ML12167A372	Oconee, Units 1, 2, and 3, Response to Requests for Additional Information Regarding Modifications to Address External Flooding Concerns
2012-JUL-11	ML12215A327	07/11/2012 Licensee Non-Public Meeting Slides on Oconee External Flood Mitigation
2012-JUL-11	ML12188A111	Briefing Package for Meeting with Duke Energy on July 11, 2012
2012-AUG-7	ML12204A111	Briefing Book for Meeting with Duke Energy on August 7, 2012
2012-SEP-20	ML12268A404	Communication Plan for Flooding September 2012
2012-SEP-20	ML12219A163	Oconee Nuclear Station, Units 1, 2 and 3 - Response to Questions Regarding Modifications to Address External Flooding Hazards (TAC Nos. ME7970, ME7971, AND ME7972)

Boyer, Rachel

From: Boyer, Rachel
Sent: Thursday, October 18, 2012 1:01 PM
To: RidsNrrMailCenter Resource
Cc: RidsRgn3MailCenter Resource; Merzke, Daniel
Subject: Green Ticket Action for NRR - G20120808 (~~SENSITIVE ALLEGATIONS MATERIAL~~)
Attachments: G20120808-NRR.pdf

Importance: High

~~--- SENSITIVE ALLEGATIONS MATERIALS ATTACHED ---~~

Attached is the green ticket action for NRR.

NOTE: This will not be added to ADAMS.

Due Date: 11/19/12

Thanks!

Rachel Boyer
OEDO Mailroom
X1718

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Oct 22, 2012 15:32

PAPER NUMBER: LTR-12-0612

LOGGING DATE: 10/19/2012

ACTION OFFICE: ED/GC

To: Leeds, NRR
Ref: G20120808

AUTHOR: Lawrence Criscione

AFFILIATION: IL

ADDRESSEE: CHRM Allison Macfarlane

SUBJECT: Allegation Material - Concerns Lake Jocassee Dam and the threat to Oconee Nuclear Station

EDO
Cys: DEDMRT
DEDR
DEDCM
AO

R11 /OGC/Mercke, OEDO

ACTION: Appropriate

DISTRIBUTION: Chrm, Comrs, OIG

LETTER DATE: 09/18/2012

ACKNOWLEDGED: No

SPECIAL HANDLING: Allegation Material

NOTES: REF: LTR-12-0589

FILE LOCATION: Safe

DATE DUE:

DATE SIGNED:

TEMPLATE: SECY-017

ERIDS: SECY-01

ETS



Ticket No: G20120942

1620

General Information

Assigned Office: NRR

OEDO Due Date:

Other Assignees:

SECY Due Date:

Other Parties:

Subject: Keowee-Texasawy/Relicensing Application

Description:

CC Routing: RegionII

ADAMS Accession Numbers - Incoming:

Response / Package:

Other Information

Cross Reference No: LTR-12-0757

SRM/Other: No

Process Information

Action Type: Appropriate Action

OEDO Concurrence: No

Signature Level: No Signature Required

OCM Concurrence: No

Special Instructions:

OCA Concurrence: No

For Appropriate Action. If response is determined, please be sure to create an ADAMS package to include the incoming (version we forward to you from DPC), with response and process accordingly. Copies should be provided to RidsEdoMailCenter and RidsSecyMailCenter.

Document Information

Originator Name: Newton E. Brightwell

Date of Incoming: 11/16/2012

Originator Org:

Document Received by OEDO Date: 12/06/2012

Date Response Requested by Originator:

Addressee: Chairman Macfarlane, et al.,

Incoming Task: Letter

OEDO POC: Dan Merzke

Template: SECY-017

E-RIDS: SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Dec 06, 2012 09:33

PAPER NUMBER: LTR-12-0757 LOGGING DATE: 12/06/2012
ACTION OFFICE: EDO

AUTHOR: Newton Brightwell
AFFILIATION: SC
ADDRESSEE: CHRM Allison Macfarlane
SUBJECT: Concerns Lake Keowee-Toxaway Hydroelectric Relicensing Application

ACTION: Appropriate
DISTRIBUTION: RF

LETTER DATE: 11/16/2012
ACKNOWLEDGED No
SPECIAL HANDLING:

NOTES: Two letters dtd 11/16/12 and 11/20/12.
FILE LOCATION: ADAMS

DATE DUE: DATE SIGNED:

EDO --G20120942

Newton E. Brightwell, Ph.D., J.D.

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brightwll@hotmail.com

November 16, 2012

Mr. James E. Rogers, Chairman
Duke Energy Corporation
526 South Church Street
Charlotte, NC 28202-4200

Ms. Jennifer H. Willis, Chairman
Pickens County Administration Facility
222 McDaniel Avenue, B-1
Pickens, SC 29671

Ms. Allison M. MacFarlane, Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Mr. John P. Evans, Chairman
Department of Natural Resources
P. O. Box 167
Columbia, SC 29202

Mr. Jim DeMint, Senator
167 RUSSELL SENATE OFFICE BUILDING
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Mr. Larry Martin, Senator
P.O. Box 247
Pickens, SC 29671

Mr. Davey Hiott, Representative
P.O. Box 997
Pickens, SC 29671

Mr. Eric Bikas, Representative
323C Mossie Smith Rd
Easley, SC 29642

Mr. Jon Wellinghof, Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Governor Nikki R. Haley
Office of the Governor
1205 Pendleton Street
Columbia, SC 29201

Mr. Joel Thrift, Chairman
Oconee County Administrative Offices
415 South Pine Street
Walhalla, SC 29691

Mr. Lindsey Graham, Senator
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Mr. Thomas C. Alexander, Senator
150 Cleveland Dr.
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Mr. B R Skelton, Representative
2962 Walhalla Hwy
Six Mile, SC 29682

Mr. Phillip Owens, Representative
P.O. Box 723
Easley, SC 29641

Mr. Jeff Duncan, Congressman
116 Cannon HOB
Washington, DC 20515

Dear Interested Parties:

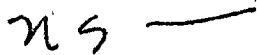
Subject: Keowee-Toxaway –Relicensing Application

The attached correspondence to Ms. Huff is intended to follow up on a recent meeting presented by FOLKS (Friends Of Lake Keowee Society) wherein Duke Energy summarized for the first time elements of its proposed Keowee-Toxaway Dam relicensing application. You will receive or perhaps have received a copy of a petition being circulated within Pickens and Oconee in opposition to a provision in Duke's proposed application that would allow Duke to lower the level of Lake Keowee another 5 ft. This correspondence provides additional information gleaned from this recent meeting that was unavailable at the time the petition was drafted and will supplement and clarify the issues presented in the aforementioned petition.

Duke contends under its proposal to lower the lake that based on its historical models the lake would be down below the current minimum level of 794.6 ft. AMSL (Average mean Sea Level) only 4% of the time. However, Duke admits that 4% of the time could be a year or even years depending on regional weather patterns. The ostensible reason Duke wants to lower the minimum lake level is so it can produce more electricity and send more water downstream. The full burden of this proposal will fall solely on Lake Keowee home and property owners and the residents of Oconee and Pickens County who will see a significant decline in tax revenues as property values plummet, and who will receive virtually no benefit from the proposed change in minimum lake level. The benefit of this proposal to lower the minimum level of Lake Keowee to both Duke and downstream stakeholders is relative insignificant because Lake Keowee is seconds smallest of the lakes on the Savannah River basin and the volume of additional water available to be sent downstream is almost negligible. The cost versus benefit is very lopsided with the entire burden placed on the residents of Oconee and Pickens Counties.

Please get involved and help us save Lake Keowee and the residents of Oconee and Pickens counties from the devastating impact of this proposed provision. Thank you.

Sincerely,



Newton E. Brightwell

cc:

Woody White, Editor
Greenville News
305 S. Main St.
Greenville, SC 29602

News Desk
Fox Carolina-WHNS-TV
21 Interstate Court
Greenville, SC 29615

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Newton E. Brightwell, Ph.D., J.D.
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864-868-2364
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November 16, 2012

Ms. Jen Huff
Duke Energy
526 South Church St.
Charlotte, NC 28202-1802

Dear Ms. Huff:

I want to thank you for your presentation to the FOLKS forum last night.

I am sure you detected that the crowd was very disturbed about the prospects of Lake Keowee dropping to 790 ft. for an undetermined period, perhaps even months or years. The loss in property value for individuals is very real and very upsetting. I am sure that if you were being potentially threatened with the loss of 20 to 30%, or even more, of your home value you would be very upset too. And, of course, since this loss on an individual basis has essentially been ignored, the perception is that Duke is totally insensitive to this loss.

Many of the folks that live on Lake Keowee are retirees who have worked and saved their entire lives to be able to live on the lake, and bought on Lake Keowee specifically because they believed and were informed it would remain stable for the foreseeable future. Now they are being threatened with loss of a significant portion of their life savings. Your repeated refrain that your models indicated that the lake would be down below 795 ft. AMSL only 4% of the time did not do much to assuage their concerns. One reason that the statement is not very reassuring is that you have not defined the terms, and, as I am sure you know, when used in broad and undefined terms statistics such statistics can be manipulated to support almost any position. So is it only 4% of the time in any single year, or is it 4% of the time every hundred years, or thousand years? Four (4%) percent of infinity is still infinity. The definitions you use make a very big difference and as you admitted 4% of the time could easily be one year or even multiple years. I believe that if your application stated unequivocally that the lake would never be down more than 4% of the time in any given year that limitation would be something with which people might be able to live and accept. Is this a compromise that you might consider?

I recall that someone suggested that a study be undertaken to assess the economic impact on Lake Keowee property owners and you indicated that a broad base study involving eight or more counties had been completed and that the study showed the economic implications of lowering the lake only 4% of the time to be relatively small. I would suggest, however, as others did, that such a broad based study fundamentally distorts the impact on Pickens and Oconee counties and most particularly Lake Keowee property owners who are likely to lose millions, if not billions. As someone so clearly stated: "Although the lake may be down only 4% of the time, our property values will be down 100% of the time." I agree with the suggestion that a new study needs to be undertaken focused solely on Pickens and Oconee Counties and specifically Lake Keowee property owners. You also might include in that

Huff, 11/16/12, page 2.

study the economic impact and costs of moving piers back and forth to "follow the water" in that this is not an insignificant cost for the 46% of homeowners you projected will find their docks on dry land.

The other issue raised regarding your models questioned whether the results were fundamentally flawed because it used data from years when the lake was artificially drained down for the purpose of Nuclear Plant maintenance. Also there was a question of whether your models used data from years when the lake was stabilized to comply with NRC restriction placed on the nuclear plant. I would suggest your models need to be revised accordingly.

Another statement you made that was rather disturbing related to the Corp. of Engineers' assessment that because homeowners on Lake Hartwell were allowed to "follow the water" with their piers that the economic impact on Hartwell home and property owners was a relatively insignificant. Have you ever driven west from the nuclear plant on Hwy 183 through Westminster and across the Currahee Bridge (Hwy 123)? Hundreds upon hundreds of docks are sitting on dry land (some still with the boats in them), and, I would venture to say those homeowners lost 50% or more in the value of their properties. I truly doubt they would agree with the Corp. of Engineers' representations that "follow the water" provided home and property owners with a reasonable alternative. I frankly find it astonishing and unsettling that anyone within the Corp. of Engineers could be so insensitive and naïve.

Finally, you indicated that input from "stakeholders" is an important part of your process although you reiterated it was not a requirement of FERC. I, however, suspect that FERC, as a governmental agent with a charter to protect the public, has a little stronger view of the need for "stakeholder" participation and signoff. In that regard, it seems to me that the one group of "stakeholders" who have the most at risk has not been appropriately represented. Many of us believed that FOLKS was protecting home and property owners' interests, but the FOLKS representatives have indicated that is not the case. So would Duke be willing to include a homeowner representative as "stakeholder" in your process? Accordingly, I would like to propose myself as a candidate for such "stakeholder" representation. Please note the following in the way of background qualifications: My education includes a Ph.D. in organic chemistry and a J.D. I am licensed to practice law in FL, LA and CA. I am also licensed to practice law before the Patent and Trademark Commission as a licensed patent attorney. For the first 25 years of my career I held various positions in the petrochemical industry including chief executive officer of Witco's Petroleum Group, which had sales of approximately \$500 million, 8 manufacturing facilities in the US, Canada and Europe and 980 employees worldwide. We sold product in 78 different countries. After leaving Witco I joined Petro-Canada and started its US operating business. Still later, I was president of Golden Bear, a 10,000 barrel day oil refiner located in Bakersfield, CA. After retiring from petrochemical industry, I took up the practice of law, working for several firms in California specializing in business transactions, real estate, technology and securities fraud. I am a certified mediator and arbitrator for three of California's largest court systems: the Los Angeles County Superior Court, the Ventura County Superior Court and the California Court of Appeals and have handled numerous cases for each court. When we resided in Connecticut, I was the part-time mayor of the community in which we lived, Saugatuck Island, CT.

Sincerely,



November 20, 2012

Mr. James E. Rogers, Chairman
Duke Energy Corporation
526 South Church Street
Charlotte, NC 28202-4200

Ms. Jennifer H. Willis, Chairman
Pickens County Administration Facility
222 McDaniel Avenue, B-1
Pickens, SC 29671

Ms. Allison M. MacFarlane, Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Mr. John P. Evans, Chairman
Department of Natural Resources
P. O. Box 167
Columbia, SC 29202

Mr. Jim DeMint, Senator
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Mr. Larry Martin, Senator
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Mr. Davey Hiott, Representative
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Mr. Jon Wellingshof, Chairman
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Governor Nikki R. Haley
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Mr. Joel Thrift, Chairman
Oconee County Administrative Offices
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Walhalla, SC 29691

Mr. Lindsey Graham, Senator
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Mr. Thomas C. Alexander, Senator
150 Cleveland Dr.
Walhalla, SC 29691

Mr. B R Skelton, Representative
2962 Walhalla Hwy
Six Mile, SC 29682

Mr. Phillip Owens, Representative
P.O. Box 723
Easley, SC 29641

Mr. Jeff Duncan, Congressman
116 Cannon HOB
Washington, DC 20515

Dear Interested Parties:

Subject: Lake Keowee-Toxaway Hydroelectric Relicensing Application

Attached is a copy of a petition with 600+ names that has only been circulating for 1 ½ weeks and is anticipated to gain significant, if not unanimous, support from Pickens, Oconee, and other South Carolina Counties as well as from residents of Georgia and North Carolina who enjoy the recreation use

of Lake Keowee. This earlier copy is being forwarded to you to give you a heads up on the issue which we believe will have a huge impact on Pickens and Oconee County property owners and Lake Keowee users while providing minimal benefits to Duke Energy and downstream stakeholders. We will update you as the petition gathers more signatures.

Approximately 250 homeowners from Lake Keowee met on November 15 with representatives from Duke Energy and were uniformly frustrated by Duke's apparent lack of interest in the homeowner's concerns with property values.

Thank you for taking the time to review this matter and for your support in saving Lake Keowee and Pickens and Oconee Counties from unnecessary recreational and financial impact.

Sincerely,

Lake Keowee Property Owners

For additional information please contact either:

Newton E. Brightwell
530 Palmer Way, Sunset, SC 29685
864-868-2364
brightwll@hotmail.com

or

Doug Barker
256 Featherstone Dr., Sunset, SC 29685
864-868-2195

Barker256@bellsouth.net

cc:

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Greenville, SC 29602

News Desk
WYFF-4
505 Rutherford St.
Greenville, SC 29609

News Desk
Fox Carolina-WHNS-TV
21 Interstate Court
Greenville, SC 29615

7 on Your Side
WSPA
250 International Drive
Spartanburg, SC 29303

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

November 20, 2012

Mr. James E. Rogers, Chairman
Duke Energy Corporation
526 South Church Street
Charlotte, NC 28202-4200

Mr. Jon Wellingshof, Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Ms. Jennifer H. Willis, Chairman
Pickens County Administration Facility
222 McDaniel Avenue, B-1
Pickens, SC 29671

Governor Nikki R. Haley
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1205 Pendleton Street
Columbia, SC 29201

Ms. Allison M. MacFarlane, Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Mr. Joel Thrift, Chairman
Oconee County Administrative Offices
415 South Pine Street
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Mr. Eric Bikas, Representative
323C Mossie Smith Rd
Easley, SC 29642

Mr. Jeff Duncan, Congressman
116 Cannon HOB
Washington, DC 20515

Dear Interested Parties:

Subject: Keowee-Toxaway –Relicensing Application

The purpose of this communication is to express our opposition to the Keowee-Toxaway Relicensing provision that will allow Duke Energy to lower the level of Lake Keowee from the current minimum of

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

795 ft. AMSL (average mean sea level) to 790 ft. AMSL. Although there are a number of reasons for this opposition, the primary reason is as follows:

The provision allowing Duke Energy to lower Lake Keowee to 790ft. AMSL provides minimal benefit for Duke Energy and some downstream stakeholders, while the consequences for Lake Keowee home and property owners are monumental. The disproportionality between the relatively insignificant potential benefits to a diverse group of stakeholders compared to the lopsided, substantial and potentially devastating impact on Lake Keowee home and property owners makes this provision change fundamentally unfair and unduly burdensome.

Background.

For safety and other reasons related to Duke's Oconee Nuclear Power plant, the Nuclear Regulatory Commission and Duke Energy have previously established 794.6 ft. AMSL as the minimum safe operating level for Lake Keowee.¹ To maintain a small margin of safety, Duke has operated Lake Keowee between full pond (800 ft. AMSL) and 795 ft. AMSL since construction of the nuclear plant in 1973 (except for periods of maintenance).

According to Duke, "One of the components in the current [draft Keowee-Toxaway relicensing] application is a proposal to modify [the] Oconee Nuclear Station to allow it to continue safely operating with Lake Keowee as low as 790 ft. above mean sea level (AMSL) or 10 ft. below full pond. This modification would ensure Oconee Nuclear Station can continue to provide 2,538 MW of electricity to the region and allow Duke Energy to provide water releases to support downstream water needs during periods of severe drought. Based upon [Duke's] computer modeling, [Duke] expect[s] Lake Keowee would be at or above 795 AMSL (approximately today's current minimum lake users are accustomed to) 96% of the time, an improvement over existing operations. The remaining 4% of the time would occur during severe droughts during which adjoining property owners, water users, other lake users, and Duke Energy would all be adversely affected by the drought. Duke Energy recognizes some pier owners could be affected by reservoir levels during droughts...."²

Duke's relicensing plan explicitly ignores some of the most substantial costs of lowering the lake to 790 ft. AMSL, namely, the financial impact on Oconee and Pickens county property owners. We understand from participants³ in prior meetings with Duke, that Duke has stated as many as 46% of the property owners on Lake Keowee will be adversely affected. Their docks will be on dry ground.

What Duke also has not explicitly acknowledged in its filings is that Duke's drought protocol models are based on 50 year old data⁴, and that the data does not take into account changing weather and climate patterns resulting from global warming or other causes.

¹ The Oconee Nuclear Power plant, unlike many other nuclear facilities, relies on lake water to cool its three nuclear reactors.

² Email from the Duke's Keowee-Toxaway Relicensing Team, dated November 2, 2012.

³ Provided by FOLKS representatives who have participated in meetings on the subject with Duke.

⁴ Information provided by FOLKS.

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

Finally, what Duke's filings have not acknowledged is that Duke's estimated 4% drain down periods, which would translate into approximately 15 days per year, does not mean nor would it require Duke to limit the time below 795 ft. AMSL to only 15 days per year. In fact, Duke, at Duke's discretion, so long as Duke's historic metric's indicated "drought conditions" could keep the lake down for months or even years.

Consequences versus Benefits.

Although Duke contends that the ability to lower Lake Keowee another 5 ft. would allow Duke to sell a small amount of additional power and water to downstream users, the actual benefits of lowering Lake Keowee are relatively small. One reason the benefits are essentially insignificant is that the lowering of the level of Lake Keowee is a one-time event during drought conditions. Once the lake is lowered there is no additional water above normal rainfall available to send downstream. To have additional water available to send downstream, Duke must refill the lake. To refill Lake Keowee back up to 795 ft. AMSL requires the same amount of water to be held back during the refilling period that was originally drained downstream to lower the lake to, i.e., the refilling the lake requires a pay back of the water drained. In other words, net-net, the amount of water drained and the amount of water held back to refill the lake is equal. During the refilling period Duke would have to suspend production of electricity by the same quantity that Duke generated during the draining period. Downstream beneficiaries would lose the same quantity of water trickling downstream during the refilling period when discharges necessarily would have to be suspended that they received during the draining of the lake. The net effect of draining the lake is zero assuming the lake is refilled.

Another reason the lowering of Lake Keowee an additional five (5) ft. will have minimal benefit downstream is the fact that Lake Keowee⁵ is the second smallest of the lakes that service the Savannah River basin. A five (5) ft. drop in the level of Lake Keowee raises the level of the downstream lakes (Hartwell, Russell and Thurmond) a mere 0.6 ft., virtually nothing.

On the other hand, the consequences to Lake Keowee home and property owners of lowering Lake Keowee to 790 ft. AMSL is substantial and for some home and property owners will be devastating. In other words, all the costs and burden of this proposed change will fall on Lake Keowee home and property owners who receive no benefit whatsoever from the change. Such a lopsided arrangement is fundamentally unfair.

Those who purchased property on and around Lake Keowee purchased said property with the reasonable belief that the lake would continue to operate within the relatively stable guidelines it had operated since the installation of the nuclear plant. The reality is that for many the stability of the lake was a significant consideration, and so long as the nuclear plant existed there was no reason to believe that the Lake Keowee levels would not remain stable in the foreseeable future. Specifically, at no point did Duke inform prospective purchasers that Duke intended to seek to lower Lake Keowee to 790ft. In fact, arguably, Duke continues today to perpetuate the belief that the lake will remain stable within the

⁵ Jocassee 7565 acres; Keowee 18,500 acres; Hartwell 56,000 acres; Russell 26,650 acres and Thurmond 70,000 acres.

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

800 to 795 ft. range for the foreseeable future by continuing to issue dock (pier) permits for properties where, if the water level were to be lowered to 790 ft., any dock on that property would be on dry land and navigable access to the property will not be possible. For those who will be so affected the value of their homes and property could be significantly diminished. Property values losses could reach millions, if not billions, for Lake Keowee home and property owners. Pickens and Oconee counties will lose tax revenue as property values decline and owners seek re-assessment. The loss in property value will take place even if the lake is lowered only once because the affected properties will be required to disclose that during periods when Duke decides to lower the lake, their docks will be on dry land and the property will no longer have navigable water access.

Although those in shallow coves will be affected the most, adjacent property owners will also be impacted. Duke clearly recognizes that numerous property owners will be impacted by including in the draft application "a proposal to allow pier owners to 'follow the water' (i.e., temporarily move docks out into the lake to allow continued boating use) during these time periods."⁶ But who is going to pay for building the dock extensions and pulling up the anchor stakes and relocating the docks? And then who is going to pay to move them back – Lake Keowee home and property owners. These docks are major structures and moving them is no easy task. The costs to move the docks will cost home and property owners thousands of dollars (for all affected property owners you are talking about hundreds of thousands to millions of dollars every drought), all borne solely by home and property owners that receive absolutely no benefit from the permit provision change. Additionally, the decline in value of the many affected properties will drag down community values as a whole. Properties not even on the lake will lose value. Home and property owners will lose millions, perhaps even billions, and Oconee and Pickens counties will lose millions as property values decline, all so Duke can make a relatively small one-time discharge of water downstream.

Other Grounds for Opposition.

1. Water Quality Will Decline Substantially.

A five (5) ft. reduction in level of Lake Keowee will expose acres and acres of mud flats while at the same time contracting the navigable acreage of the lake. The result will be a significant increase in wave action washing the mud into the lake thereby substantially increasing turbidity and adversely affecting water quality.

2. Fish and Wild Life Habitat Will be Destroyed.

The exposed mud flats and increase in lake turbidity, as noted above, will destroy fish spawning grounds and the breeding ground for migratory birds and other wildlife.

3. The Recreational Value of the Lake Will be Diminished.

The lowering of Lake Keowee another five (5) feet will reduce the lake foot print and expose mud flats. The aesthetic appearance of the lake will be hurt, and the lake will become increasingly muddy. As water quality declines so will the recreational value and use of the lake.

⁶ Email from Duke dated 11/2/2012.

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

Local businesses that are based on lake recreational activities will be economically harmed and jobs will be lost. Duke's relicensing application ignores this impact.

4. Nuclear Power Plant Safety.

When Duke opened the Oconee Nuclear power plant⁷ in 1973, Duke and the Nuclear Power Regulatory Commission (NRC) determined and established that a Lake Keowee minimum level of 795 ft. MSL was necessary to adequately safeguard the public and country from a nuclear accident similar to what happened in Fukushima, Japan. Any reduction of the level of Lake Keowee below what both Duke and NRC previously determined to be necessary and optimum to protect the public from a nuclear catastrophe is an unacceptable reduction in the safety cushion provided by the Lake Keowee. Considering the fact that the Oconee plant is now 39 years old, the potential for failure of a reactor due to fatigue is more prevalent. Accordingly, the cushion of safety, if anything, should be increased not decreased. This proposal to allow Duke to lower the level of Lake Keowee places the residents of South Carolina and Georgia at unnecessary risk.

5. Lake Keowee is not the solution to global warming, changing weather patterns and population growth.

Lake Keowee is a not even a drop in the bucket when it comes to addressing the macro problems related to global warming, rising ocean levels and the issues related to demographic trends and population growth. Rising ocean levels are going to cause increased salt water migration into the Savannah River delta and a few gallons from Lake Keowee are not going "turn the tide" on that phenomena. Likewise, Lake Keowee water levels cannot impact or affect global climate changes, whatever the cause. Nor can a trickle of additional water from Lake Keowee address or impact the world's population growth issues.

6. Higher Utility Rates.

Duke will surely attempt to recover any cost associated with retrofitting the dam or power plant to accommodate lower lake levels through higher utility rates.

The bottom line is that the benefits of lowering Lake Keowee another five (5) ft. are relatively small while the harm to Lake Keowee home and property owners and the citizens of Oconee and Pickens counties is substantial. For the reasons set forth above, the provision authorizing and allowing Duke to lower Lake Keowee another five (5) ft. should be deleted from the Keowee-Toxaway -Relicensing Application.

<u>Name</u>	<u>Address</u>
1. Newton Brightwell	530 Palmer Way, Sunset, SC
2. Marilyn Brightwell	530 Palmer Way, Sunset, SC
3. Douglas A Barker	256 Featherstone Drive, Sunset, SC
4. Elizabeth A Barker	256 Featherstone Drive, Sunset, SC
5. Mike Panther	129 Sunrise Ridge, Sunset, SC
6. Kathy Panther	129 Sunrise Ridge, Sunset, SC
7. Gene Propper	209 East Ft. George Way, Sunset, SC
8. Tina Propper	209 East Ft. George Way, Sunset, SC
9. Dean Mathison	340 South Cove Rd., Sunset, SC

⁷ Unlike most nuclear plant, the Oconee nuclear facility relies on water from Lake Keowee to cool its three nuclear reactors.

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

10. Nicole Mathison	340 South Cove Rd., Sunset, SC
11. Kenneth Lane	Lot #5, Waterside Crossing
12. Margaret Lane	Lot #5, Waterside Crossing
13. Jim Barber	Lot #31, Cliffs Falls South
14. Martha Stern	8716 Link Terrace, Houston, TX
15. Marshall Shelsy	8716 Link Terrace, Houston, TX
16. Doug Barker	256 Featherstone Dr., Sunset, SC
17. Betsy Barker	256 Featherstone Dr., Sunset, SC
18. Jim Bird	206 E. Ft. George Way, Sunset, SC
19. Barbara Bird	206 E. Ft. George Way, Sunset, SC
20. Luis Leon	104 Crooked Stick Ct., Sunset, SC
21. Connie Leon	104 Crooked Stick Ct., Sunset, SC
22. Rick Steel	204 Cool Water Way, Sunset, SC
23. Jane Steel	204 Cool Water Way, Sunset, SC
24. John R Bugh	109 Laurel Pond Way, Sunset, SC
25. Susan Bugh	109 Laurel Pond Way, Sunset, SC
26. Chuck Oliver	424 W Fort George Point, Sunset, SC
27. Leanna Oliver	424 W Fort George Point, Sunset, SC
28. Larry DeFever	320 South Cove Road, Sunset, SC
29. Caren Smith	320 South Cove Road, Sunset, SC
30. Greg Lewis	128 South Falls Road, Sunset, SC
31. Sandy Lewis	128 South Falls Road, Sunset, SC
32. Krystal Lewis	128 South Falls Road, Sunset, SC
33. Zac Lewis	128 South Falls Road, Sunset, SC
34. Gary Nieman	609 Keowee Avenue, Sunset, SC
35. LeighAnn Nieman	609 Keowee Avenue, Sunset, SC
36. Roger B Crawford	132 Stillwater Court, Sunset, SC
37. Lisa N Crawford	132 Stillwater Court, Sunset, SC
38. Gary T Burns	181 South Falls Road, Sunset, SC
39. Stephanie A Burns	181 South Falls Road, Sunset, SC
40. Jim Barber	Lot 31 Cliffs Falls South, Salem, SC
41. Kenneth Lane	Lot 5 Waterside Crossing, Salem, SC
42. Margaret Lane	Lot 5 Waterside Crossing, Salem, SC
43. John Phillips	217 Saranac Drive, Sunset, SC
44. Patty Phillips	217 Saranac Drive, Sunset, SC
45. John Coury	114 Deep Water Court, Sunset, SC
46. Debra Coury	114 Deep Water Court, Sunset, SC
47. Tom Pletcher	Lot D16, Reserve at LK, Sunset, SC
48. Dana Pletcher	Lot D16, Reserve at LK, Sunset, SC
49. James A Easterling	1235 Reserve Blvd, Sunset, SC
50. Valerie B Easterling	1235 Reserve Blvd, Sunset, SC
51. Leonard Rubin	210 Long Ridge Road, Sunset, SC
52. Marlene Rubin	210 Long Ridge Road, Sunset, SC
53. Randall Bly	136 Stone Cove Road, Sunset, SC
54. Rebecca Bly	136 Stone Cove Road, Sunset, SC
55. Eugene Propper	209 E Fort George Way, Sunset, SC
56. Tina Propper	209 E Fort George Way, Sunset, SC

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

- | | |
|--------------------------|-----------------------------------|
| 57. Jay Hall | 108 Long Ridge Road, Sunset, SC |
| 58. Susan Hall | 108 Long Ridge Road, Sunset, SC |
| 59. William Baker | 140 Long Ridge Road, Sunset, SC |
| 60. Lynn Baker | 140 Long Ridge Road, Sunset, SC |
| 61. Charles K Baker | 140 Long Ridge Road, Sunset, SC |
| 62. Scott MacKenzie | 316 Fernwood Drive, Salem, SC |
| 63. Jan MacKenzie | 316 Fernwood Drive, Salem, SC |
| 64. Dan McGonigle | 117 Misty Water Loop, Sunset, SC |
| 65. Dianna McGonigle | 117 Misty Water Loop, Sunset, SC |
| 66. Mark Yarborough | 7 Sailwater Court, Salem, SC |
| 67. Chuck Pigg | 311 Top Ridge, Sunset, SC |
| 68. Patti Pigg | 311 Top Ridge, Sunset, SC |
| 69. Steve Newby | Village Point Lot 6, Sunset, SC |
| 70. Kristina Newby | Village Point Lot 6, Sunset, SC |
| 71. Barry Hudson | 118 Steele Court, Sunset, SC |
| 72. Carol Hudson | 118 Steele Court, Sunset, SC |
| 73. Owen Hardy | 115 Crane Fly Court, Salem, SC |
| 74. Jaci Hardy | 115 Crane Fly Court, Salem, SC |
| 75. Manfred Sandler | 413 N Fort George Way, Sunset, SC |
| 76. Fiona Sandler | 413 N Fort George Way, Sunset, SC |
| 77. John D White | 309 Broadleaf Court, Salem, SC |
| 78. Jill C White | 309 Broadleaf Court, Salem, SC |
| 79. Daniel McGlaughlin | 138 North Lake Drive, Salem, SC |
| 80. Patricia McGlaughlin | 138 North Lake Drive, Salem, SC |
| 81. Laurie Metzger | 816 Rockcrest Way, Salem, SC |
| 82. David Metzger | 816 Rockcrest Way, Salem, SC |
| 83. Doug McKinney | 343 South Cove Road, Sunset, SC |
| 84. Sandy McKinney | 343 South Cove Road, Sunset, SC |
| 85. Jim McWhinne | 401 Crossbill Court, Salem, SC |
| 86. Louise McWhinne | 401 Crossbill Court, Salem, SC |
| 87. Thomas Harper | E-387 Dewberry Lane, Sunset, SC |
| 88. Carole Harper | E-387 Dewberry Lane, Sunset, SC |
| 89. Ben Elley | 120 Long Ridge Road, Sunset, SC |
| 90. Georgia Elley | 120 Long Ridge Road, Sunset, SC |
| 91. Robert D Fairey | 106 Longwood Lane, Sunset, SC |
| 92. Diane H Fairey | 106 Longwood Lane, Sunset, SC |
| 93. Alan Feinberg | 231 Jasmine Point, Salem, SC |
| 94. Barbara Feinberg | 231 Jasmine Point, Salem, SC |
| 95. Everett Kliphouse | 101 Baltustrol Court, Sunset, SC |
| 96. Patricia Kliphouse | 101 Baltustrol Court, Sunset, SC |
| 97. Robert Bacon | 311 South Cove Road, Sunset, SC |
| 98. Jennifer Bacon | 311 South Cove Road, Sunset, SC |
| 99. Ronald Kaufman | 638 Pine Harbor Way, Salem, SC |
| 100. Kathy Kaufman | 638 Pine Harbor Way, Salem, SC |
| 101. Gwen Clarke | 507 Pine Tree Drive, Atlanta, GA |
| 102. Gareth Clarke | 507 Pine Tree Drive, Atlanta, GA |
| 103. John Farrell | 29 High Ridge, Salem, SC |

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

104.	Melinda Farrell	29 High Ridge, Salem, SC
105.	James A Parke	425 E Waterside Drive, Seneca, SC
106.	Marilyn J Sellers	425 E Waterside Drive, Seneca, SC
107.	Steve Wood	105 Burlwood Court, Sunset, SC
108.	Ilaria Derr	105 Burlwood Court, Sunset, SC
109.	Jim Redmond	603 Bay Vista Court, Salem, SC
110.	Edith Redmond	603 Bay Vista Court, Salem, SC
111.	Larry Plumber	104 Villa Court, Salem, SC
112.	Mary Ann Plumber	104 Villa Court, Salem, SC
113.	Patrick C Everett	805 Pintail Court, Salem, SC
114.	Patricia H Everett	805 Pintail Court, Salem, SC
115.	Gil Smith	409 Keowee Avenue, Sunset, SC
116.	Carole Smith	409 Keowee Avenue, Sunset, SC
117.	Alexander Strunc	168 Ridgetop Lane, Salem, SC
118.	Sally Strunc	168 Ridgetop Lane, Salem, SC
119.	Michael Capellas	205 Sunrise Point Way, Salem, SC
120.	Marie Capellas	205 Sunrise Point Way, Salem, SC
121.	Denise M kark	528 Shooting Tree Way, Salem, SC
122.	Gerhard J Kark	528 Shooting Tree Way, Salem, SC
123.	Jim Liddle	113 Nautica Point, Six Mile, SC
124.	Aimee Liddle	113 Nautica Point, Six Mile, SC
125.	James Herring	214 Creek Sone Court, Six Mile, SC
126.	Margaret Herring	214 Creek Stone Court, Six Mile, SC
127.	Joonok Yang	93 Hawthorn Way, Salem, SC
128.	Michael Costanza	93 Hawthorn Way, Salem, SC
129.	Kevin Greenawalt	422 Augusta Way, Sunset, SC
130.	Holly Greenawalt	422 Augusta Way, Sunset, SC
131.	Gordon B Baum	1211 Reserve Blvd, Sunset, SC
132.	Georgann M Baum	1211 Reserve Blvd, Sunset, SC
133.	Denny Britten	332 South Cove Road, Sunset, SC
134.	Judy Britten	332 South Cove Road, Sunset, SC
135.	Nancy McCabe	603 River Birch Way, Salem, SC
136.	Kevin McCabe	603 River Birch Way, Salem, SC
137.	Steve Norvell	105 South Coves Drive, Salem, SC
138.	Emily Norvell	105 South Coves Drive, Salem, SC
139.	Garry Brown	506 W Fort George Way, Sunset, SC
140.	Melissa Brown	506 W Fort George Way, Sunset, SC
141.	Robert Vogel	113 Running Bear Lane, Salem, SC
142.	Lisa Vogel	113 Running Bear Lane, Salem, SC
143.	Kim Murray	567 Shooting Tree Way, Salem, SC
144.	Tom Throop	124 Guest House Court, Sunset, SC
145.	Diane Throop	124 Guest House Court, Sunset, SC
146.	Greg Hall	217 Governor Glen Drive, Sunset, SC
147.	Christine Hall	217 Governor Glen Drive, Sunset, SC
148.	Edmund Nagem Jr. MD	156 Ridge Top Lane, Salem, SC
149.	Catherine Lamy Nagem	156 Ridge Top Lane, Salem, SC
150.	David Parsons	127 Buttonbush Trail, Salem, SC

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

151. Joan Parsons	127 Buttonbush Trail, Salem, SC
152. Mike Kennedy	109 Deep Water Court, Sunset, SC
153. Nancy Kennedy	109 Deep Water Court, Sunset, SC
154. Mike Moorecroft	109 Parkview Lane, Sunset, SC
155. Deb Moorecroft	109 Parkview Lane, Sunset, SC
156. Steve Woolridge	106 Stillwater Court, Sunset, SC
157. Angela Woolridge	106 Stillwater Court, Sunset, SC
158. Karl A Knauff	106 Steele Court, Sunset, SC
159. Terry S Knauff	106 Steele Court, Sunset, SC
160. Wes Bigler	120 Golden Bear Drive, Sunset, SC
161. Jan Driver	120 Golden Bear Drive, Sunset, SC
162. David P Rowland	101 Crooked Stick Court, Sunset, SC
163. Michele M Rowland	101 Crooked Stick Court, Sunset, SC
164. James Hannon	205 E fort George Way, Sunset, SC
165. Jan Hannon	205 E fort George Way, Sunset, SC
166. David W Miller	105 Deep Cove Court, Sunset, SC
167. Elizabeth M Miller	105 Deep Cove Court, Sunset, SC
168. Russ Gentry	236 Saranac Drive, Sunset, SC
169. Teri Gentry	236 Saranac Drive, Sunset, SC
170. John Howard	301 Augusta Way, Sunset, SC
171. Nancy Howard	301 Augusta Way, Sunset, SC
172. Jeff Headlee	229 Saranac Drive, Sunset, SC
173. Helen Headlee	229 Saranac Drive, Sunset, SC
174. Les Borden	137 Sunrise Ridge, Sunset, SC
175. Jean Borden	137 Sunrise Ridge, Sunset, SC
176. Tom Destafano	305 Cool Water Way, Sunset, SC
177. Randi Destafano	305 Cool Water Way, Sunset, SC
178. Paul Abenante	121 Sunrise Ridge, Sunset, SC
179. Evelyn Abenante	121 Sunrise Ridge, Sunset, SC
180. Dave Kowalski	121 Great Camp Court, Sunset, SC
181. Janet Kowalski	121 Great Camp Court, Sunset, SC
182. Dann Schwartz	105 Prince Lane, Salem, SC
183. Joe Parisi	142 North Lake Drive, Salem, SC
184. Mary Lou Parisi	142 North Lake Drive, Salem, SC
185. George Goll	118 Brightwater Trail, Six Mile, SC
186. Pamela Goll	118 Brightwater Trail, Six Mile, SC
187. David Nett	2556 Wynnton Dr, Duluth, GA
188. Penny Nett	2556 Wynnton Dr, Duluth, GA
189. Steve Tritch	206 Saranac Drive, Sunset, SC
190. Tami Tritch	206 Saranac Drive, Sunset, SC
191. Mark Watson	314 Palmer Way, Sunset, SC
192. Sheree Watson	314 Palmer Way, Sunset, SC
193. Dick Demars	250 Long Ridge Road, Sunset, SC
194. Sharon Demars	250 Long Ridge Road, Sunset, SC
195. Chris Hughes	201 E Fort George Way, Sunset, SC
196. Karen Hughes	201 E Fort George Way, Sunset, SC
197. Lyle Bertsch	607 Magesty Court, Salem, SC

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

198.	Virginia Bertsch	607 Magesty Court, Salem, SC
199.	David Cerullo	138 Blue Water Trail, Salem, SC
200.	Barbara Cerullo	138 Blue Water Trail, Salem, SCR
201.	Ronald Sandefur	303 Clear Lake Court, Salem, SC
202.	Cheryl Sandefur	303 Clear Lake Court, Salem, SC
203.	Bob DiBella	503 Shallow Water Court, Salem, SC
204.	Carol Savage	503 Shallow Water Court, Salem, SC
205.	Linda Davis	122 Steele Court, Sunset, SC
206.	Ron Davis	122 Steele Court, Sunset, SC
207.	Gary Haake	528 South Point Blvd, Sunset, SC
208.	Jan hake	528 South Point Blvd, Sunset, SC
209.	Kirk Boone	110 Spruce Trail, Sunset, SC
210.	Kristin Boone	110 Spruce Trail, Sunset, SC
211.	Bill Chew	121 Burlwood Court, Sunset, SC
212.	Joyce Chew	121 Burlwood Court, Sunset, SC
213.	Richard H Rockwell	504 Driftwood Court, Salem, SC
214.	Christine Rockwell	504 Driftwood Court, Salem, SC
215.	Nick Carter	213 Sunrise Pointe Way, Salem, SC
216.	Mary Carolyn Carter	213 Sunrise Pointe Way, Salem, SC
217.	Robert Clement	122 Saranac Drive, Sunset, SC
218.	Eydie Clement	122 Saranac Drive, sunset, SC
219.	David Baughman	107 Steele Court, Sunset, SC
220.	Debbie Baughman	107 Steele Court, Sunset, SC
221.	John Calabria	124 Baltustrol Court, Sunset, SC
222.	Cathy Calabria	124 Baltustrol Court, Sunset, SC
223.	Paul McKeon	176 Falls South Road, Sunset, SC
224.	Alleta McKeon	176 Falls south Road, Sunset, SC
225.	Tom Haulik	111 Oakmont Court, Sunset, SC
226.	Cindy Haulik	111 Oakmont Court, Sunset, SC
227.	Jim Currow	118 Palmer Way, Sunset, SC
228.	Marian Currow	118 Palmer Way, Sunset, SC
229.	David Johnson	215 Long Ridge Road, Sunset, SC
230.	Richard F Bishop	250 Top Ridge Drive, Sunset, SC
231.	A Christine Bishop	250 Top Ridge Drive, Sunset, SC
232.	Daniel Robert Warren	102 Wildrock Court #405 Sunset, SC
233.	Karen Knast Warren	102 Wildrock Court#405 Sunset, SC
234.	Don Kelley	136 Stillwater Court, Sunset, SC
235.	Jane Kelley	136 Stillwater Court, Sunset, SC
236.	Trey Lee	401 Keowee Avenue, Sunset, SC
237.	Cynda Lee	401 Keowee Avenue, Sunset, SC
238.	Paul Bonney	310 Shore Vista Trail, Six Mile, SC
239.	Patricia Bonney	310 Shore Vista Trail, Six Mile, SC
240.	Nicholas S Milcinovic	134 Gnarled Pine Court, Sunset, SC
241.	Mary Milcinovic	134 Gnarled pine Court, Sunset, SC
242.	Robert S Balcerak	141 Abaco Lane, Seneca, SC
243.	Karen Balcerak	141 Abaco Lane, Seneca, SC
244.	Chris Curtis	146 Blue Water Trail, Salem, SC

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

245. Karin Curtis	146 Blue Water Trail, Salem, SC
246. Paul F Delaney	109 Burlwood Court, Sunrise, SC
247. Michele M Delaney	109 Burlwood Court, Sunrise, SC
248. Dean Ricker	133 Sunrise Ridge, Sunset, SC
249. Barbara Ricker	133 Sunrise Ridge, Sunset, SC
250. Bruce I Andrews	128 Gnarled Pine Court, Sunset, SC
251. Elizabeth M Andrews	128 Gnarled Pine Court, Sunset, SC
252. Linda L Burrell	296D Jocassee Point Road, Salem, SC
253. Rick Vaughan	108 Cool Water Court, Sunset, SC
254. Kay Vaughan	108 Cool Water Court, Sunset, SC
255. Edward Claggett	140 Sunblest Trail, Six Mile, SC
256. Elizabeth Claggett	140 Sunblest Trail, Six Mile, SC
257. Tom Shull	204 Oakmont Court, Sunset, SC
258. Patti Shull	204 Oakmont Court, Sunset, SC
259. Patrick Widmer	811 Top Ridge Drive, Sunset, SC
260. Shirley Widmer	811 Top Ridge Drive, Sunset, SC
261. Neal Workman	113 Orchard Cottage Way, Sunset, SC
262. Fay Workman	113 Orchard Cottage Way, Sunset, SC
263. Randy Muchow	405 W Fort George Way, Sunset, SC
264. Gwenda Muchow	405 W Fort George Way, Sunset, SC
265. Robert Wall	115 Abaco Lane, Seneca, SC
266. Jackie Wall	115 Abaco Lane, Seneca, SC
267. Steven Grant	123 Abaco Lane, Seneca, SC
268. Sharron Grant	123 Abaco Lane, Seneca, SC
269. Bruce Salley	238 Pointe Road, Seneca, SC
270. Harriet Salley	238 Pointe Road, Seneca, SC
271. Samuel Glenn	302 Top Ridge Road, Sunset, SC
272. Gail Glenn	302 Top Ridge Road, Sunset, SC
273. Alan Smith	502 W Fort George Way, Sunset, SC
274. Rhonda Smith	502 W Fort George Way, Sunset, SC
275. Thomas Henderson	561 Big Creek Way, Salem, SC
276. Kathleen Henderson	561 Big Creek Way, Salem, SC
277. Erwin Burbach	425 W Fort George Way, Sunset, SC
278. Cynthia Burbach	425 W Fort George Way, Sunset, SC
279. Chet Sproles	117 E Fort George Way, Sunset, SC
280. Christine Sproles	117 E Fort George Way, Sunset, SC
281. Kim Martin	204 Long Ridge Road, Sunset, SC
282. Kimberly Martin	204 Long Ridge Road, Sunset, SC
283. Bill Garwood	436 Augusta Way, Sunset, SC
284. Gwen Garwood	436 Augusta Way, Sunset, SC
285. John OConnell	805 Top Ridge Road, Sunset, SC
286. Mary OConnell	805 Top Ridge Road, Sunset, SC
287. Scott Rusch	Lot L-25 Reserve at LK, Sunset, SC
288. Jeanene Rusch	Lot L-25 Reserve at LK, Sunset, SC
289. Katrina Nelson	16 Governor Glen Court, Sunset, SC
290. Gary Nelson	16 Governor Glen Court, Sunset, SC
291. Mike Perry	100 Misty Water Loop, Sunset, SC

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

292.	Susan Perry	100 Misty Water Loop, Sunset, SC
293.	Robert Basmadjin	4 Nevius Road, Whitehouse Station, NJ
294.	Kathleen Basmadjin	4 Nevius Road, Whitehouse Station, NJ
295.	Dan Warren	102 Wild Rock Court, Sunset, SC
296.	Karen Warren	102 Wild Rock Court, Sunset, SC
297.	Ed Zampella	107 Augusta Way, Sunset, SC
298.	Deb Zampella	107 Augusta Way, Sunset, SC
299.	John MacIsaac	402 Ridge Pointe Court, Sunset, SC
300.	Sally MacIsaac	402 Ridge Pointe Court, Sunset, SC
301.	Judy Petersen	Cliffs Keowee Falls, Salem, SC
302.	Robert Petersen	Cliffs Keowee Falls, Salem, SC
303.	Kyle Petersen	Cliffs Keowee Falls, Salem, SC
304.	Kristin Petersen	Cliffs Keowee Falls, Salem, SC
305.	Patricia Abram	Cliffs Keowee Falls, Salem, SC
306.	Jim Hughes	688 Lake Breeze Lane, Salem, SC
307.	Pat Hughes	688 Lake breeze Lane, Salem, SC
308.	Martha Strachan	1100 N. Dupont RD, Wilmington, DE
309.	R Stephen Strachan	1100 N. Dupont RD, Wilmington, DE
310.	Dave Manceor	244 Saranac Drive, Sunset, SC
311.	Marianne Manceor	244 Saranac Drive, Sunset, SC
312.	Larry Scheidler	405 Evergreen Trail, Salem, SC
313.	Anne Scheidler	405 Evergreen Trail, Salem, SC
314.	Marty Agard	136 Crooked Beach Drive, Sunset, SC
315.	Ashley Agard	136 Crooked Beach Drive, Sunset, SC
316.	Joseph Mracna	113 Abaco Lane, Seneca, SC
317.	Paricia Mracna	113 Abaco Lane, Seneca, SC
318.	Jimmy Fuqua	109 Saranac Drive, Sunset, SC
319.	Brenda Fuqua	109 Saranac Drive, Sunset, SC
320.	Kevin Godfrey	1012 St. Andrews Court, Sunset, SC
321.	Barbara Evans	1012 St. Andrews Court, Sunset, SC
322.	Larry Peery	818 Alder Pointe Way, Salem, SC
323.	Gary Gaddy	103 Orchard Cottage Way, Sunset, SC
324.	Ginger Gaddy	103 Orchard Cottage Way, Sunset, SC
325.	Marquess Randall	104 Kanewood Trail, Salem, SC
326.	Deborah Thaman	104 Kanewood Trail, Salem, SC
327.	Terry Ryan	7 Shiplight Court, Salem, SC
328.	Chris Ryan	7 Shiplight Court, Salem, SC
329.	Ruth Gorman	336 Piney Woods Trail, Salem, SC
330.	Michael Gorman	336 Piney Woods Trail, Salem, SC
331.	Robert Hiatt	920 Woodlake Way, Salem, SC
332.	Linda Hiatt	920 Woodlake Way, Salem, SC
333.	Hubie Smith	831 Top Ridge Drive, Sunset, SC
334.	Pamela Smith	831 Top Ridge Drive, Sunset, SC
335.	Mary-Elizabeth Jarvis	133 Abaco Lane, Seneca, SC

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

336.	Owen E Jarvis	133 Abaco Lane, Seneca, SC
337.	Bonnie Bachman	6 Davys Locker Lane, Salem, SC
338.	Jon Bachman	6 Davys Locker Lane, Salem, SC
339.	Todd Curtis	123 Brightwater Trail, Six Mile, SC
340.	Christine Curtis	123 Brightwater Trail, Six Mile, SC
341.	Richard A Harper	108 Mariner Pointe Drive, Salem, SC
342.	Jennifer P Harper	108 Mariner Pointe Drive, Salem, SC
343.	Gerald S Burgette	415 Waterside Drive, Seneca, SC
344.	Karen L Burgette	415 Waterside Drive, Seneca, SC
345.	Bernt Iversen II	170 Ellenburg Creek Road, Sunset, SC
346.	Robert Nyland	301 South Reach lane, Salem, SC
347.	Anthony L Alford	534 N Flagship Drive, Salem, SC
348.	Sandra H Alford	534 N Flagship Drive, Salem, SC
349.	Mark Harris	36 Foremast Drive, Salem, SC
350.	Linda Harris	36 Foremast Drive, Salem, SC
351.	Lin Williams	224 Palmer Way, Sunset, SC
352.	Mattie Sue Williams	224 Palmer Way, Sunset, SC
353.	Rudy Brown	130 Saranac Drive, Sunset, SC
354.	Janice Brown	130 Saranac Drive, Sunset, SC
355.	Tom Emge	137 Abaco Lane, Seneca, SC
356.	Laurie Emge	137 Abaco Lane, Seneca, SC
357.	Bobby Cummins	117 Burlwood Court, Sunset, SC
358.	Carol Cummins	117 Burlwood Court, Sunset, SC
359.	John Carney	815 Top Ridge Drive, Sunset, SC
360.	Kathy Carney	815 Top Ridge Drive, Sunset, SC
361.	Steve Schwartzhoff	606 Acorn Way, Seneca, SC
362.	Nancy Schwartzhoff	606 Acorn Way, Seneca, SC
363.	Rutledge Livingston	RLK Sales, Sunset, SC
364.	Jerry Whitaker	204 Paw Paw Way, Sunset, SC
365.	Mary Whitaker	204 Paw Paw Way, Sunset, SC
366.	Donna Hammill	404 Windcrest Court, Salem, SC
367.	Greg Hammill	404 Windcrest Court, Salem, SC
368.	George Henefeld	18 Lighthouse Way Drive, Salem, SC
369.	Karen Henefeld	18 Lighthouse Way Drive, Salem, SC
370.	Ken James	236 Featherstone Drive, Sunset, SC
371.	Alice James	236 Featherstone Drive, Sunset, SC
372.	Jerome Post	135 River Ridge Road, Sunset, SC
373.	Nancy Post	135 River Ridge Road, Sunset, SC
374.	Ralph Allen	502 Clearview Drive, Seneca, SC
375.	Libby Allen	502 Clearview Drive, Seneca, SC
376.	Jim Vitale	133 Drewberry Lane, Sunset, SC
377.	Phyllis Egan	133 Drewberry Lane, Sunset, SC

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

378.	Marc Yahn	201 Augusta Way, Sunset, SC
379.	Nancy Yahn	201 Augusta Way, Sunset, SC
380.	Ralph Schatz	208 Oakmont Court, Sunset, SC
381.	Mary Schatz	208 Oakmont Court, Sunset, SC
382.	Howard Urban	230 Long Ridge Road, Sunset, SC
383.	Nancy Schlegel	117 Sunrise Ridge, Sunset, SC
384.	Bill Schlegel	117 Sunrise Ridge, Sunset, SC
385.	Frederick LaFontaine	419 E Waterside Drive, Seneca, SC
386.	Patricia LaFontaine	419 E Waterside Drive, Seneca, SC
387.	Stephen DeBacco	511 W Fort George Point, Sunset, SC
388.	Julie R DeBacco	511 W Fort George Point, Sunset, SC
389.	Gretchen Yahn	116 Great Camp Court, Sunset, SC
390.	Fred Fraizer	133 Cross Lake Trail, Six Mile, SC
391.	Dale Fraizer	133 Cross Lake Trail, Six Mile, SC
392.	Mary Ann Anderson	20 Lash Up Lane, Salem, SC
393.	Michael Anderson	20 Lash Up Lane, Salem, SC
394.	Roger Keranen	624 N Flagship Drive, Salem, SC
395.	Juanita Keranen	624 N Flagship Drive, Salem, SC
396.	Bill Allen	1 Lighthouse Court, Salem, SC
397.	Debbie Allen	1 Lighthouse Court, Salem, SC
398.	Peter Baker	303 Crooked Rock Lane, Sunset, SC
399.	Linda Baker	303 Crooked Rock Lane, Sunset, SC
400.	Joe Fraiz	252 Featherstone Drive, Sunset, SC
401.	Cathy Fraiz	252 Featherstone Drive, Sunset, SC
402.	Traci Krein	542 Linn Garden L, West Union, SC
403.	Carter Miller	802 Top Ridge Drive, Sunset, SC
404.	Marty Miller	802 Top Ridge Drive, Sunset, SC
405.	John Sharp	819 Rockcrest Way, Salem, SC
406.	Lauren E Harper	108 Mariner Pointe, Salem, SC
407.	Mike Price	Lot A-22 Reserve at LK, Sunset, SC
408.	Kelly Price	Lot A-22 Reserve at LK, Sunset, SC
409.	William Gabel	1423 Waxhaw Way, Hartsville, SC
410.	Elizabeth Gabel	1423 Waxhaw Way, Hartsville, SC
411.	James Hogue	East Waterford Drive, Seneca, SC
412.	Charles Buchas	235 Jasmine Point, Salem, SC
413.	Lindley Buchas	235 Jasmine Point, Salem, SC
414.	Drew Walters	833 Old Greenville Hwy, Clemson, SC
415.	Andreas Sellner	209 E Fort George Way, Sunset, SC
416.	Roger Greiner	216 Deep Cove Point, Sunset, SC
417.	Janet Greiner	216 Deep Cove Point, Sunset, SC
418.	Marc Groce	131 North Lake Drive, Sunset, SC
419.	Louis F Storz	144 Sunblest Trail, Six Mile, SC
420.	Carol Storz	144 Sunblest Trail, Six Mile, SC
421.	Danny Cabe	609 Keowee Bay Circle, Salem, SC
422.	Donna Collins	219 Summersweet Lane, Seneca, AC
423.	Lonnie Bacon	220 Winding Oats, Seneca, SC
424.	George Tsooth	12 Yeoman Lane, Salem, SC

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

425.	Joan Tsooth	12 Yeoman Lane, Salem, SC
426.	Julie Voss	506 Hillandale Road, Seneca, SC
427.	John Voss	506 Hillandale Road, Seneca, SC
428.	Mike Corney	296 Jefferson Road, West Union, SC
429.	Charlotte Beyer	118 Wynwood point, Salem, SC
430.	George Eichler	19 First Mate Way, Salem, SC
431.	Kathy Eichler	19 First Mate Way, Salem, SC
432.	Steve Willis	605 Lighthouse Court, Seneca, SC
433.	Marcia Willis	605 Lighthouse Court, Seneca, SC
434.	Michael Brooks	212 N Beacon Shores Drive, Seneca, SC
435.	Nancy Brooks	212 N Beacon Shores Drive, Seneca, SC
436.	Martha L Long	521 Beacon shores Drive, Seneca, SC
437.	John C Long	521 Beacon shores Drive, Seneca, SC
438.	David plumpe	12 Ebb Tide Court, Salem, SC
439.	Ellen Plumpe	12 Ebb Tide Court, Salem, SC
440.	Brian Sykes	795 Navigator Pointe, Seneca, SC
441.	Cindy Sykes	795 Navigator Pointe, Seneca, SC
442.	Judy S Beck	303 Lake Winds Court, Seneca, SC
443.	Marc S Beck	303 Lake Winds Court, Seneca, SC
444.	Robert E Beck	303 Lake Winds Court, Seneca, SC
445.	Dennis C Moriarity	519 Beacon Shores Drive, Seneca, SC
446.	Janet L Moriarity	519 Beacon Shores Drive, Seneca, SC
447.	Shirley Farrell	317 Lake Winds Court, Seneca, SC
448.	Ted Farrell	317 Lake Winds Court, Seneca, SC
449.	George E Bishop	516 Beacon shores Drive, Seneca, SC
450.	Lisa Bishop	516 Beacon shores Drive, Seneca, SC
451.	Peter Miller	509 Beacon Shores Drive, Seneca, SC
452.	Linda Miller	509 Beacon Shores Drive, Seneca, SC
453.	Cec Lewis	501 Beacon shores Drive, Seneca, SC
454.	Jerry Lewis	501 Beacon shores Drive, Seneca, SC
455.	Robert A Smith	718 Navigators Pointe Seneca, SC
456.	Kathleen Smith	718 Navigators Pointe Seneca, SC
457.	Patricia P Ferrer	754 Navigators Pointe, Seneca, SC
458.	Bradford W Ferrer	754 Navigators Pointe, Seneca, SC
459.	Robert Royer	807 Clifton Court, Seneca, SC
460.	JoAnne Royer	807 Clifton Court, Seneca, SC
461.	Mark Solon	121 Navigators Pointe, Seneca, SC
462.	Jean Mavroudis	100 Beacon shores, Seneca, SC
463.	Candice A Hooker	760 Navigators Pointe, Seneca, SC
464.	David P Hooker	760 Navigators Pointe, Seneca, SC
465.	James Krautlarger	704 Navigators Pointe, Seneca, SC
466.	Roberta Krautlarger	704 Navigators Pointe, Seneca, SC
467.	Steve Sinnott	414 E Waterside Drive, Seneca, SC
468.	Pam Sinnott	414 E Waterside Drive, Seneca, SC
469.	Charles D Howell	534 Beacon Shores Drive, Seneca, SC
470.	Mary Ann Howell	534 Beacon Shores Drive, Seneca, SC

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

471. Bill Nesbitt	208 Deep Cove Point, Sunset, SC
472. Ellen Nesbitt	208 Deep Cove Point, Sunset, SC
473. Robert Rickerby	903 Southwinds Court, Seneca, SC
474. Bonnier Rickerby	903 Southwinds Court, Seneca, SC
475. Paul Fulton	Reserve Lake Keowee Lot J-5 Sunset, SC
476. Audrey Fulton	Reserve Lake Keowee Lot J-5 Sunset, SC
477. Frank Johnson	513 Beacon Shores Drive, Seneca, SC
478. Faye Johnson	513 Beacon Shores Drive, Seneca, SC
479. Mark Solon	605 Lochwood Court, Seneca, SC
480. Clare Solon	605 Lochwood Court, Seneca, SC
481. Brett Beazley	28 Lighthouse Way Dr, Seneca, SC
482. Judith Beazley	28 Lighthouse Way Dr, Seneca, SC
483. Carlton R Howk	Lot 40 Beacon Shores, Seneca, SC
484. Patricia A Howk	Lot 40 Beacon Shores, Seneca, SC
485. Mary Upton	have e-mail, address TBD
486. Richard Upton	have e-mail, address TBD
487. Tim Angela	522 Beacon shores Drive, Seneca, SC
488. Julie Angela	522 Beacon shores Drive, Seneca, SC
489. Gerald Price	744 Navigators Pointe, Seneca, SC
490. Peter C LeRoy	750 Navigators Pointe, Seneca, SC
491. Julian M LeRoy	750 Navigators Pointe, Seneca, SC
492. Joe S Stoup	264 Featherstone Drive, Sunset, SC
493. Debbie Stroup	264 Featherstone Drive, Sunset, SC
494. Tom Lehman	209 Beacon shores Drive, Seneca, SC
495. Kip Miller	Lot 109 Beacons shores, Seneca, SC
496. Kim Miller	Lot 109 Beacons shores, Seneca, SC
497. Keith McDonald	708 Navigators Pointe, Seneca, SC
498. Denise McDonald	708 Navigators Pointe, Seneca, SC
499. Alton Brant	404 Ridge pointe Court, Seneca, SC
500. Ginny Brant	404 Ridge pointe Court, Seneca, SC
501. Pamela H Hohenstreet	734 Navigators Pointe, Seneca, SC
502. John W Dryden	734 Navigators Pointe, Seneca, SC
503. Brad Bylenga	11 Lawson Way, Greenville, SC
504. Robin Bylenga	11 Lawson Way, Greenville, SC
505. Andy Bylenga	11 Lawson Way, Greenville, SC
506. Dirk Pieper	have e-mail, address TBD
507. Katherine Pieper	have e-mail, address TBD
508. Jon Heald	have e-mail, address TBD
509. Tamara Heald	have e-mail, address TBD
510. Peter G Bylenga	have e-mail, address TBD
511. Norma Bylenga	have e-mail, address TBD

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

512.	Brian McSharry	have e-mail, address TBD
513.	Kelly McSharry	have e-mail, address TBD
514.	Rhonda Billingsley	44 Lagerholm Mountain Road, Pickens, SC
515.	Brittany Billingsley	44 Lagerholm Mountain Road, Pickens, SC
516.	Pamela M Kennedy	738 Navigators Pointe, Seneca, SC
517.	Robert L Kennedy	738 Navigators Pointe, Seneca, SC
518.	Ron Rasmussen	200 Abbot Trail, Greenville, SC
519.	Nan Rasmussen	200 Abbot Trail, Greenville, SC
520.	John Townes	105 Abott Trail, Greenville, SC
521.	Kathy Townes	105 Abott Trail, Greenville, SC
522.	Bruce Feiner	315 Lake Winds Court, Seneca, SC
523.	Melanie Feiner	315 Lake Winds Court, Seneca, SC
524.	Louise E Johnson	10 Beacon Drive, Salem, SC
525.	Wendell G Johnson	10 Beacon Drive, Salem, SC
526.	Joe Mayeur	524 Beacon shores Drive, Seneca, SC
527.	Donna Mayeur	524 Beacon shores Drive, Seneca, SC
528.	David Frost	106 South Falls Road, Sunset, SC
529.	Heidi Frost	106 South Falls Road, Sunset, SC
530.	Jim G DeBisschop	31 Lighthouse Way, Salem, SC
531.	Martha File	607 Lighthouse Court, Seneca, SC
532.	Kenneth Marshall	607 Lighthouse Court, Seneca, SC
533.	David Sheffield	726 Navigators Pointe, Seneca, SC
534.	Meg Sheffield	726 Navigators Pointe, Seneca, SC
535.	Louis Richard	902 Southwind Court, Seneca, SC
536.	Sherry Watson	902 Southwind Court, Seneca, SC
537.	Judy Kellner	532 Beacon Shores Drive, Seneca, SC
538.	Roger Joe Dickens	have e-mail, address TBD
539.	Esther D Dickens	have e-mail, address TBD
540.	Jane Flattery	have e-mail, address TBD
541.	Paul Flattery	have e-mail, address TBD
542.	Ken Luce	416 Long Reach Drive, Salem, SC
543.	Donna Luce	416 Long Reach Drive, Salem, SC
544.	Harry Deitrich	901 Southwind Court, Seneca, SC
545.	Barbara S Deitrich	901 Southwind Court, Seneca, SC
546.	Bruce Bowen	42 Lighthouse Way Drive, Salem, SC
547.	Seanine Bowen	42 Lighthouse Way Drive, Salem, SC
548.	Ron Robinson	1008 Chester Lake Rd, Jacksonville, FL
549.	Denise Robinson	1008 Chester Lake Rd, Jacksonville, FL
550.	Jack Flanagan	219 Governor Glen Drive, Sunset, SC
551.	Millie Flanagan	219 Governor Glen Drive, Sunset, SC
552.	Michael Wall	9 High Water Court, Salem, SC
553.	Mary K Wall	9 High Water Court, Salem, SC
554.	John Sutter	607 S Acorn Way, Seneca, SC
555.	Bruce M Johnson	49 Quartermaster Drive, Salem, SC
556.	Mary Johnson	49 Quartermaster Drive, Salem, SC

PETITION REQUESTING THAT DUKE ENERGY REMOVE FROM ITS KEOWEE-TOXAWAY RELICENSING APPLICATION THE PROVISION ALLOWING DUKE TO LOWER LAKE KEOWEE TO 790 FT. AMSL

Tony Sabin
Nathan Krumm
James Jeff
Cynthia Hansen
Leslie Easter
Ely Easter
Alan [unclear]
W. S. [unclear] ERIC SPRAGGS
Leslie Veronis
Sus Williams
Craig Williams
David Smith
George R. Hockema
Bob [unclear]
Bob [unclear]
Hugla Sullivan
Bill Andrews
Don [unclear]
Al Eskridge
Luis Leon
Connie Leon
Michael Martin
Tom Shuler
Roger Wallace
- Patricia Abram
Jim Henderson
Al Thomas
HOT RODGERS
William Glom
MAEN BALGERZAK
EDBERT BALLERZAK
TODD HARPER
Deborah K. Harper
Dwight [unclear]
[unclear]
Arthur Beyer
Mike Hehir
[unclear]
[unclear] J.C. Hagg
[unclear] [unclear] [unclear]

210 Rocky Squire Dr Salem
202 PINECROFT CT. SENECA SC 29672
320 AMETHYST WAY SENECA 29672
300 Amethyst Way Seneca 29672
216 Fisherman Dr Seneca 29672
216 Fisherman Dr Seneca 29672
219 S. Main St. Seneca 29672
111 SHIPMASTER DR. SALEM SC 29676
111 Shipmaster Dr Salem, SC 29676
303 ISLAND DR SIX MILE SC 29682
307 Island Dr Six Mile SC 29682
908 Lakeside Dr SC 29672
304 Crossover Dr Seneca SC 29672
144 Sunlight Tr Six Mile 29682
358 N. Summit Dr Seneca 29672
348 N. Summit Dr Seneca 29672
328 Fernwood Dr SALEM 29676
4741 N. W. 11th St. SALEM 29676
324 Fernwood Dr. - Salem SC 29676
104 Crooked Stick Ct. Sunset, SC
104 Crooked Stick Ct Sunset SC
606 Keowee Bay Circle Sun SC
703 Sunpointe Ct Seneca SC 29676
604 White Oak Farms Rd Tamassee
150 Mirror Lake Way, Six Mile 29686
14 Boatswain Way SALEM 29676
102 S. COLES DR. SALEM 29676
294 DOXY SPRINGS 29676
716 Clearlake Pointe 29670
141 ABACO LN SENECA 29672
210 BIMINI DR, SENECA, SC 29672
210 BIMINI DR, SENECA, SC 29672
133 ABACO LN SENECA 29672
312 EAGLES Fern Trail Salem 29676
115 Wynwood Pt Dr Salem 29676
233 Oak Stone Dr. West Union
135 R. J. Ridge Rd. SUNSET
312 Oak Leaf Court, Seneca SC 29672
318 Oak Leaf Court, Seneca, SC 29672

IVAN STURM
 DRAGON BRICKSON
 Chuck & Marie Marlow
 MARK KAVAN
 GLENDA & BETH BRANWOOD
 Jay Hall
 JESSIE HALL
 Patti Carson
 Mary Mason
 LISA J. Allen
 Emily Lindsay
 Murray Jones
 J. Paul C. Spallen
 Charles Stueben
 Marilyn Stueben
 ROGER W. WILSON
 James Pies
 Robert Curtis
 Greg Conry
 GARY SAVERCOOL
 JEFF BARTON
 K Vandenburg
 DIANNE SUSAN WSKI
 Ralph Odman
 Gary Odman
 24 David Vandepuette

601 English Oak Ln Salem SC
 161 LOST W. Salem SC
 135 Abaco Ln, Seneca 29672
 4 Point North Dr. Salem SC 29676
 165 JOHNSSEE POINT RD. SUMMER, SC 29676
 108 WOLF RIDGE SUMMER
 106 CONY RIDGE
 108 WINDWARD Pointe Dr. Salem SC
 108 WINDWARD Pt. Dr. Salem SC 29676
 110 BOWLINE CT.
 110 Bowline Ct, Salem
 29 Tide Terrace Salem
 1105 Fairplay St Seneca SC 29678
 536 SHOOTING TRAILS WAY SALEM SC 29676
 536 SHOOTING TRAILS WAY SALEM SC 29676
 112 DUNEDUN WAY, SUMMER, SC
 102 Pine Ridge Pointe
 363 Stardust Lane Seneca SC 29672
 303 Shawville St Seneca SC 29678
 718 Clear Lake Pt. Seneca SC
 110 E WATERFORD DR SENeca, SC 29672
 405 Riverstone Salem SC 29676
 210 CONY SPRINGS Dr. SALEM, SC 29676
 107 Red Buckeye Tr. Sunset SC 29675
 107 Red Buckeye Tr. Sunset, SC
 604 Riverbank Ct. Salem

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SUNSET SC 29685

To: **MS ALLISON M. MACFARLANE-CHAND**
U.S. NUCLEAR REGULATORY COMM.
WASHINGTON D.C

20555-0001

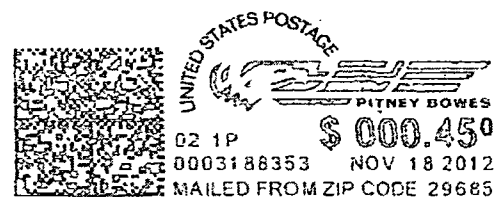
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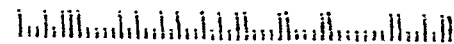
We Deliver.

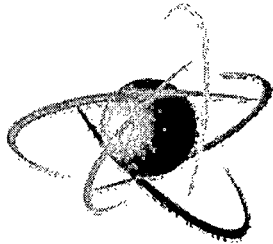
N. Brightwell
530 Palmer Way
Sunset, SC 29685



Ms. Allison M. MacFarlane, Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

205550001





U.S.NRC

United States Nuclear Regulatory Commission

Protecting People and the Environment

BRIEFING BOOK

FOR

COMMISSIONER MAGWOOD

OCONEE NUCLEAR STATION

Non Responsive

January 17-18, 2013

ML13008A070

CONTENTS

	TAB
AGENDA	1
Executive Summary	

FACILITY DATA

Facility Location Map and Directions	2
Facility Data	3
Facility Unique Features	4

FACILITY PERFORMANCE

Non Responsive	5
Current Issues	6

FACILITY MANAGEMENT DATA

Facility Organization	7
Biographical Data of Principal Managers	8

NRC OVERSIGHT DATA

Resumes of NRC Managers	9
Resumes of Resident Inspectors	9

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**Agenda for Commissioner Magwood's Trip to
Oconee Nuclear Station and Clemson University**

January 16, 2013	
Time	Activity
2:00 pm	Depart NRC Headquarters to Washington National Airport (DCA) via NRC Driver: NRC Driver Tel:
4:30 pm	Depart on US Airways Flight #: 3947 WDM Conf: DYXZMZ Seat: 6D (Aisle Seat) PMB Conf: DPGBX9 Seat: 4C (Aisle Seat)
6:05 pm	Arrive at Greenville Spartanburg Intl. Airport
6:30 pm	Depart GSP Airport in rental vehicle to Marriott Hotel Clemson, SC (see TAB 2) Dollar Car Rental – Driven by Patty Bubar Confirmation: N2865879
7:30 pm	Arrive at Courtyard Clemson Marriott 201 Canoy Lane Clemson, SC 29631 Tel: 1-864-654-8833 Fax: 1-864-654-8834 WDM Confirmation: 83919171 PMB Confirmation: 83920083

January 17, 2013	
Time	Oconee Nuclear Station
7:30 am	Depart for Oconee Nuclear Station (see map TAB 2 for directions) in Rental Vehicle driven by Patty Bubar
8:00 am	Arrive at the World of Energy visitors center for overview discussion of the Keowee-Toxaway Project
8:30 am	Depart for tour of the Jocassee Dam
10:45 am	Depart for the Oconee Nuclear Station
11:00 am	Arrive at the Oconee Nuclear Station and tour the current/planned external flood protection modifications and the B.5.b Hale Pump location at the intake canal
12:00 pm	Process into the Protected Area (the senior Resident Inspector will be the assigned escort for HQ personnel) and meet with NRC resident inspectors
12:30 pm	Working lunch with the station management team (includes a Q&A portion with the attendees)
1:30 pm	Non Responsive
4:15 pm	Meeting between Commissioner Magwood and North American Young Generation Nuclear members
5:00 pm	Depart for Courtyard Clemson Marriott Hotel
6:00 pm	Dinner with (b)(6)

January 18, 2013

Non Responsive

Contact Information:
NRC
Patrice (Patty) Bubar, Chief of Staff Cell: (b)(6) Blackberry: (b)(6)
Non Responsive
Jonathan Bartley, Chief, Reactor Project Branch 1, RII Tel: 1-404-997-4607 Cell: (b)(6)
Eddy Crowe, Senior Resident Inspector, Oconee Nuclear Station Tel: 1-864-882-6927 Cell: (a)(6)
Courtyard Clemson Marriott 201 Canoy Lane Clemson, SC 29631 Tel: 1-864-654-8833 Fax: 1-864-654-8834
Dollar Car Rental Telephone: 1-864-877-7799 Confirmation: N2865879

Executive Summary

Purpose of the visit/meeting

- Meet the Oconee Resident office staff
- Meet the Oconee senior management team
- Tour Jocassee
- Tour portions of the plant
- Tour the Unit 1 / Unit 2 Main Control Room

Issues to be addressed (See TAB 6)

- External flooding / GI-204

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Personnel to meet

Oconee Personnel (See TAB 8)

- Regis Repko, Senior Vice President – Nuclear Operations
- David Baxter, Vice President of Nuclear Engineering
- Preston Gillespie, Site Vice President
- Tom Ray, Station Manager
- Bob Guy, Organizational Effectiveness Manager
- Terry Patterson, Safety Assurance Manager
- Dean Hubbard, External Flood Regulatory Support Manager
- Paul Fisk

Region II Personnel (See TAB 9)

- Bill Jones, Deputy Director, Division of Reactor Projects
- Eddy Crowe, Senior Resident Inspector
- Kevin Ellis, Resident Inspector
- Gregory Croon, Resident Inspector
- Rebekah Wilbanks, Site Secretary

Activities on site

- Meet with resident office staff
- Working lunch with Oconee staff including a question-&-answer session
- Meeting with the Duke management team to discuss plant, corporate, and industry issues
- Plant tour with the resident inspectors and members of the licensee's staff
- Tour the Jocassee and Keowee hydro facilities

Messages to be communicated (See TAB 6)

- Continue to focus on safe plant operation
- Resolution of external flood and completion of modifications

Non Responsive

Licensee's briefing topics

Non Responsive

-
-
-
-
-

Licensee Ownership Information

Duke Energy Carolinas owns and operates the three-unit Oconee Nuclear Station located near Seneca, SC and the two-unit McGuire Nuclear Station located near Huntersville, NC. In addition, Duke Energy Carolinas operates and has a partial ownership interest in the two-unit Catawba Nuclear Station located in York, SC. Duke Energy and Progress Energy completed their \$13.7 billion corporate merger on July 2, 2012.

Recent Oconee Management Changes (See TAB 7)

The following management changes have been implemented over the past six months:

- Regis Repko was selected as Senior Vice President – Nuclear Operations
- Thomas D. Ray, Station Manager

ROP Assessment - Significant ROP Inspection Findings (See TAB 5)

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Potential Discussion Topics (See TAB 6)

External Flood Action Plan

An issue related to the potential impact that external flooding would have on the Oconee Nuclear Station is currently being addressed by both the licensee and NRC. The licensee has developed Interim Compensatory Measures (ICMs) to address the external flooding concerns and is working on permanent actions to ensure the station is not adversely affected by a potential external flooding scenario. A Confirmatory Action Letter (CAL) was issued on June 22, 2010, to confirm that the ICMs would remain in place until final modifications have been completed. By letter dated September 20, 2012, the NRC integrated the Fukushima flooding actions with the current Oconee action plan. The licensee responded by letter dated December 14, 2012, expressing some concerns. The staff is reviewing the licensee's response.

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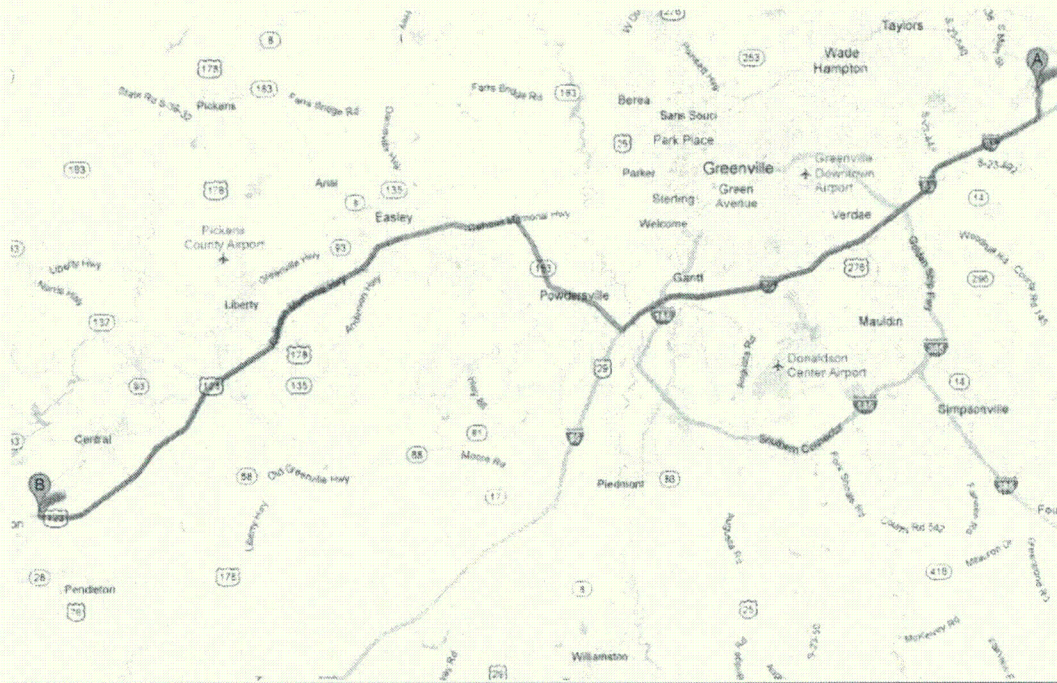
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Facility Location Map and Directions

Directions from Greenville-Spartenburg Airport to Clemson, SC



Exit airport and merge onto I-85 S to Greenville	16.4 mi
Take exit 40 for S Carolina 153; Turn right toward Easley	5.5 mi
Take the ramp onto US-123 S/Calhoun Memorial Hwy	20.1 mi
Take the S Carolina 93 exit	0.2 mi
Turn right onto S Carolina 93 N/W Main St then take the 1st left onto Canoy Ln	

Directions to Oconee Nuclear Station from Clemson, SC



1. Head west on S Carolina 28 W/US-123 S/US-76 W/Tiger Blvd 7.4 mi
Continue to follow S Carolina 28 W/US-123 S/US-76 W
2. Turn right onto S Carolina 130 N/Rochester Hwy 7.8 mi
The World of Energy visitor center will be on the right approximately 0.5 miles
past the traffic light at junction SC HWY 183

The map displays a route from Pendleton to Clemson. The route begins at Pendleton, travels south on Highway 76, then west on Highway 187 to Centerville Rd, and finally south on Highway 187 to Clemson. Key locations include Pendleton, Centerville Rd, and Clemson. Landmarks such as Walker Golf Course, Clemson University, and The National Brick Research Center are marked. Major roads like Tiger Blvd, State Rd S. 4-58, and State Hwy 58 are also shown.

1. From the Marriott, go south on Main Street (SC-93) to US-76 east toward Anderson.
2. Come down past Tri-County Technical College.
3. Keep coming down US-76 until you see Milliken and a pasture on right (5 miles from Clemson)
4. Bear off to the right onto Highway 187 (directing you towards I-85 South)
5. Keep straight on Highway 187 until you see the Clemson Advanced Materials Research sign (formerly the Clemson Research Park) (about 3 miles)
6. Take the right into the park (Mobil gas station on left) on Clemson Research Blvd
7. Come down about 1/3 a mile
8. Take a left turn onto Technology Drive (1096)
9. Once on Technology Drive come around the curve (DO NOT TURN at the intersection)
10. Directly in front of you is the WMX (CETL) Building (the big white brick laboratory)
11. Rich Lab is mostly single story building (white brick with mirrored windows) to the left of the WMX building
12. Park anywhere

Facility Data

Utility: Duke Energy Carolinas, LLC
Location: 8 miles northeast of Seneca, SC
County: Oconee County, SC

	<u>UNIT 1</u>	<u>UNIT 2</u>	<u>UNIT 3</u>
Docket Nos.	50-269	50-270	50-287
License Nos.	DPR-38	DPR-47	DPR-55
Full Power License Date	02/06/1973	10/06/1973	07/19/1974
Commercial Operation Date	07/15/1973	09/09/1974	12/16/1974
OL Expiration Date	02/06/2033	10/06/2033	07/19/2034

PLANT CHARACTERISTICS

All Units

Reactor Type	PWR
Containment Type	Dry Ambient
Power Level	2568 MWt (900 MWe)
NSSS Vendor	B & W

Facility Unique Features

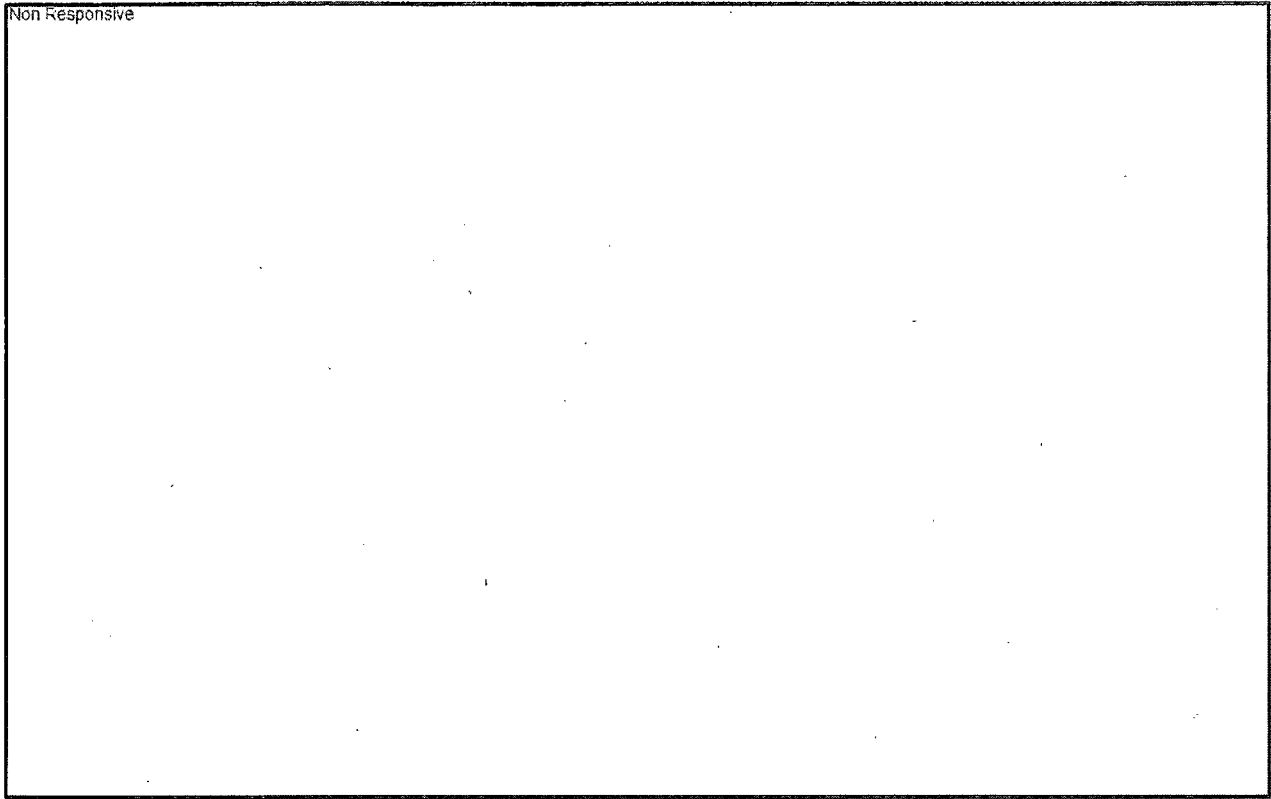
Non Responsive

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Non Responsive



Non Responsive



Current Issues

A. EXPECTED DISCUSSION TOPICS

External Flood

An issue related to the potential impact of external flooding on the Oconee Nuclear Station site has been raised as a result of the potential random failure of the Jocassee Dam, which is located approximately 12 miles upstream from the Oconee site. On August 15, 2008, the NRC issued a request for information pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.54(f), regarding the protection against external flooding at the Oconee site, including the potential failure of the Jocassee Dam.

In January 2010, the licensee began taking actions to ensure the Oconee site would be protected from external flooding as a result of the potential failure of the Jocassee Dam by implementing interim compensatory measures (ICMs). The NRC inspected the ICMs in June 2010 and no significant issues were identified.

On June 22, 2010, the NRC issued a confirmatory action letter (CAL). The licensee has completed CAL actions to put interim compensatory measures and to demonstrate that the inundation of the Oconee site from the failure of the Jocassee Dam has been bounded following actions to be taken by the licensee concerning external flooding. The licensee has proposed a range of options to protect the Oconee site, but has not determined which option or options will be implemented. NRR is coordinating its review with the Japan Lessons Learned Project Directorate to ensure there is regulatory consistency between the licensee's proposed modifications, and forthcoming requirements concerning external flooding.

Non Responsive

Non Responsive



Congressional Interest

The staff of the Senate Environmental and Public Works Committee has requested and

received briefings related to flooding due to a failure of the Jocassee dam. NRC employee Lawrence Criscione has written letters to Senators Boxer and Lieberman stating his opinion that the NRC needs to take more regulatory action regarding potential flooding at Oconee.

Non Responsive

Recent News Articles

NRC Whistleblowers Want Lieberman To Investigate Plant Vulnerabilities. In a piece for the Huffington Post (12/20), Tom Zeller Jr. wrote about the letter sent Wednesday from the pair of whistleblower nuclear engineers: Paul Blanch and Lawrence Criscione, imploring "outgoing Sen. Joseph Lieberman (I-Conn.) to use his remaining days as chairman of the Senate Committee on Homeland Security & Governmental Affairs to investigate potential threats at two nuclear power facilities." Zeller says Blanch and Criscione "suggest in the co-authored letter that the Indian Point plant is threatened by unsecured underground gas lines, and that an upstream dam presents heightened risk at the Oconee Nuclear Station in South Carolina." They argue that while the "reactors themselves are well-protected, the gas lines and upstream dam are vulnerable to sabotage, engineering failures or damages from natural phenomena like earthquakes." They also assert that "federal officials have been aware of these issues for some time," and they were concealed from the public through a combination of "bureaucratic inertia and official secrecy."

NRC Criticized For "Deliberately" Withholding Information On Oconee Plant Dam Risk. On the American Free Press (12/18, Johnson) website, "investigative journalist" Keith Johnson writes, "Experts claim that dams located upstream from dozens of U.S. nuclear power plants could soon overflow and lead to a major disaster on the scale of Fukushima. Why haven't the American people been informed of this?" Johnson adds that according to "two courageous whistleblowers" the NRC "deliberately withheld this information from the public to cover up for their own failures in addressing these serious safety concerns." Johnson adds, "This AFP reporter also consulted Arnold Gunderson," who "applauds Perkins and Criscione for going public, but has a different take on why the NRC is failing to enforce strict safety regulations. 'We've got a pro-nuclear commission and employees at the NRC who are painfully aware that if they do any major modification to these facilities the industry will shut plants down rather than fix them because they become too expensive to operate,' said Gunderson."

Non Responsive

Lochbaum Sounds Alarm About Flooding Threat To Oconee Station. The Columbia (SC) State (11/15, Fretwell, 79K) reports, "Flooding from a dam break at Lake Jocassee could overwhelm Oconee County's nuclear plant in much the same way Japan's Fukushima reactors were disabled by rising flood waters last year, a leading atomic safety expert said Wednesday." Nuclear engineer David Lochbaum, with the Union of Concerned Scientists, "said the federal government should ensure all possible plant improvements are made at the northwest S.C. plant, as well as the Lake Jocassee dam." Lochbaum said the NRC has not "required some flood-related improvements yet at the Duke Energy plant." Lochbaum said "We need to get all these things in the rear view mirror."

The Anderson (SC) Independent-Mail (11/14, Brutzman, 39K) reports, "About 60 people from a four-county region around the Oconee Nuclear Station gathered Wednesday night to hear from a nuclear power expert about the need for Duke Energy to take quicker, more decisive action to prevent flooding at the plant." David Lochbaum "said his concern is not that Duke or federal regulators are unaware of the risks at Oconee but that they are taking too long to respond. ... At the beginning of his discussion, Lochbaum showed photographs of flooding at the Fukushima plant in Japan that occurred in March 2011 after a record earthquake and tsunami struck the region. A 46-foot-tall wave washed over 13-foot flood walls. ... 'This plant was protected from baby tsunamis, not large tsunamis,' Lochbaum said."

Non Responsive

Non Responsive

Facility Organization

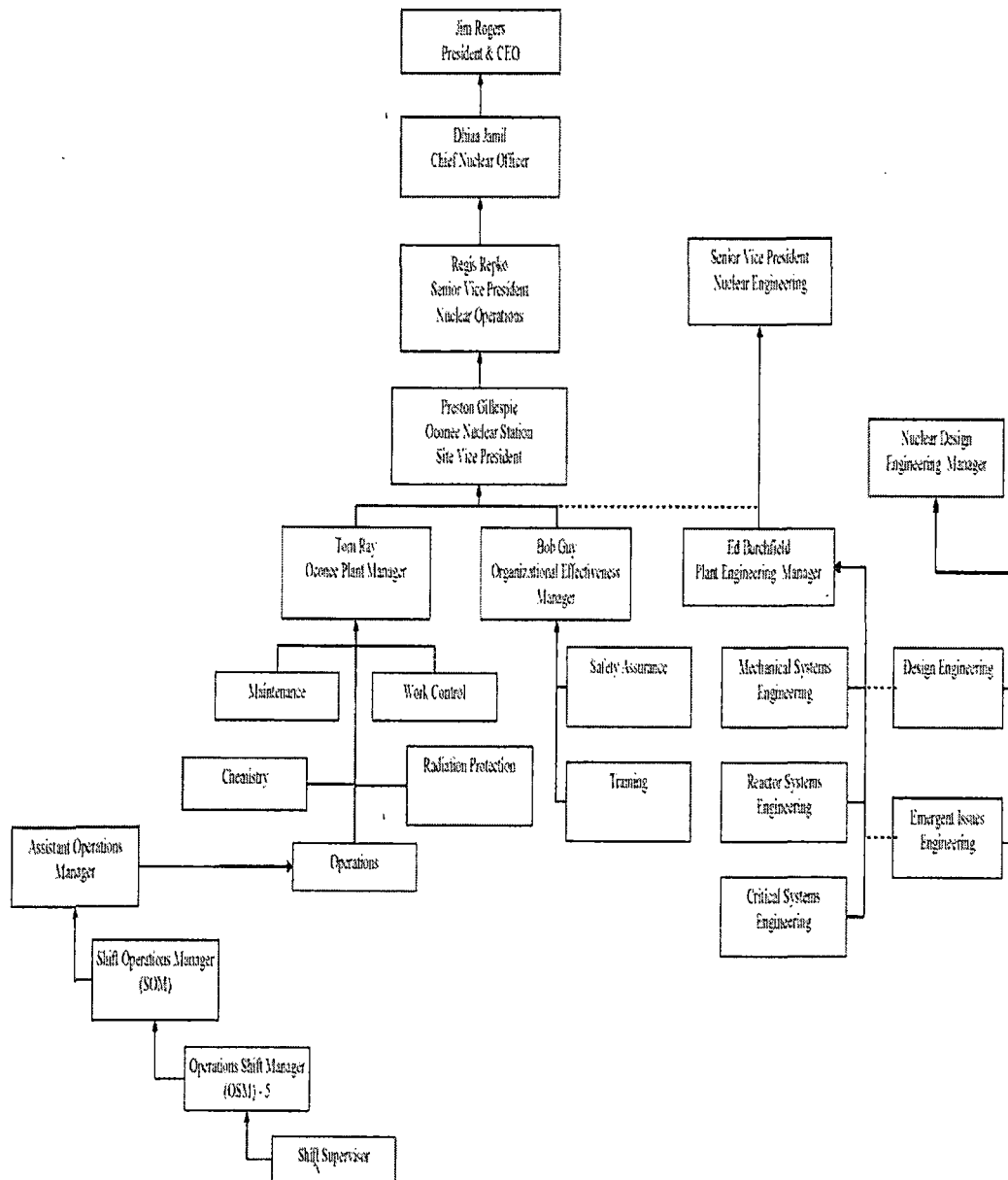
OVERVIEW OF DUKE ENERGY

Duke Energy Carolinas, LLC

Duke Energy Carolinas operations include nuclear, coal-fired, natural gas, and hydroelectric generation. This diverse fuel mix provides nearly 19,000 megawatts (MW) of electricity to approximately 2.4 million electric customers in North Carolina and South Carolina. Duke Energy Carolinas owns and operates the two-unit McGuire and the three-unit Oconee nuclear stations. In addition, Duke Energy Carolinas operates and has a partial ownership interest in the two-unit Catawba Nuclear Station. As discussed previously, Duke Energy Carolinas submitted a 10 CFR 52 application for Lee Nuclear Station for a combined operating license.

Duke Energy recently acquired Progress Energy which includes the one-unit H. B. Robinson Nuclear Plant, the two-unit Brunswick Nuclear Plant, the one-unit Shearon Harris Nuclear Plant, and the one-unit Crystal River Nuclear Plant. Duke Energy assumed operational responsibility of these nuclear units on July 2, 2012.

**DUKE ENERGY
OCONEE NUCLEAR STATION
ORGANIZATIONAL CHART**



Biographical Data of Principal Managers

Regis Repko

Senior Vice President – Nuclear Operations



Regis Repko is senior vice president of nuclear operations for Duke Energy. He provides oversight for the safe and reliable operation of two Duke Energy-operated nuclear plants – Crystal River in Crystal River, Fla., and Oconee in Seneca, S.C. Previously, Regis served as site vice president of Duke Energy's McGuire Nuclear Station. Regis has 27 years experience in the nuclear energy field. He joined the company in 1985 as a junior engineer at Oconee Nuclear Station. He was named engineer in operations in 1989; nuclear shift supervisor in August 1997; operations shift manager in December 1997; engineering supervisor in 2000; maintenance rotating equipment manager in March 2001; and superintendent of operations in October 2001. Regis was named engineering manager for Catawba Nuclear Station in April 2005 and

then station manager of McGuire Nuclear Station in January 2007 and site vice president in January 2010. Regis assumed his current position following the Duke Energy/Progress Energy merger in July 2012.

Regis earned a Bachelor of Science degree in nuclear engineering from Pennsylvania State University. He also completed the Institute of Nuclear Power Operations (INPO) Senior Nuclear Plant Manager Course. He has held a senior reactor operator license from the U.S. Nuclear Regulatory Commission for Oconee Nuclear Station. Regis currently serves as chairperson of the Academy Council of the National Academy for Nuclear Training.

David (Dave) A. Baxter

Vice President – Nuclear Engineering



Dave is on temporary assignment providing regulatory support for key Oconee Nuclear Station projects, including licensing tornado, high-energy line break and external flood mitigation strategies. Prior to this temporary assignment in November 2011, Dave led corporate engineering support for Duke Energy's fleet of reactors including fuel management, reactor core design, nuclear safety analysis, reload analysis methods, nuclear technical services, fleet electrical engineering and nuclear fuel procurement. Dave joined the company in 1979 as a junior engineer at McGuire Nuclear Station. After a series of promotions at McGuire, including operations shift engineer and operations section manager, he was named nuclear engineering manager for modifications at Catawba Nuclear Station in 1998; and

nuclear engineering manager for mechanical and civil engineering in 1999. He was named engineering division manager of Oconee Nuclear Station in 2002; station manager in 2006, and vice-president in 2008.

Dave earned a Bachelor of Science degree in nuclear engineering from Pennsylvania State University. Additionally, he has received a U.S. Nuclear Regulatory Commission Senior Reactor Operator License and the Institute of Nuclear Power Operations' Senior Nuclear Plant Management Certification.

T. Preston Gillespie Jr.

Site Vice President - Oconee Nuclear Station



Preston is responsible for the safe and reliable operation of Oconee Nuclear Station. He directs station and facilities management, operations, maintenance, chemistry and radiation protection, engineering, nuclear and industrial safety, and business operations. He joined Duke Power in 1986 as an assistant engineer at Oconee Nuclear Station. He served in a variety of positions including nuclear operations shift manager, shift operations manager, and nuclear engineering manager. He moved to Catawba Nuclear Station in 2007 to serve as the station's operations superintendent. He was named Oconee Station Manager in October 2008 and moved to his current position in September 2010.

Preston graduated from Clemson University with a Bachelor of Science degree in mechanical engineering. He is a registered professional engineer in South Carolina. He held a senior reactor operator license at Oconee Nuclear Station. He is also a past recipient of the company's Robinson Award, which recognized employees for their outstanding contributions to the company's operations.

Thomas (Tom) D. Ray
Station Manager



Tom is responsible for all aspects of operation, maintenance, work control, radiation protection, and chemistry activities required to provide safe, reliable, and efficient electrical service. He joined the company in 1989 as an associate engineer in the nuclear generation department in Charlotte. He was named senior engineer of reactor engineering at McGuire Nuclear Station in 1994; engineering supervisor in 1999; maintenance manager in 2002; and outage manager in 2003. He was named safety assurance manager at Catawba Nuclear Station in 2004, maintenance superintendent in 2005, and engineering manager in 2009. Tom was named engineering manager of Oconee Nuclear Station in September 2010 and station manager in 2012. Before joining the company, Tom was an engineer for Bechtel Power Corporation, from 1987 to 1989.

Tom earned a Bachelor of Science degree in nuclear engineering from North Carolina State University. He is a registered professional engineer in North Carolina and has a technical nuclear certification. He also serves as a Duke Energy management committee representative for the Pressurized Water Reactor Owners Group.

Robert (Bob) H. Guy
Organizational Effectiveness Manager



Bob is responsible for managing station support functions including training, site services, security, emergency preparedness, performance improvement, environmental and safety, and regulatory compliance. Bob joined Duke Energy in May 2011. Prior to joining Duke Energy, Bob had over thirty years of experience in military, government and commercial nuclear fields. Guy trained in nuclear power after graduating from the Naval Academy. He served in a variety of positions on several submarines including supervision of the nuclear propulsion department. Other assignments included operations training instructor and training manager at the Nuclear Power Training Unit Idaho Falls, on the staff of the Director of Naval Reactors, and overseas duty in Australia and Japan. He commanded the nuclear

submarine USS Greeneville (SSN 772) from 1996 to 1999, commanded Naval Nuclear Power Training Unit Charleston from 2002 to 2006, and Naval Nuclear Power Training Command from 2006 to 2007. After retiring from the Navy, he served as a Nuclear Safety Specialist in the Office of Independent Oversight, U.S. Department of Energy and was later employed as Manager of Nuclear Oversight, Salem Nuclear Generating Station with PSEG Nuclear.

Bob earned a Bachelor of Science degree in Marine Engineering from the United States Naval Academy.

Terry L. Patterson
Nuclear Safety Assurance Manager



Terry is responsible for the management of site programs and processes related to environmental health and safety, regulatory compliance, performance improvement, emergency planning and security. He filled this position in October 2010 coming from Constellation Energy Nuclear Group (CENG). Terry has over 30 years of commercial nuclear power experience. Prior to joining Duke Power, Terry spent five years in the nuclear submarine service where he served as the Main Propulsion Assistant on a nuclear ballistic missile submarine. He also spent three years with Combustion Engineering, Inc., fifteen years at Omaha Public Power District's (OPPD) Fort Calhoun Station and thirteen years at Florida Power and Light's (FPL) St. Lucie Nuclear Station.

Terry earned a Bachelor of Science degree in Physics from the U. S. Naval Academy, Annapolis, Maryland and a Masters in Business Administration from the University of Nebraska.

Dean Hubbard
Licensing Manager, External Flood

Dean is responsible for licensing activities associated with the External Flood Mitigation Project. Dean joined the company in 1980 as a Junior Engineer in Charlotte, NC. He has held numerous positions at the General Office and at Oconee including Engineer Performing system wide ASME Section 11 and PTC Acceptance Testing, Engineering Supervisor of the Systems Results Group, Performance Manager, Component Engineering Manager, Site Maintenance Manager, Site Modification Engineering Manager, Special Projects Manager for Steam Generator Replacement, and Site Training Manager. In December 2011, he was named the Regulatory Affairs Manager for the External Flood Mitigation Project. Dean has over 31 years of experience in engineering and plant operations with Duke Energy.

Dean earned a Bachelor of Science degree in Civil Engineering from the University of North Carolina at Charlotte. He is a Registered Professional Engineer in South Carolina and North Carolina and is a previously licensed Senior Reactor Operator.

Paul V. Fisk
Operations Manager – Oconee Nuclear Station



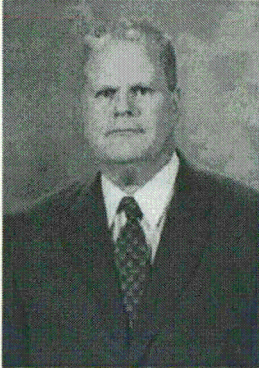
Paul is responsible for all aspects of facility operation required to provide safe, reliable, and efficient electrical service. Oconee Nuclear Station is a 2,568-megawatt nuclear power plant located near Seneca, S.C. Paul has 23 years of experience in the energy industry. He joined the company in 1989 as an assistant engineer in the Mechanical Engineering Services department at the Oconee Nuclear Station. He transferred to Oconee Operations in 2004. He then served in various assignments within Operations, culminating in filling the Operations Shift Manager until February 2010. Fisk was named Manager of Oconee Mechanical and Civil Engineering in March 2010, followed by Assistant Operations Manager in January 2012. He was promoted to his current position as Operations Manager in September

2012.

Paul earned a Bachelor of Science degree in mechanical engineering from The Georgia Institute of Technology. He is a registered professional engineer in South Carolina and is a previously licensed Senior Reactor Operator.

Eddie Anderson

Systems Engineering Manager– Oconee Nuclear Station



Eddie is responsible for managing primary, power, instrumentation controls and the reactor engineering team. He has more than 31 years of experience in engineering and plant operations with Duke Energy. He joined the company in 1981 as an Assistant Engineer. Since then, he has held a number of positions at Oconee, including operations superintendent, modification engineering manager and systems engineering manager. Prior to his current position he served as the modification engineering manager at Oconee Nuclear Station. Eddie assumed his current position as systems engineering manager at Oconee Nuclear Station in 2010.

Anderson earned a Bachelor of Science degree in Civil Engineering from Clemson University. He received a senior reactor operator license from the U.S. Nuclear Regulatory Commission.

Resumes of NRC Managers

William (Bill) B. Jones

Deputy Director, Division of Reactor Projects



Bill joined the NRC as a cooperative education student in (b)(6) in Region IV. He has held a number of progressively more responsible positions including Senior Project Engineer; Senior Resident Inspector at the Comanche Peak Station; Enforcement Specialist; Senior Reactor Analyst; Chief, Reactor Project Branch, Division of Reactor Projects; Chief, Engineering Branch, Division Reactor Safety; and Chief, Allegation Coordination and Enforcement Branch, Office of the Regional Administrator. Bill was appointed to his current position in December 2010.

Bill received a Bachelor's degree in Nuclear Science Engineering from Virginia Polytechnic Institute and State University and is a graduate of the Senior Executive Service Candidate Development Program.

Resumes of Oconee Resident Inspectors

Eddy L. Crowe

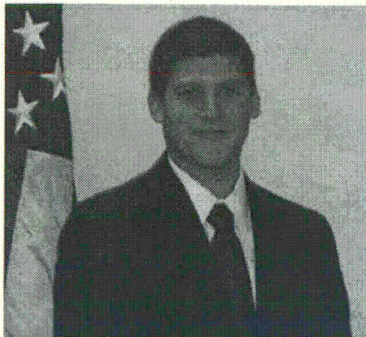
Senior Resident Inspector



Eddy joined the NRC in 2001. He is a native of (b)(6). Eddy began his career in the nuclear industry in 1979 with the Navy. He was at the S1W prototype in Idaho for two years and served aboard a fast attack submarine. After leaving the Navy, Eddy worked at the Comanche Peak nuclear plant where he progressed through increasingly more responsible position becoming certified to train SROs in 1992. Eddy became a contract SRO instructor for the General Physics Corporation in 1997. Eddy came to work for the NRC as a Project Engineer in the Division of Reactor Projects, Region IV. In October, 2003, Mr. Crowe became a Resident Inspector at ANO and was selected as the Senior Resident Inspector for the Farley Nuclear Plant in October, 2006. Eddy transferred to his current position in January 2013.

Eddy received his Bachelor's degree in Business Administration-Management from the University of Texas at Arlington in (b)(6). He also received an Associate of Science degree in Industrial Technology from Western Kentucky University in (b)(6).

Kevin M. Ellis
Resident Inspector



Kevin joined the NRC in 2007. He is a native of (b)(6). He has been a resident inspector at the Oconee Nuclear Station since July 2009. Kevin began his career in 2002 as a nuclear engineer for Norfolk Naval Shipyard where he qualified as a shift refueling engineer. Kevin was initially hired as a project engineer in Region II, Division of Reactor Projects. He acted as the resident inspector at the V. C. Summer Nuclear Plant and then worked as the project engineer for Branch 4, Division of Reactor Projects.

He graduated Cum Laude from Florida Institute of Technology with a Bachelor of Science degree in Mechanical Engineering in (b)(6).

Gregory S. Croon
Resident Inspector



Greg joined the NRC in 2011. He is a native of (b)(6). He has been a resident inspector at the Oconee Nuclear Station since January 2013. Previously, he served nine years in the U.S. Air Force conducting nuclear research and twelve years in the private sector conducting safety analyses and systems engineering and consulting on topics such as plant safety, design, maintenance, and operations. Most recently, he served nine years with the U.S. Army Corps of Engineers, including two years as a Resident Engineer in Iraq supporting Operation Iraqi Freedom. Greg was initially hired as a project engineer in Region II, Division of Reactor Projects. Greg holds a Bachelor and Masters degree in Nuclear Engineering from the University

of Illinois and the Air Force Institute of Technology respectively. He also holds a Juris Doctorate degree from the University of Louisville.

Rebekah A. Wilbanks
Site Administrative Assistant



Rebekah joined the NRC in 2011. She is a native of (b)(6). She has been the site secretary for Oconee Nuclear Station since June 2011. Previously, she was enlisted in the United States Navy as a Yeoman for eight years (b)(6). She has received multiple awards for superior performance and dedication. She was hired on as the site secretary for Oconee but currently works two sites in Branch 1: Oconee and McGuire.

Rebekah received an associate's of arts degree from American Military University in (b)(6).

Tab 10, which consists of 21 pages, is non-responsive to this request.

ETS



Ticket No: G20130197

2160

General Information

Assigned Office: FSME

OEDO Due Date: 03/29/2013

Other Assignees: CFO, NMSS, NRO, NRR, NSIR,
OCHCO, OE, RegionII, RegionIV, RES

SECY Due Date:

Date Response

Requested by Originator:

Other Parties:

Subject: Hearing Background Materials - Senate Environment and Public Works Committee Hearing
on April 24, 2013

Description:

CC Routing:

ADAMS Accession Numbers - Incoming:

Response / Package:

Other Information

Cross Reference No:

SRM\Other: No

Process Information

Action Type: E-mail

OEDO Concurrence: No

Signature Level: No Signature Required

OCM Concurrence: No

Special Instructions:

OCA Concurrence: No

See Instructions Attached.

Document Information

Originator Name: Jenny Weil

Date of Incoming: 03/14/2013

Originator Org: OCA

Document Received by OEDO Date: 03/14/2013

Addressee: Roger Rihm, OEDO

Incoming Task: Verbal

OEDO POC: Roger Rihm

Template: EDO-001

E-RIDS: EDO-01

3/14/2013

Instructions for Hearing Background Materials

A Senate Environment and Public Works Committee hearing is scheduled for April 24 (and the Chairman wants the background materials the first week of April). To ensure the continuing accuracy of the hearing materials last updated in February, please review the attached one pagers and note cards previously prepared by your office and revise, as necessary, to update existing information or include relevant new information. In addition, please prepare additional one pagers as noted on attached "Additional Instructions." Email updates/new material or indication that you have no updates to Roger Rihm by COB March 29, 2013. Please coordinate with OGC and CFO, as necessary, before submitting responses. If you have any questions, please contact Roger at 415-1717 or Lance Rakovan at 415-2589. This ticket may be supplemented if requests for additional hearing materials arise as the hearing gets closer. We will seek confirmation from you the week before the hearing that the information is still the most current.

Examples of some of the updates that may be needed:

Non Responsive

Additional One Pagers (follow format of existing one pagers)

Non Responsive

EDO --G20130197

Oconee Nuclear Station: External Flooding and Jocassee Dam Failure

Message: Although the NRC has identified that the risk of external flooding at Oconee Nuclear Station is higher than was previously calculated, the licensee has implemented temporary compensatory measures that provide adequate protection. The NRC is pursuing permanent changes to reduce the risk from external flooding using the NRC's Fukushima lessons-learned process, which is being applied to all commercial nuclear plants.

1. In June 2010, after identifying that the risk from external flooding from a failure of the Jocassee Dam (which is about 11 miles upstream from the plant) was higher than previously calculated, the NRC issued a confirmatory action letter to the licensee. This letter stated actions that the licensee had committed to perform, including implementing temporary compensatory measures. The NRC has inspected the licensee's temporary compensatory measures and verified that they have been implemented.
2. The NRC expects the licensee to implement permanent changes that will obviate the need for the temporary compensatory measures. Although the NRC was making progress on this with the licensee prior to the Fukushima event, this effort has been subsumed into the NRC's Fukushima lessons-learned process, in order to have all nuclear plants follow the same approved process.

Key Points

- The temporary compensatory measures include measures to improve operations at the Jocassee Dam (which is manned 24/7 due to the hydroelectric plant located there) and to provide reactor decay heat removal in the unlikely event of dam failure.
- The Federal Energy Regulatory Commission (FERC) regulates the Jocassee Dam due to the hydroelectric plant there. NRC staff consult with FERC staff on regulatory actions.
- The licensee is following the NRC's Fukushima lessons-learned process to identify and implement appropriate permanent changes to the Oconee Nuclear Station.
- The licensee has invested considerable resources to model the local topography and water sources in order to define the hazard from external flooding and to determine which permanent modifications would be effective.

Possible Questions

1. **The Oconee Nuclear Station has been in operation for 40 years. Why did it take the NRC so long to identify that external flooding was a concern?**

Our work on this specific issue dates back to the 1990s, when the NRC had all reactor licensees submit an examination to explore these types of vulnerabilities. The licensee's examination calculated that the risk of dam failure was very low, such that regulatory action was not required. In 2006, NRC staff identified a degraded flood barrier at the site and issued a Notice of Violation. The licensee appealed. During further research, the NRC staff recalculated the probability of a dam failure and upheld the violation. That led to the issuance of the confirmatory action letter in 2010.

2. **Several of your staff allege that NRC senior managers are giving the potential for a catastrophic flood at this plant short shrift and not being forthcoming with the Commission. Are you fully aware of the risk at Oconee? Is staff giving appropriate oversight to this issue?**

Yes. I am fully aware of the risk at Oconee. Many of our senior managers and some of our Commissioners have visited the Oconee Nuclear Station and reviewed the flooding precautions and compensatory measures. Our senior managers assure us that the compensatory measures provide appropriate protection for public health and safety, although we recognize that certain permanent modifications will improve the plant's ability to cope with a flooding event such as a failure of the Jocassee Dam. The licensee is committed to making these changes. We are also coordinating with other Federal agencies, such as FERC, which is the licensing authority for the Jocassee Dam and has a role in approving flood mitigation projects. These improvements will be tracked by the NRC, for Oconee and other nuclear plants with flooding concerns, using our Fukushima lessons-learned process.

There are 89 pages of background materials prepared by various program offices pertaining to subjects other than Oconee/Jocassee, which are non-responsive to this request.

Wright, Darlene

From: Colleen Payne (b)(6)
Sent: Wednesday, May 22, 2013 9:58 PM
To: CHAIRMAN Resource
Subject: Fwd: Duke Meeting

-----Original Message-----

From: Colleen Payne (b)(6)
To: John.Wray <John.Wray@nrc.gov>; Roy.Zimmerman <Roy.Zimmerman@nrc.gov>; Jack.Foster <Jack.Foster@nrc.gov>; Nick.Hilton <Nick.Hilton@nrc.gov>; gerald.gulla <gerald.gulla@nrc.gov>; eric.leeds <eric.leeds@nrc.gov>; robert.pascarelli <robert.pascarelli@nrc.gov>; mas4 <mas4@nrc.gov>; mohammed.shuaibi <mohammed.shuaibi@nrc.gov>; jriccio <jriccio@greenpeace.org>; john.boska <john.boska@nrc.gov>; michael.johnson <michael.johnson@nrc.gov>
Sent: Wed, May 22, 2013 9:47 pm
Subject: Re: Duke Meeting

Dear John,

Thank you for your response. Wordsmith-ing at NRC is apparent, an very obvious the NRC management - senior level on down has mastered this type of communicating as well.

I can assure you, my findings, studies of NRC's and Utilities own reports, witnessing, inside sources, proof, etc, assure me that you (NRC) does not enforce its (NRC) own regulations, on the contrary.

Unfortunately, it is not what site will be the next Fukushima - but when. Oconee and few others are right "on time" to be the "catastrophe" that could have been averted if NRC did its job.

It is with disgust the lack of integrity that the personnel at the NRC has. Over the past 2 years I have witnessed, recorded, listened to stories from a very very reliable inside NRC source, learning of the dynamics within the NRC, the lack of safety enforcement when it is so apparent to the "laymen", by NRC, and being the simple folk I am, has come to the conclusion, if certain enforcement safety mitigation actions are not taken IMMEDIATELY at certain sites, Fukushima will look like a "sun shower".

I would like and so would the millions that could be affected by NRC's inaction, for you to ENSURE us, ACTIONS and enforcement is taken by NRC. It is no longer a time for rhetoric or "wordsmithing", it is a time of action.

I also, would like for you to ensure me you and your co-workers to have the courage to take action to protect the public as you say you do - this will remain to be seen, as I haven't seen any evidence the public is NRC's priority, again, on the contrary. As a matter of fact, the Utilities "pay your salaries" as almost everyone at NRC has been trained to say - therein lies your fiduciary relationship, not the public.

Here's one example -NRC allows Duke to "close" an upcoming meeting to the public, when in fact I was one of the only "public" attendees these past few months - where is NRC's concern for the public? Please stop lying about "protecting the public" - you, NRC does not. If NRC wants to pretend to - the start enforcing regulations in place. Start with Lake Jocassee and Oconee flooding issue.

Colleen Payne

(b)(6)

-----Original Message-----

From: Wray, John <John.Wray@nrc.gov>
To: Colleen Payne <(b)(6)>

Cc: Zimmerman, Roy <Roy.Zimmerman@nrc.gov>; Foster, Jack <Jack.Foster@nrc.gov>; Hilton, Nick <Nick.Hilton@nrc.gov>; Gulla, Gerald <Gerald.Gulla@nrc.gov>
Sent: Thu, May 16, 2013 4:46 pm
Subject: RE: Duke Meeting

Ms. Payne,

Thank you for responding to my email dated March 12, 2013. Although you are correct in that my original email was intended to be sent to my co-worker, Mr. Gulla, I am comfortable with the fact that my thoughts were shared with you. Here is why.

I, and my fellow colleagues at the NRC, take comments from members of the public regarding the actions of our licensees seriously. At the NRC, "allegation" is not a derogatory term. Rather, an allegation is defined by the NRC as "a declaration, statement, or assertion of improper or inadequate activity associated with NRC requirements, the validity of which has not been established (by the NRC)."

After reading your email, I wanted to ensure that we (the NRC) followed our established process to evaluate the information you provided. Not being familiar with past Duke Energy performance issues in general and with the specifics associated with the NRC/Oconee meeting on March 5th referenced in your email to Mr. Gulla, I suggested that your email be reviewed by our Agency Allegation Advisor to determine if your comments constituted an allegation warranting staff follow-up. I believe my suggested action was not reckless and, in fact, showed the proper level of concern by an NRC employee when in possession of what appeared to be a concern from a member of the public. I certainly meant no disrespect with my email.

The NRC's Allegation Program is discussed in more detail in NUREG/BR-0240, Rev 6, "Reporting Safety Concerns to the NRC," dated May 2012. You can find this document on the NRC website at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/brochures/br0240/>. If you have any further questions or comments, do not hesitate to contact me. Thank you for your continued involvement in our mission to protect the health and safety of the public, the environment, and to ensure the nuclear security of our licensed facilities.

John R. Wray
Sr. Enforcement Specialist
Office of Enforcement
(301) 415-1288
John.Wray@nrc.gov

From: Colleen Payne [mailto:colleen.payne@nrc.gov] (b)(6)
Sent: Saturday, May 11, 2013 11:58 AM
To: Wray, John; Gulla, Gerald; Leeds, Eric; Pascarello, Robert; Monninger, John; CHAIRMAN Resource; Johnson, Michael; "Hubert .Bell"@oig.gov
Subject: Re: Duke Meeting

John,

Good morning, this is Colleen Payne. I received your email in March, but waited until now to respond. (I do not think you meant to send it to me, just to Gerald)

I would consider my email and statements regarding Duke's lack of action to be restatements of history and records recorded by the NRC and Duke. After reviewing years of NRC/Duke Oconee/Jocassee documents, I would absolutely repeat in my emails, statements, etc, that Duke does not do as requested. Facts and records are not allegations, but proof.

However, if you would continue to recklessly call my statements of these facts allegations, I would, and so would Webster Dictionary disagree; possibly making your statement of "considered an allegation" libelous.

And yes, it is imperative everyone at Duke/NRC/NRR/DOE/Congress/Shareholders/Public to "chime" in regarding this issue. And you are welcome - invited to send out my emails to everyone you know.

Thank you, Colleen Payne

-----Original Message-----

From: Wray, John <John.Wray@nrc.gov>

To: Colleen Payne (b)(6)

Sent: Tue, Mar 12, 2013 3:42 pm

Subject: RE: Duke Meeting

Thanks. Interesting. There is a part of her initial email that may be considered an allegation (?). "...Duke Energy ignores and disregards NRC..." Maybe Lisa should chime in on this.

Otherwise, it sounds like a very lively meeting! Congrats.

John

From: Colleen Payne [mailto:(b)(6)]

Sent: Friday, March 08, 2013 12:25 PM

To: Gulla, Gerald

Subject: Re: Duke Meeting

Gerald,

Thank you. I understand - this was repeated again and again by several NRC staff members.

Any and all assurance remains to be seen, and I can assure you, the public on many levels is watching and waiting, in the actual actions NRC takes.

Thank you,

Colleen Payne (not Mrs.)

-----Original Message-----

From: Gulla, Gerald <Gerald.Gulla@nrc.gov>

To: Colleen Payne (b)(6)

Sent: Fri, Mar 8, 2013 11:02 am

Subject: RE: Duke Meeting

Mrs. Payne,

Thank you for attending the Predecisional Enforcement Conference between the NRC and Duke Energy. As the NRC staff indicated during the conference, any views expressed by NRC representatives, or the lack thereof, are not intended to represent final agency determinations. This would include any remarks that I may have made and my reactions to Duke's presentation and responses.

I can assure you that the staff is diligently working on this issue and will take the appropriate enforcement action in accordance with the US NRC Enforcement Policy.

Again, thank you for your comments and for your interest in this issue.

Respectfully,
Gerry Gulla

From: Colleen Payne [mailto:(b)(6)]

Sent: Wednesday, March 06, 2013 4:15 PM

To: Gulla, Gerald

Subject: Duke Meeting

Gerry,

I attended meeting with NRC/Duke Energy on Tuesday, March 5. I was both pleased and irritated at same time listening and watching your reactions, speak and question to members representing Duke Energy.

This is not meant to be disrespectful on the contrary.

I was pleased to witness someone who has compassion toward this Oconee site - your actions were evident to that.

I was irritated to witness your actions as your actions gave way to support the evidence that Duke Energy ignores and disregards NRC and its position. But more importantly, Duke puts ego and arrogance before safety - I think that may be where your apparent antagonism toward them may stem from.

I could be way off here, please accept apology if so.

If not, please follow through on any/all - especially monetary - penalties NRC can impose. Duke will get it, and they will begin to respect both the NRC and nuclear energy. If NRC does not impose financial penalty - Oconee will be a "could have prevented" accident. The financial penalty does not guarantee accident free Oconee - but will guarantee all NRC requirements would be met.

Also, imposing a financial penalty - \$250K+, shareholders will take notice, demand answers and solutions. No one likes to answer to their shareholders!

Thank you.

With Respect,

Colleen

September 24, 2013

MEMORANDUM TO: Paul Peduzzi
Office of Executive Director for Operations

FROM: Robert J. Pascarelli, Chief /RA/
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: G20130549 BRIEFING PACKAGE FOR DROP-IN VISIT ON
OCTOBER 10, 2013, BY EXECUTIVES OF DUKE ENERGY
CAROLINAS, LLC WITH CHAIRMAN MACFARLANE,
COMMISSIONERS, APOSTOLAKIS AND OSTENDORFF, EDO AND
DIRECTOR, NRR

Enclosed is the briefing package in support of the October 10, 2013, drop-in visit by executives of Duke Energy Carolinas, LLC (Duke Energy) with Chairman Macfarlane and Commissioners Apostolakis and Ostendorff, Executive Director for Operations, Mark Satorius and Director, Nuclear Reactor Regulation, Eric Leeds.

Please contact Jason Page at 301-415-5888, if you need any additional information.

Docket Nos. 50-261, 50-269, 50-270, 50-287, 50-302, 50-324,
50-325, 50-369, 50-370, 50-400, 50-413, and 50-414

Enclosure:
Briefing Package

cc w/encl:
E. Leeds, NRR J. Monninger, NRR
M. Evans, NRR G. Hopper, RII
J. Bartley, RII
E. Williamson, OGC

September 24, 2013

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M. Evans, NRR G. Hopper, RII
J. Bartley, RII
E. Williamson, OGC

DISTRIBUTION: G20130549

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L. Cox, NRR

RidsNrrOd Resource

RidsNrrPMHarris Resource

RidsNrrPMBrunswick

RidsNrrPMCCrystal River

RidsNrrPMRobinson

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J. Whited, NRR

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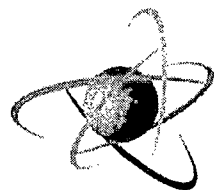
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DBroadus, NRR/DORL/LPSO

ADAMS Accession Nos.: Pkg ML13212A301 Incoming ML13251A326 Briefing ML13256A411
EDO Closeout E-mail ML *Concurrence by E-mail

OFFICE	NRR/DORL/PM	NRR/DORL/LPL2-1/LA	RII/DRP/BC*	RII/DRP/BC*	NRR/DORL/BC	RII/DORL/BC
NAME	JPaige (RGuzman for)	SFigueroa	GHopper	JBartley	DBroadus	RPascarelli
DATE	09/23/13	09/23/13	09/16/13	09/16/13	09/24/13	09/24/13

OFFICIAL RECORD COPY



U.S. NRC

United States Nuclear Regulatory Commission

Protecting People and the Environment

BRIEFING PACKAGE

For Drop-in Visit with

Duke Energy Carolinas, LLC

On OCTOBER 10, 2013

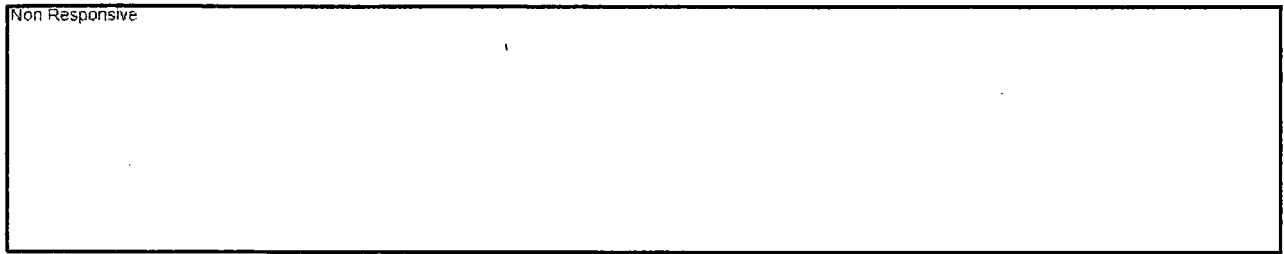
(ADAMS Accession No. ML13212A301)

CONTENTS

	TAB
AGENDA	1
Itinerary	
Visitors Presenting	
Topic of Discussion	
MANAGEMENT DATA	
Duke Energy Organization (Merged with Progress Energy)	7
Biographical Information	8
OCONEE UNITS 1, 2, AND 3 DATA AND PERFORMANCE	
Facility Data	3
Non Responsive	
Current Issues	6

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TAB 1

Drop-In Visit Agenda

October 10, 2013

ITINERARY

TIME	PERSON VISITED	CONTACT PERSON	EXTENSION
10:30 AM – 11:00AM	Chairman Macfarlane	Catina Gibbs	301-415-1820
1:15 PM – 1:45 PM	Commissioner Ostendorff	Amy Cabbage, OCM	301-415-1800
2:00 PM – 2:30 PM	Mark Satorius, EDO	Paul Peduzzi, OEDO	301-415-1971
3:00 PM – 4:00 PM	Eric Leeds, NRR OD	Sherry Schwartz, NRR	301-415-1270
4:00 PM – 4:30 PM	Commissioner Apostolakis	Kathleen Blake, OCM	301-415-1810

VISITORS REPRESENTING DUKE ENERGY (MERGED WITH PROGRESS ENERGY)

- John W. (Bill) Pitesa, Chief Nuclear Officer
- Regis Repko, Senior Vice President for Operations (Brunswick and Harris)
- Robert J. (Bob) Duncan, II, Senior Vice President for Operations (Catawba and McGuire)
- Preston Gillespie, Senior Vice President for Operations (Oconee and Robinson)
- M. Christopher (Chris) Nolan, Director of Regulatory Affairs

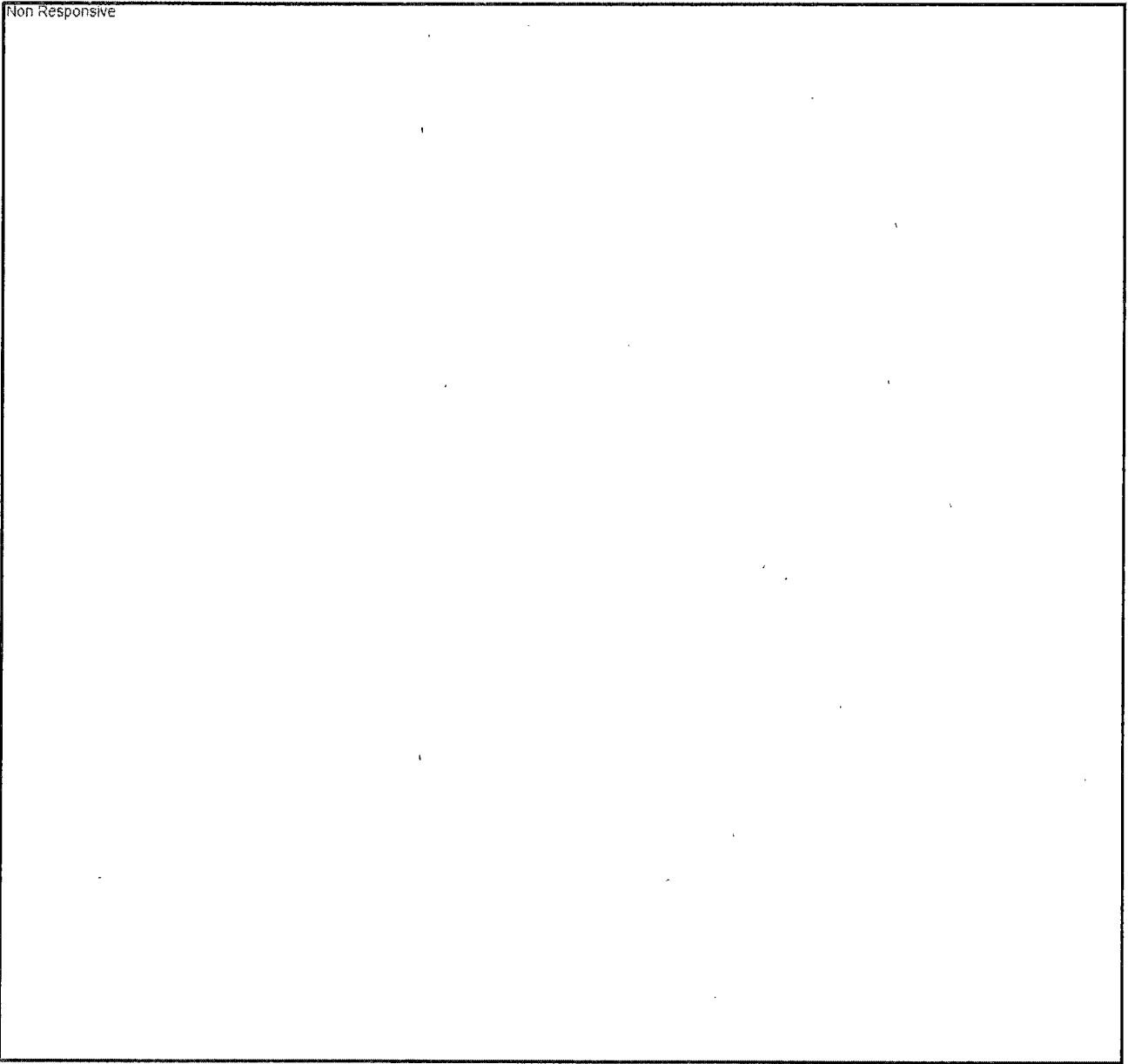
TOPICS OF DISCUSSION

- Introductions

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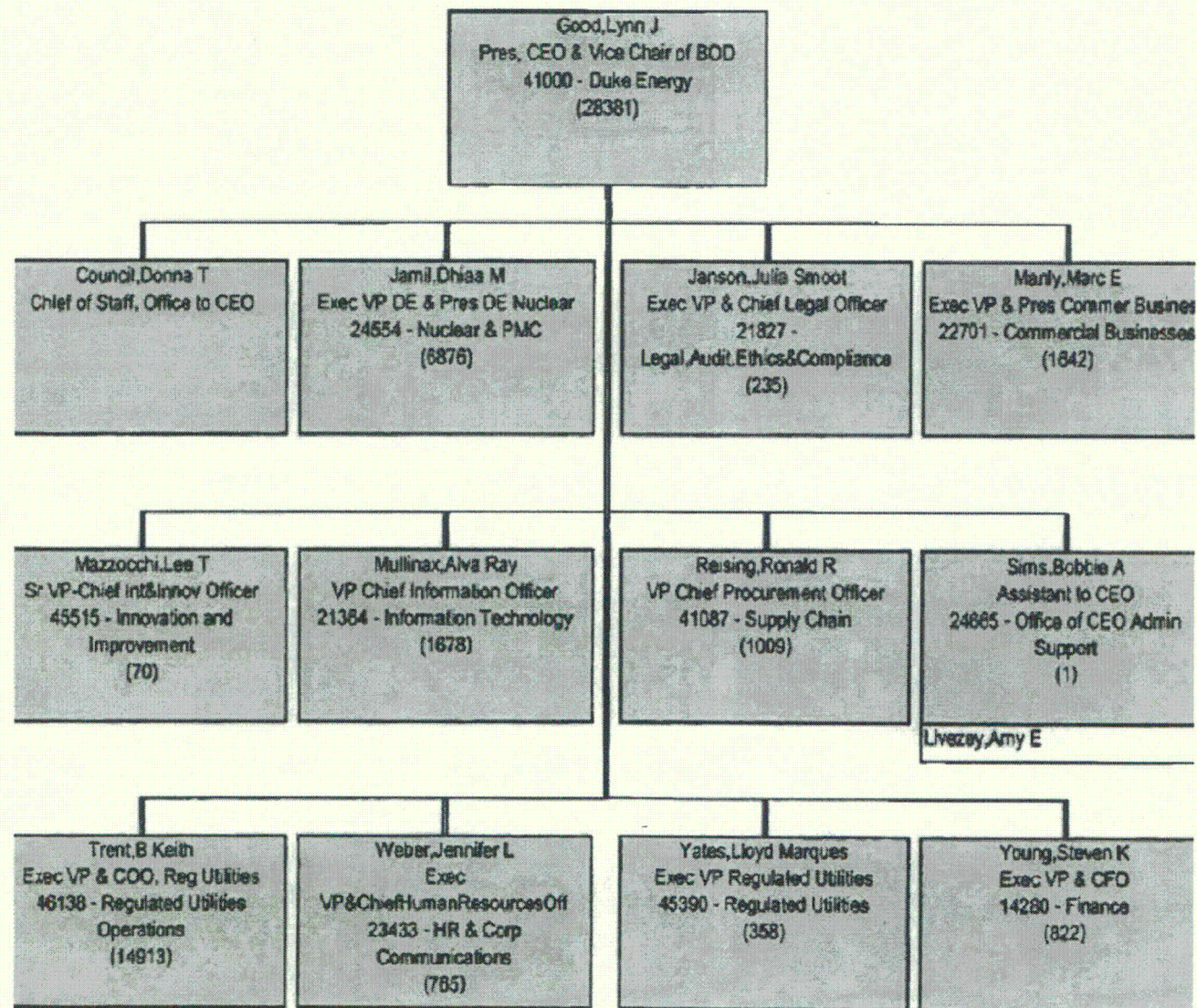
TOPICS OF DISCUSSION

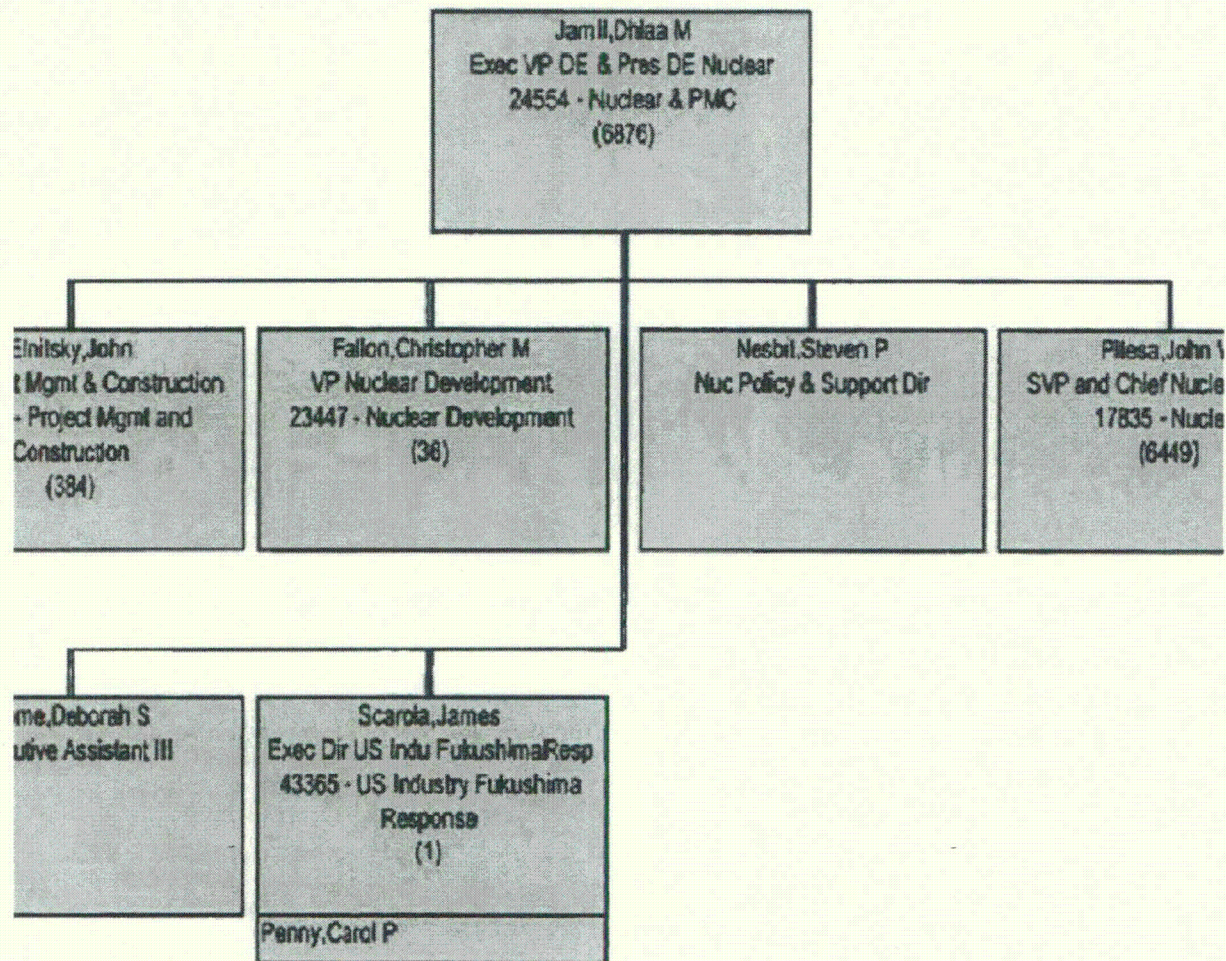
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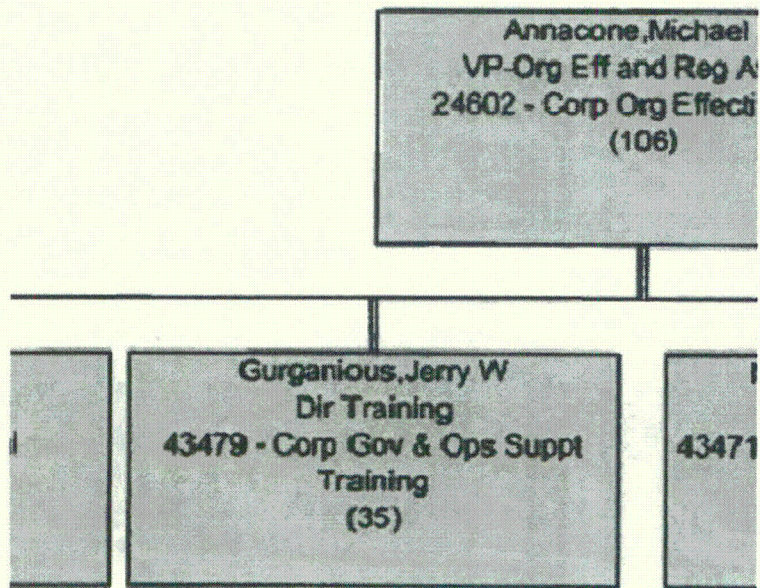
Duke Energy Organization

See Organization Charts below provided by Duke Energy









Biographical Information

John W. (Bill) Pitesa
Senior Vice President and Chief Nuclear Officer



Bill Pitesa is senior vice president and chief nuclear officer for Duke Energy. He is responsible for the safe and efficient operation of the largest regulated nuclear generation fleet in the U.S.

Previously, Pitesa served as senior vice president of nuclear operations for Duke Energy. In that role, he provided oversight for the safe and reliable operation of two Duke Energy-operated nuclear plants – Brunswick near Southport, N.C., and Robinson near Hartsville, S.C.

Pitesa has more than 30 years of experience in the nuclear field. He joined the company in 1980 as an engineer at McGuire Nuclear Station in Huntersville, N.C. He was named senior reactor operator in 1986, and in 1992, served two years as a loaned employee to the Institute of Nuclear Power Operations.

Pitesa returned to McGuire Nuclear Station in 1995 as an independent oversight manager and later moved to the corporate office as the nuclear operating experience manager. In 2000, he moved to Catawba Nuclear Station as an engineering supervisor. After a series of promotions, including operations training manager and training manager, Pitesa was named as the station's operations manager in 2004 and station manager of Catawba Nuclear Station in 2005. In 2009, Pitesa was named vice president of nuclear support for Duke Energy. He was responsible for corporate nuclear engineering, major projects, licensing and regulatory support, fleet outage management and other plant support functions. Pitesa was named senior vice president of nuclear operations for Oconee Nuclear Station in January 2010, and assumed the additional responsibility for Catawba and McGuire nuclear stations in December 2010. He was named senior vice president of nuclear operations following the merger between Duke Energy and Progress Energy in July 2012. He assumed his current position in March 2013.

Pitesa earned a Bachelor of Science degree in electrical engineering from Auburn University. He is a registered professional engineer in North Carolina.

In support of the International Atomic Energy Agency (IAEA) and the World Association of Nuclear Operators (WANO), Pitesa has served on nuclear plant review teams in the United States, Korea, France, South Africa, and Ukraine.

(b)(6)

Biographical Information

Regis T. Repko
Senior Vice President – Nuclear Operations



Regis Repko is senior vice president of nuclear operations for Duke Energy. He provides oversight for the safe and reliable operation of two Duke Energy-operated nuclear plants – Harris near New Hill, N.C., and Brunswick near Southport, N.C.

Previously, Repko served as senior vice president of nuclear operations for Duke Energy, where he provided oversight for Oconee Nuclear Station in Seneca, S.C., and Crystal River Nuclear Plant 3 in Crystal River, Fla. Prior to that, he served as site vice president of Duke Energy's McGuire Nuclear Station in Huntsville, N.C. In that role, he was responsible for the safe and efficient operation of two-unit, pressurized, water-reactor nuclear generating facility. He directed station and facilities management, operations, maintenance, chemistry and radiation protection, engineering, nuclear and industrial safety, and business operations.

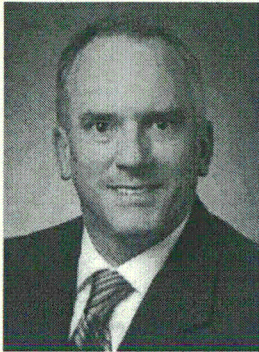
Repko has 27 years' experience in the nuclear energy field. He joined the company in 1985 as a junior engineer at Oconee Nuclear Station. He was named an engineer in operations in 1989; nuclear shift supervisor in August 1997; operations shift manager in December 1997; engineering supervisor in 2000; maintenance rotating equipment manager in March 2011; and superintendent of operations in October 2011, where he also had responsibility for the operations of Oconee Nuclear Station and Keowee Hydro Station. Repko was named engineering manager for Catawba Nuclear Station in April 2005 and station manager of McGuire Nuclear Station in January 2007. Moving on to become site vice president of McGuire in January 2010, Repko became senior vice president of nuclear operations following the Duke Energy/Progress Energy merger in July 2012.

The (b)(6) native earned a Bachelor of Science degree in nuclear engineering from Pennsylvania State University. Repko also completed the Institute of Nuclear Power Operations (INPO) Senior Nuclear Plant Manager Course. He maintained a senior reactor operator license from the U.S. Nuclear Regulatory Commission for Oconee Nuclear Station from February 1992 to September 2000. Repko currently serves as chairperson of the Academy Council of the National Academy for Nuclear Training.

(b)(6)

Biographical Information

Robert J. (Bob) Duncan, II
Senior Vice President – Nuclear Operations



Bob Duncan is a senior vice president of nuclear operations for Duke Energy. He provides oversight for the safe and reliable operation of three Duke Energy-operated nuclear plants – Catawba in York, S.C., Harris near New Hill, N.C., and McGuire in Huntersville, N.C.

Previously, Duncan served as vice president of nuclear operations for Progress Energy, from 2008 to 2010, and again from 2011 to July 2012. He was responsible for ensuring reliable operations; improving work efficiencies; and effectively aligning practices, policies and procedures. From 2010 to 2011, he was on special assignment as vice president of Progress Energy's Robinson Nuclear Plant.

Duncan has more than 30 years of experience in the nuclear field. After a brief stint as an assistant engineer with Virginia Power, he began his career with Progress Energy in 1980 as a start-up engineer at the Harris Nuclear Plant. He received his senior reactor operator certification in 1997. Through the years, Duncan held leadership roles in several areas within the nuclear organization, including engineering, mechanical systems, technical support, and reactor and performance engineering. In 2007, he was named vice president of Harris Nuclear Plant, where he was responsible for managing all activities to ensure the safe and efficient operation of the 900-megawatt generating facility. Duncan assumed his current position following the merger between Duke Energy and Progress Energy in July 2012.

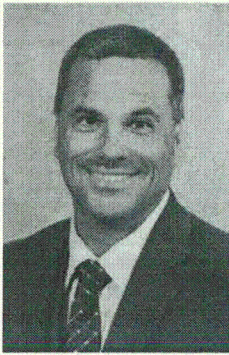
Duncan graduated from the University of Florida at Gainesville with a bachelor's degree in nuclear engineering. He earned a master's degree in business administration from the University of North Carolina at Chapel Hill.

He currently serves as chair of the University of Florida Nuclear Engineering Advisory Board and is a member of the Department of Materials Science and Engineering Advisory Board.

(b)(6)

Biographical Information

T. Preston Gillespie **Senior Vice President – Nuclear Operations**



Preston Gillespie is senior vice president of nuclear operations for Duke Energy. He provides oversight for the safe and reliable operation of two Duke Energy-operated nuclear plants – Oconee in Seneca, S.C., and Robinson near Hartsville, S.C.

Previously, Gillespie served as site vice president of Oconee Nuclear Station. In that role, he was responsible for the safe and reliable operation of the three-unit, pressurized water-reactor nuclear generating facility. He directed station and facilities management, operations, maintenance, chemistry and radiation protection, engineering, nuclear and industrial safety, and business operations.

Gillespie has more than 25 years of experience in the nuclear energy field. He joined Duke Power in 1986 as an assistant engineer at Oconee Nuclear Station in Seneca, S.C. He served in a variety of functions in engineering and operations including reactor engineer, system engineer, shift technical advisor, operations shift manager, and shift operations manager. In 2004, he was named nuclear engineering manager at Oconee, where he managed the nuclear and electrical engineering activities for the station's engineering organization. Gillespie moved to Catawba Nuclear Station in 2007 to serve as the station's operations manager. He returned to Oconee Nuclear Station in October 2008 as plant manager and was named site vice president of Oconee in September 2010. Gillespie assumed his current position in March 2013.

(b)(6) graduated from Clemson University with a Bachelor of Science degree in mechanical engineering.

Gillespie is a registered professional engineer in South Carolina. He has held a senior reactor operator license from the U.S. Nuclear Regulatory Commission for Oconee Nuclear Station. He is a past recipient of the company's Robinson Award, which recognized employees for their outstanding contributions to the company's operations. Gillespie also serves on the board of trustees for the Oconee Medical Center Foundation.

(b)(6)

Biographical Information

M. Christopher (Chris) Nolan
Director - Regulatory Affairs



Chris Nolan is the Director of Regulatory Affairs for Duke Energy with fleet responsibilities in the areas of licensing, regulatory compliance, and emergency preparedness. Prior to the Duke-Progress Energy merger, Chris was the fleet manager for Duke Energy's nuclear safety assurance organization. He was responsible for providing programmatic oversight for the fleet in the areas of security, emergency preparedness, performance improvement, licensing, and regulatory compliance. Most recently, Chris served as the licensing manager in nuclear plant development for Duke Energy. He was responsible for managing licensing, site characterization and project development activities for new nuclear interests in Duke's Midwest service territory.

Prior to this position, Chris managed the licensing effort for Lee Nuclear Station, located in Cherokee County, South Carolina. Chris joined Duke Energy in 2006 after serving the U. S. Nuclear Regulatory Commission (NRC) for nine years. During this period, Chris held positions of increasing responsibility in the Office of Nuclear Reactor Regulation, Office of Nuclear Security and Incident Response, and the Office of Enforcement. Chris was the Chief of the New Reactors Environmental Projects Branch in the Office of Nuclear Reactor Regulation when he accepted a position with Duke Energy. Prior to his service with the NRC, Chris was a senior design engineer at Calvert Cliffs Nuclear Power Plant where he worked for nine years.

Additionally, Chris was a qualified operator in the U.S. Navy's nuclear power program while employed at the Knolls Atomic Power Laboratory for General Electric Co. (b)(6)

(b)(6) Chris graduated from the University of Maryland where he earned a bachelor's of science degree in mechanical engineering. In addition, he is a graduate of the U. S. Navy's Nuclear Power School and holds a master's degree in engineering management from the University of Maryland. Chris is a registered professional engineer in the State of Virginia.

(b)(6)

Facility Data

OCONEE NUCLEAR STATION

Licensee Duke Energy Carolinas, LLC
Location 8 miles northeast of Seneca, South Carolina
County Oconee County, South Carolina

	<u>UNIT 1</u>	<u>UNIT 2</u>	<u>UNIT 3</u>
Docket Nos.	50-269	50-270	50-287
License Nos.	DPR-38	DPR-47	DPR-55
Full Power License Date	02/06/1973	10/06/1973	07/19/1974
Commercial Operation Date	07/15/1973	09/09/1974	12/16/1974
OL Expiration Date	02/06/2033	10/06/2033	07/19/2034

Plant Characteristics

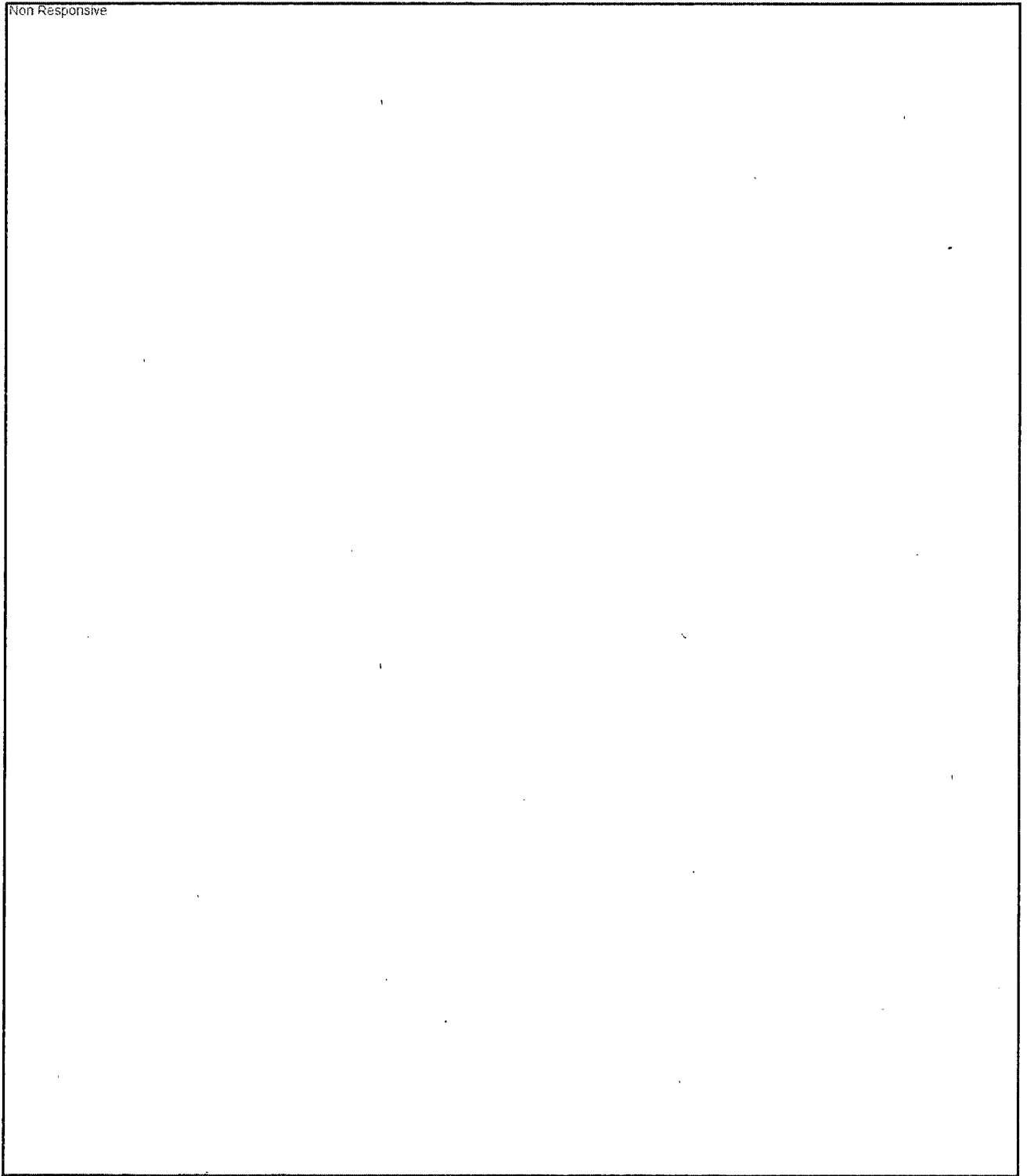
All Units

Reactor Type PWR
Containment Type Dry, Ambient Pressure
Power Level 2568 MWt (900 MWe)
NSSS Vendor Babcock and Wilcox (Lowered Loop design)

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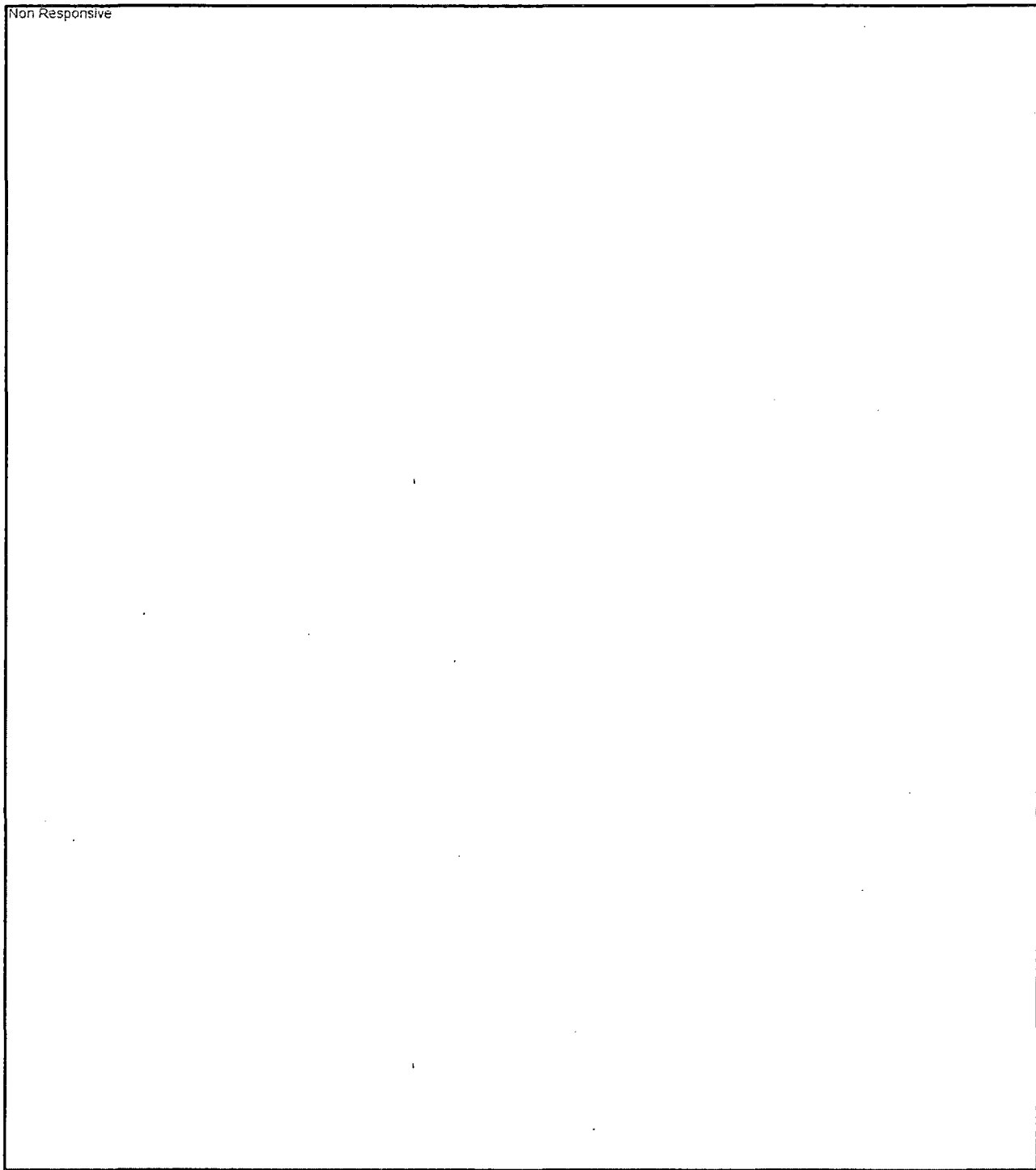
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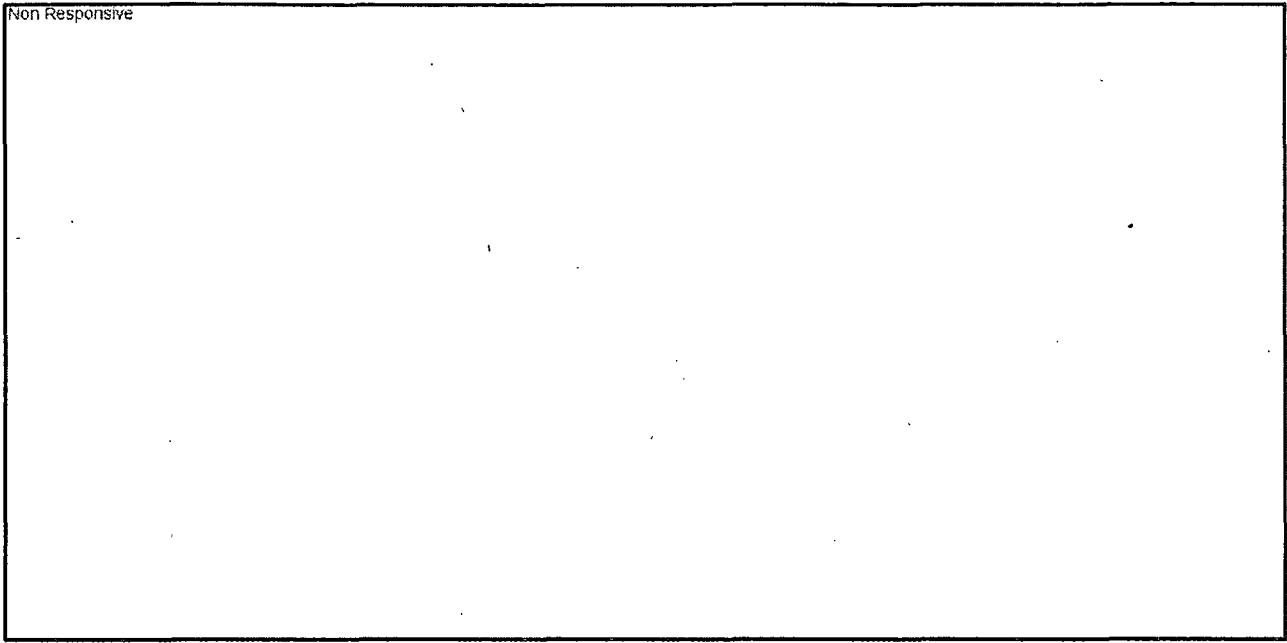


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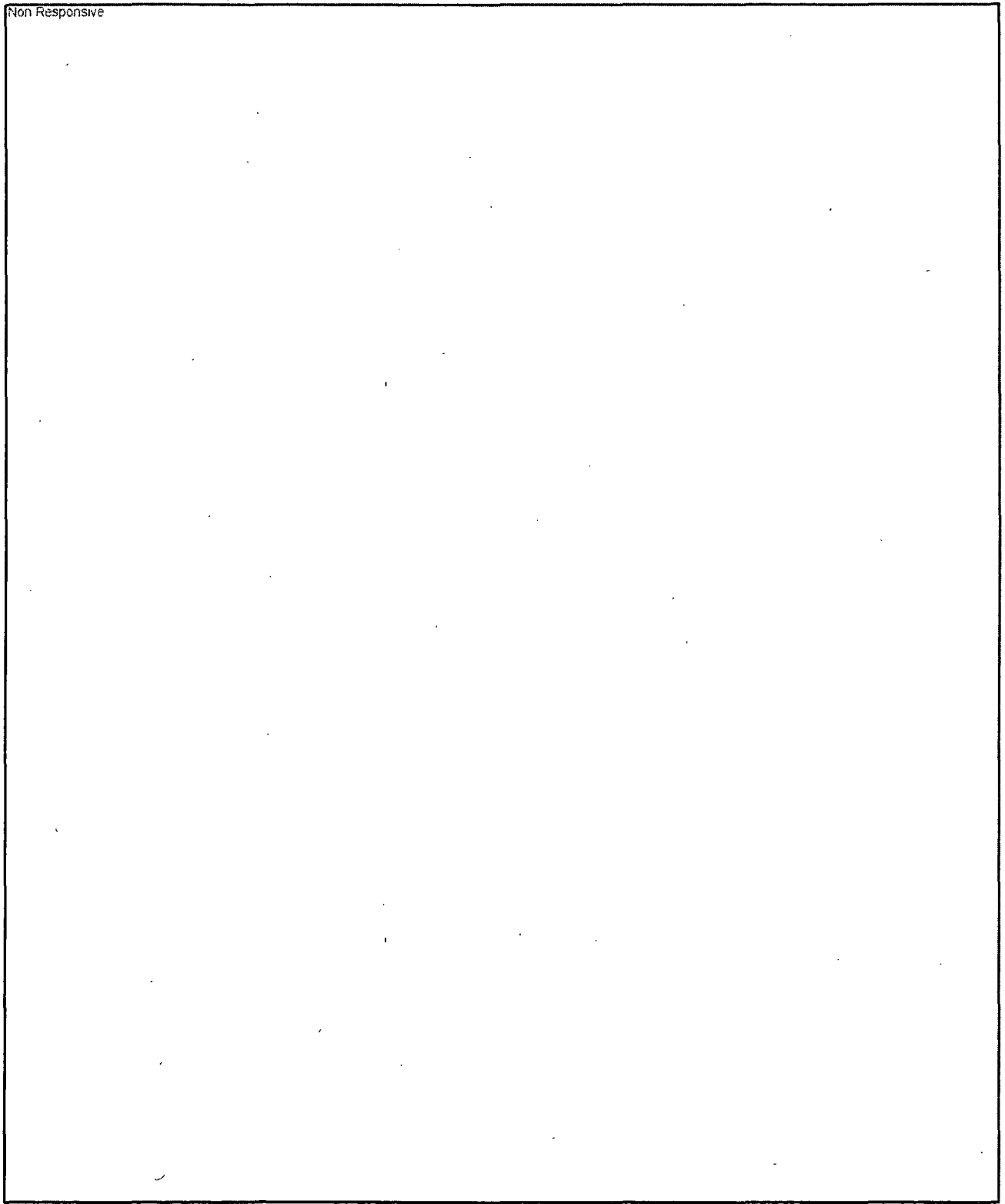
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CURRENT ISSUES

OCONEE UNITS 1, 2, AND 3

A. EXPECTED DISCUSSION TOPICS- OCONEE

Oconee External Flooding

An issue related to the potential impact of external flooding on the Oconee Nuclear Station site has been raised as a result of the potential random failure of the Jocassee Dam, which is located approximately 12 miles upstream from the Oconee site. On August 15, 2008, the NRC issued a request for information pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.54(f), regarding the protection against external flooding at the Oconee site, including the potential failure of the Jocassee Dam.

In January 2010, the licensee began taking actions to ensure the Oconee site would be protected from external flooding as a result of the potential failure of the Jocassee Dam by implementing interim compensatory measures (ICMs). The NRC inspected the ICMs in June 2010 and no significant issues were identified.

On June 22, 2010, the NRC issued a confirmatory action letter (CAL). The CAL confirmed actions to be taken by the licensee concerning external flooding. The NRC resident inspectors are verifying compensatory actions annually.

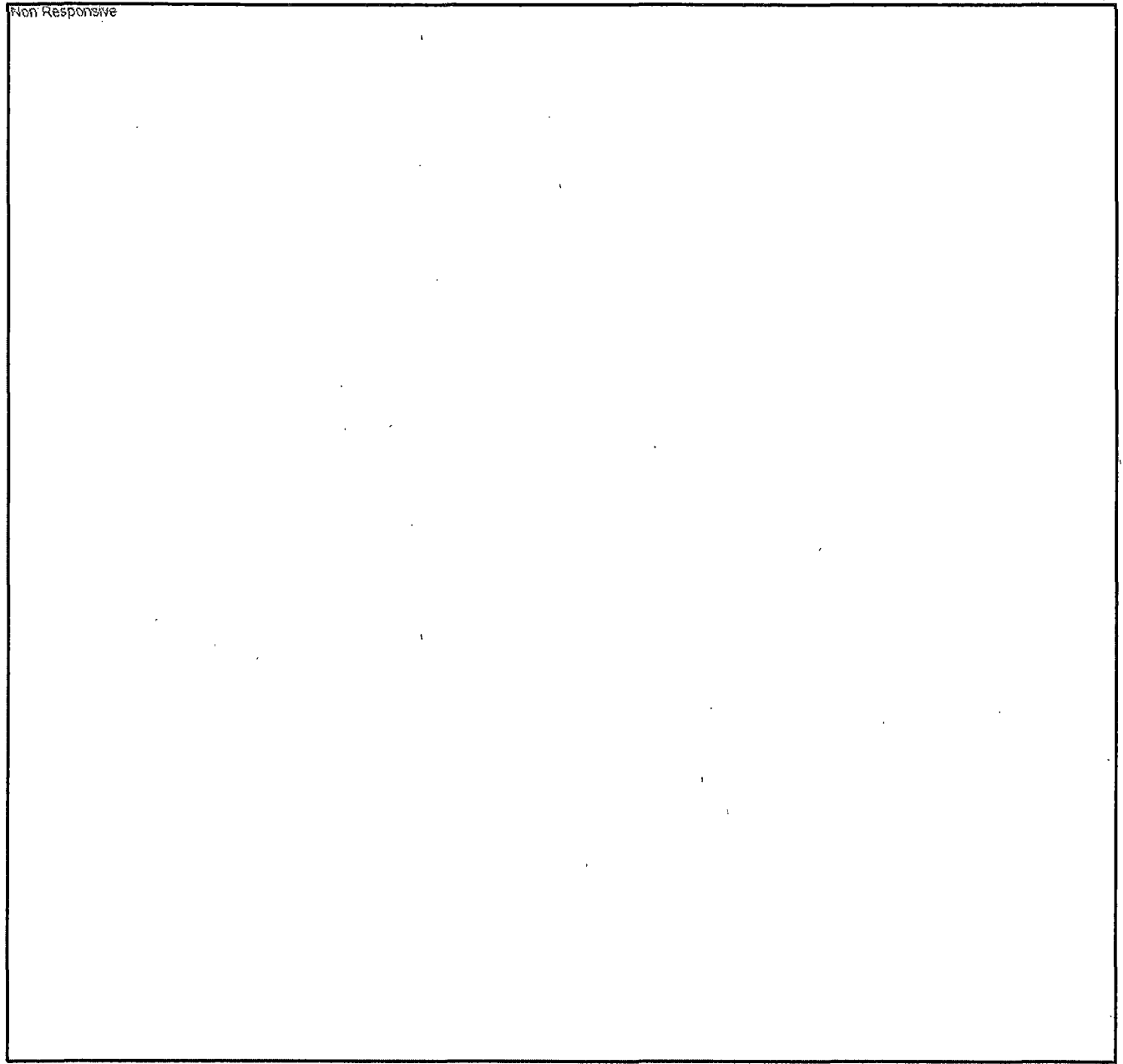
The NRC is currently reviewing the licensee's letter dated October 17, 2011, and will be coordinating with FERC and the Japan Lessons-Learned Project Directorate task force to ensure there is regulatory consistency between the licensee's proposed modifications, and forthcoming requirements concerning external flooding.

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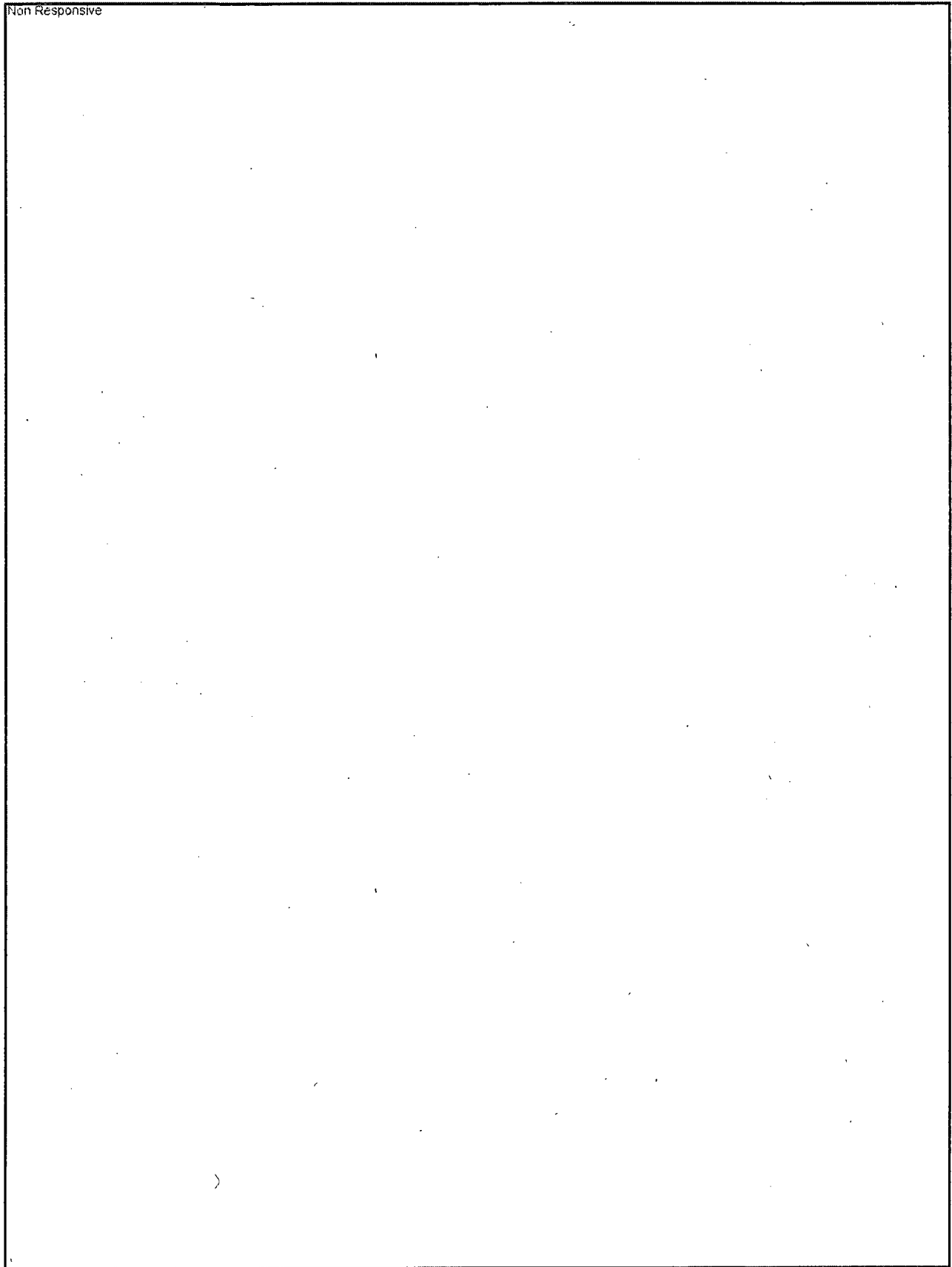
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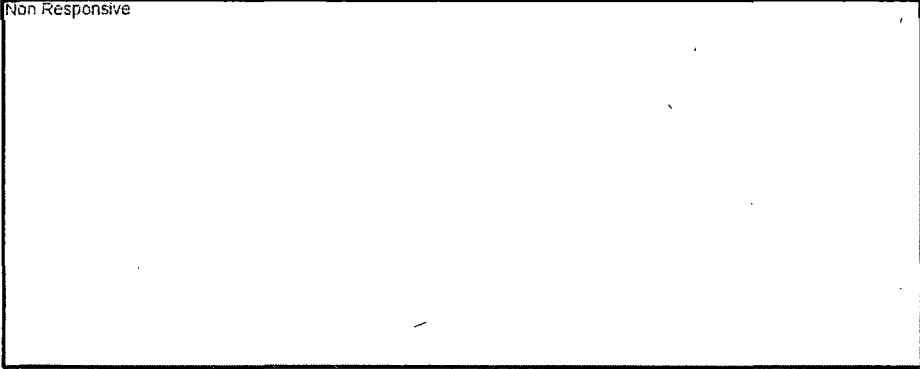


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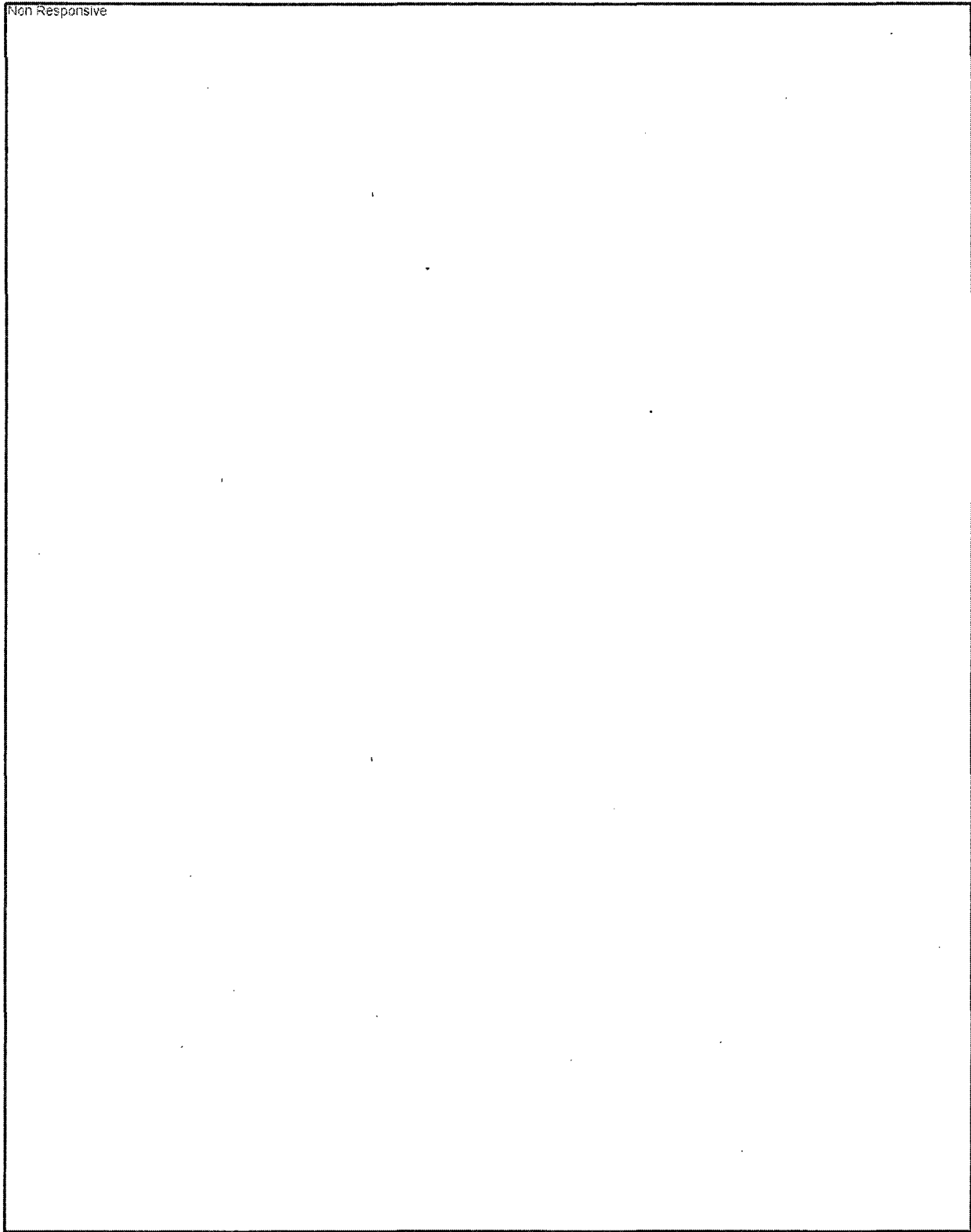


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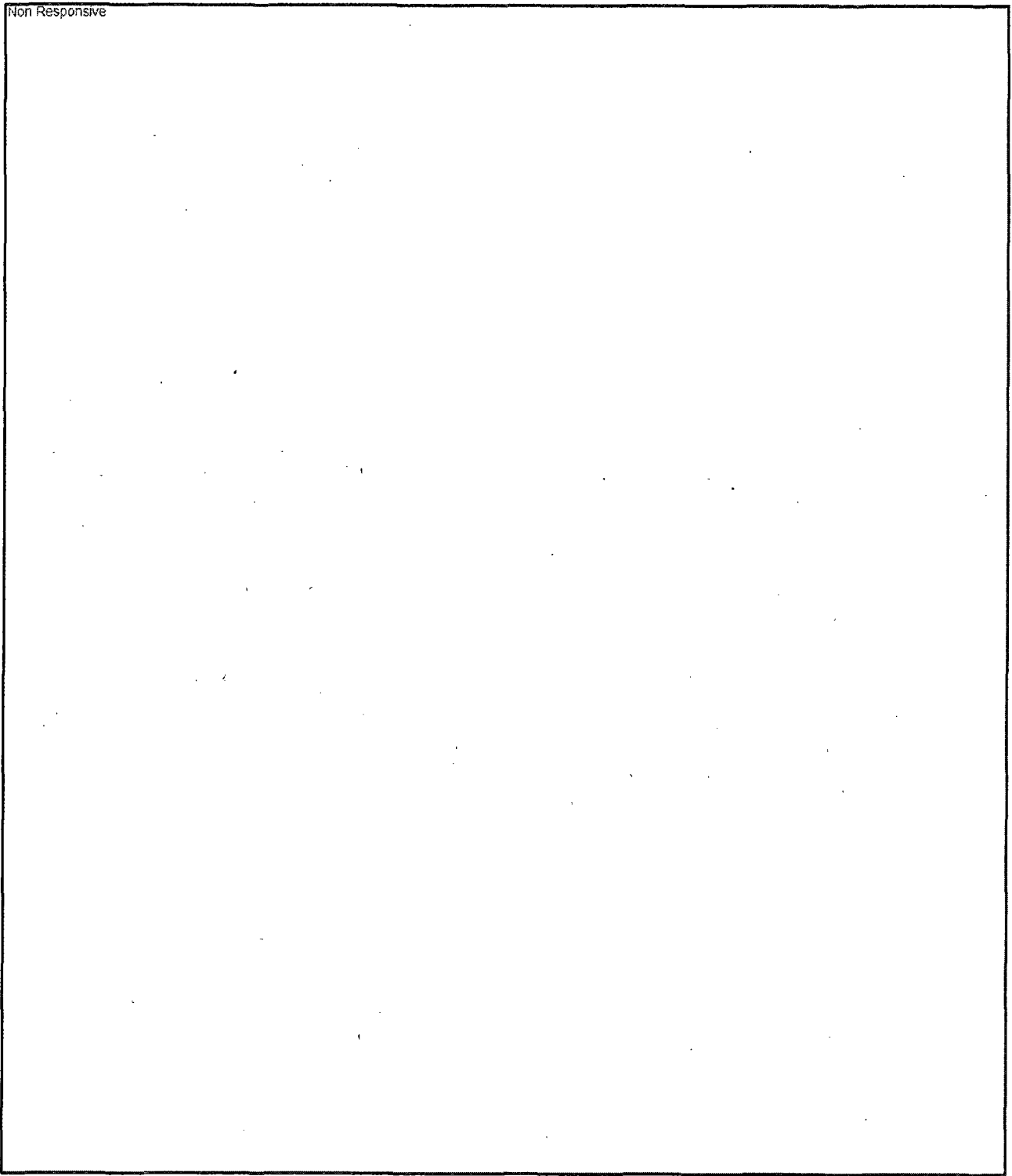
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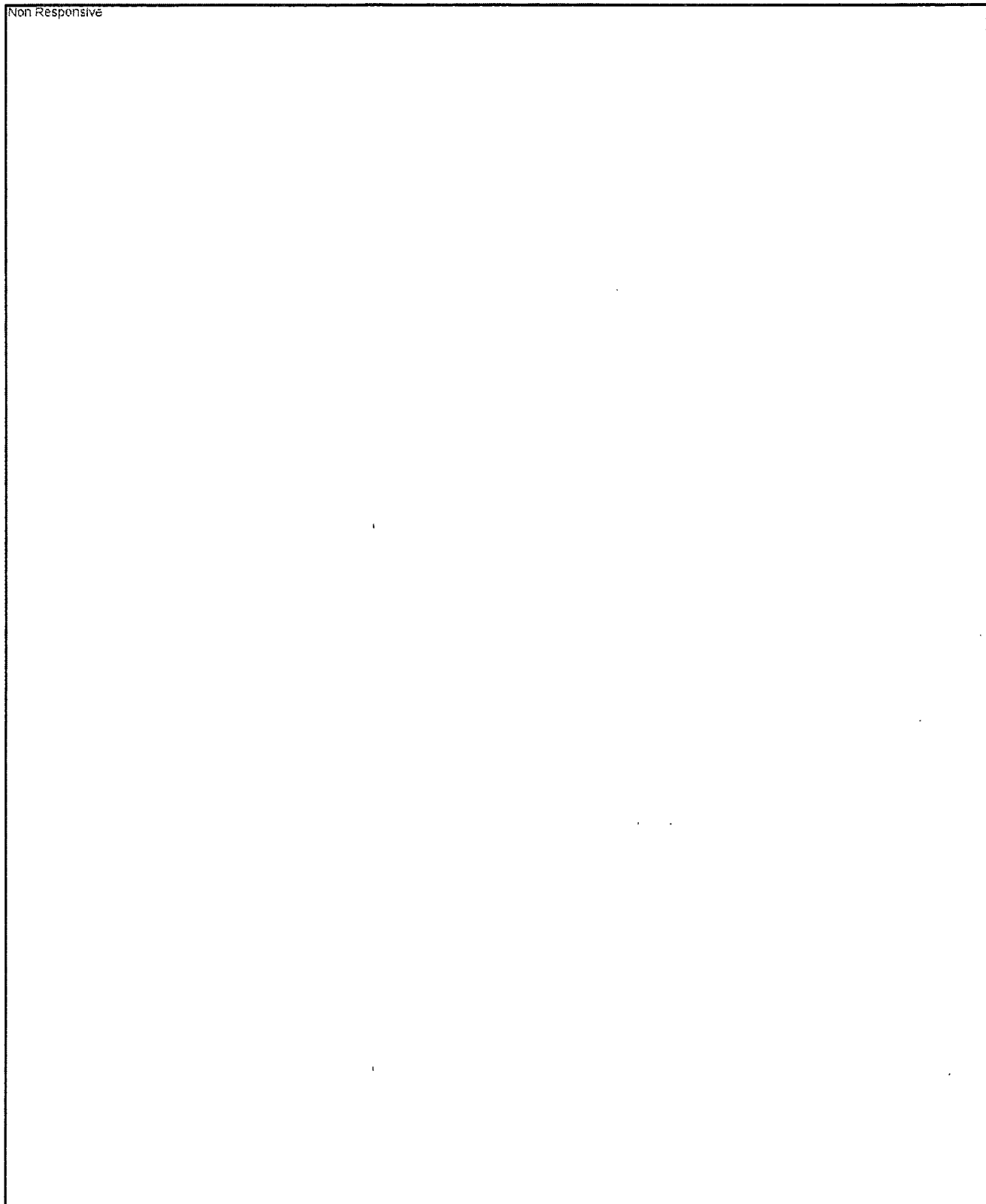
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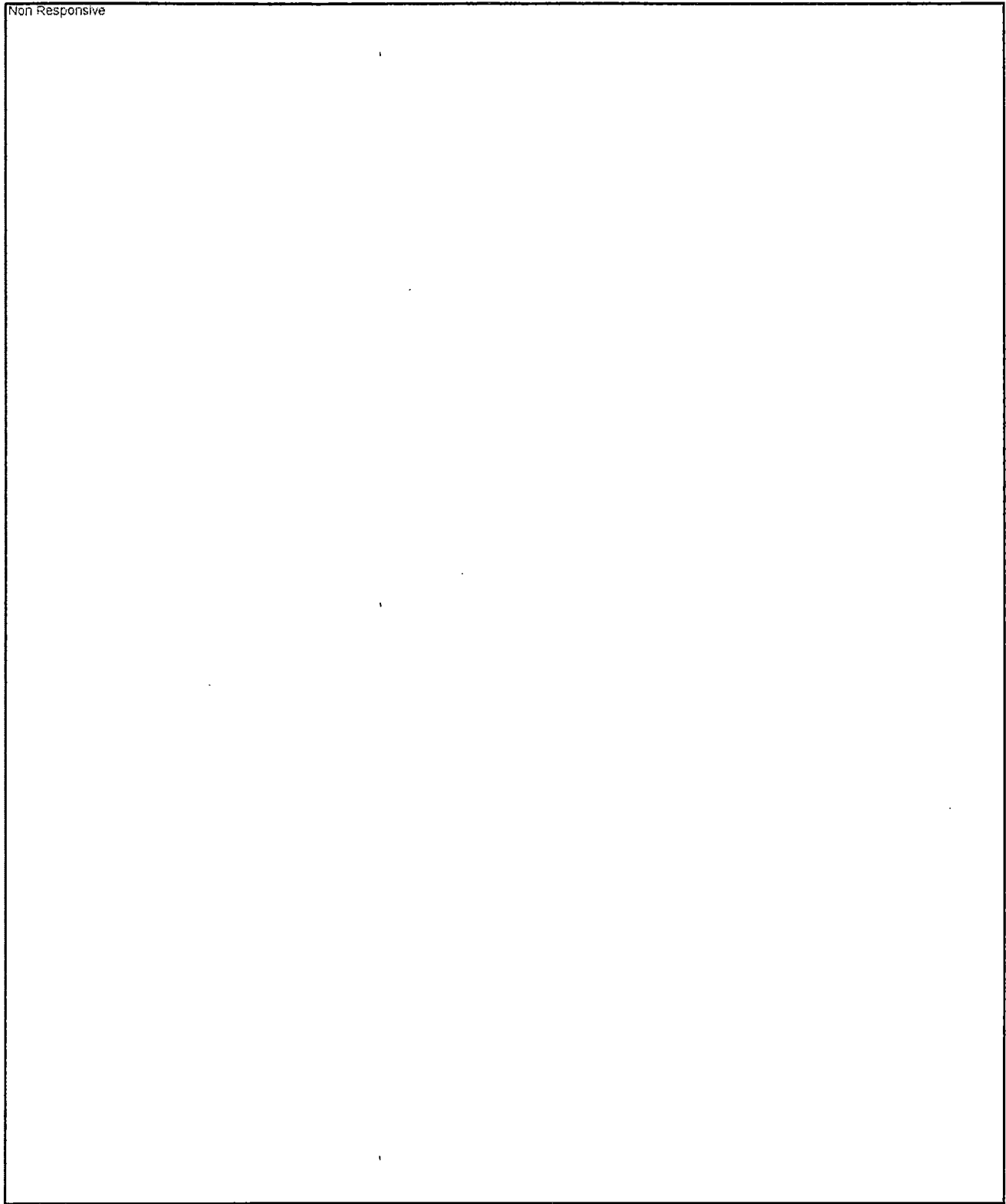
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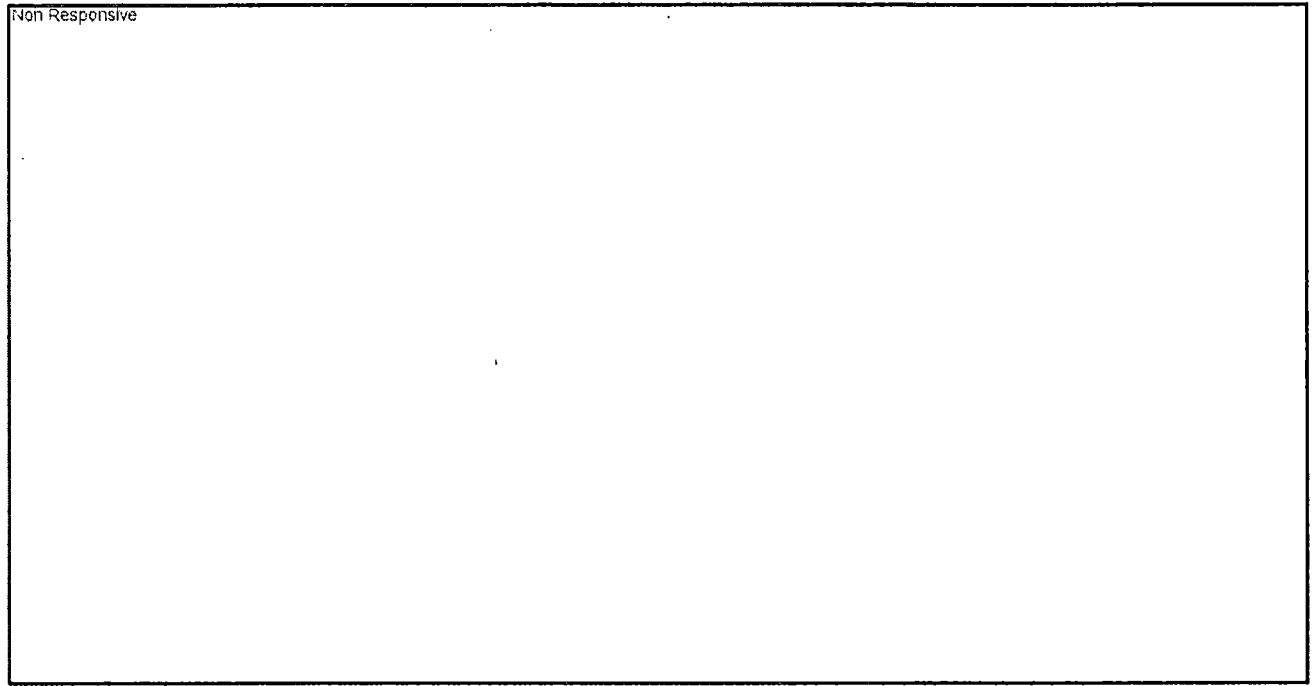
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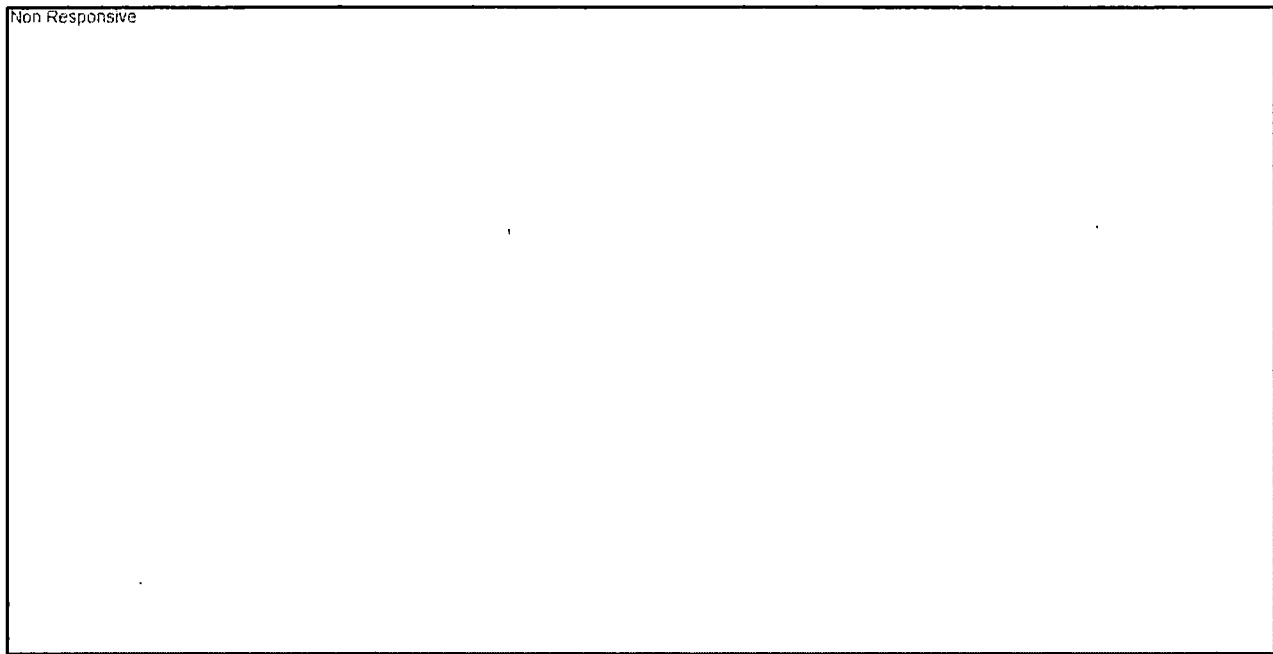


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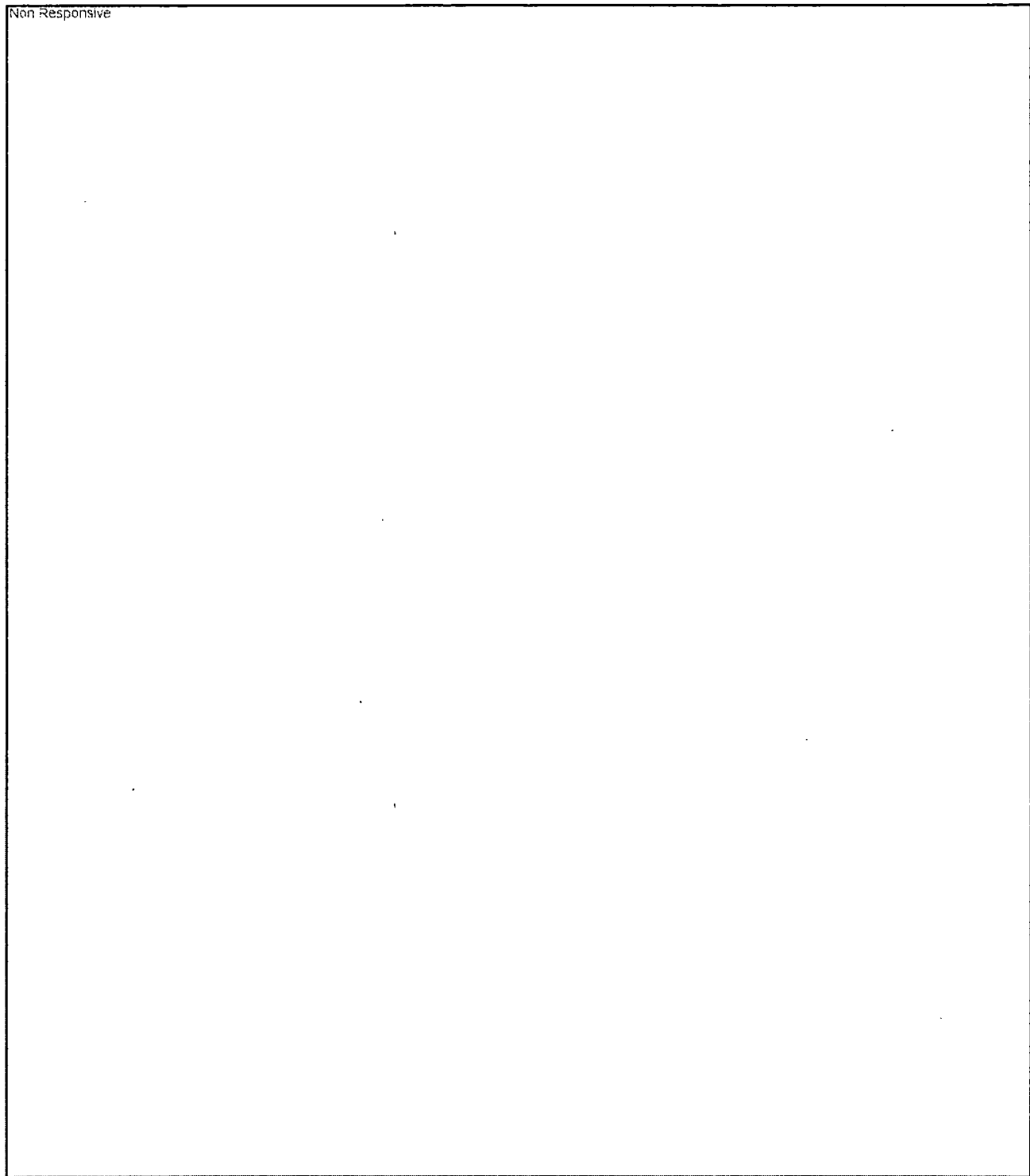
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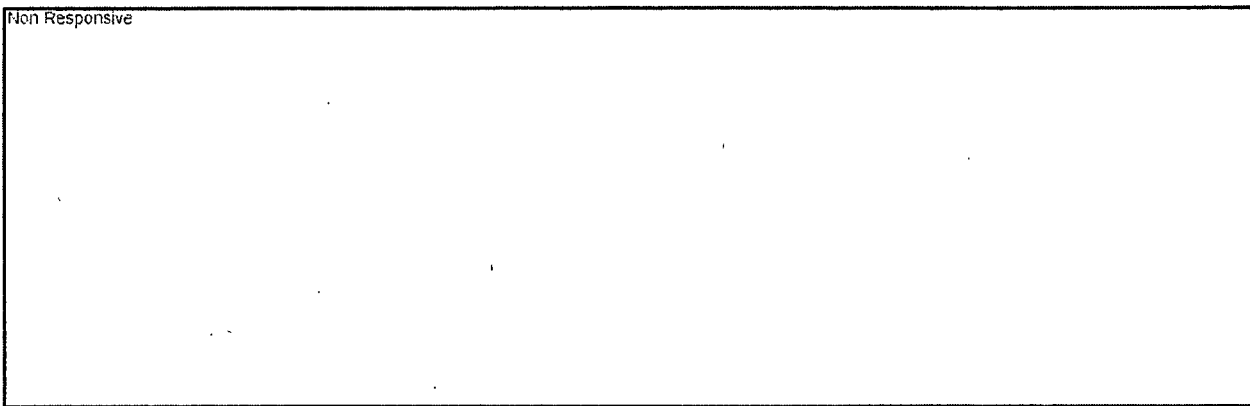
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November 25, 2013

MEMORANDUM TO: Paul Peduzzi
Office of Executive Director for Operations

FROM: Robert J. Pascarelli, Chief /RA/
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: G20130549 BRIEFING PACKAGE FOR DROP-IN VISIT BY
EXECUTIVES OF DUKE ENERGY CAROLINAS, LLC ON DECEMBER
4, 2013 WITH COMMISSIONERS APOSTOLAKIS, MAGWOOD,
OSTENDORFF. AND EDO, AND DECEMBER 11, 2013 WITH
CHAIRMAN MACFARLANE AND DIRECTOR, NRR

Enclosed is the briefing package in support of the December 4 and 11, drop-in visits by executives of Duke Energy Carolinas, LLC (Duke Energy) with Chairman Macfarlane and Commissioners Apostolakis, Magwood, and Ostendorff, Executive Director for Operations, Mark Satorius and Director, Nuclear Reactor Regulation, Eric Leeds.

Please contact Richard Guzman at 301-415-1030, if you need any additional information.

Docket Nos. 50-261, 50-269, 50-270, 50-287, 50-302, 50-324,
50-325, 50-369, 50-370, 50-400, 50-413, and 50-414

Enclosure:
Briefing Package

cc w/encl:
E. Leeds, NRR J. Monninger, NRR
M. Evans, NRR G. Hopper, RII
G. McCoy, RII
E. Williamson, OGC

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DISTRIBUTION: G20130549

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LPL2-1 Reading File

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RidsNrrDorl Resource

RidsNrrDorlLpl2-1 Resource

RidsNrrLASFiguroa Resource

RidsNrrMailCenter Resource

L. Cox, NRR

RidsNrrOd Resource

RidsNrrPMHarris Resource

RidsNrrPMBrunswick

RidsNrrPMCrystal River

RidsNrrPMRobinson

RidsNrrPMCatawba

T. Orf, NRR

RidsNrrPMMcGuire

RidsNrrPMOconee

RidsRgn4MailCenter Resource

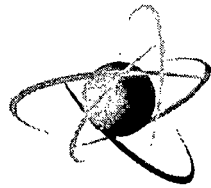
JPaige, NRR/DORL/LPL2-1

DBroaddus, NRR/DORL/LPSO

ADAMS Accession Nos.: Pkg ML13318A904 Incoming ML13251A326 Briefing ML13318A877
EDO Closeout E-mail ML14085A127 *Concurrence by E-mail

OFFICE	NRR/DORL/PM	NRR/DORL/LPL2-1/LA	RII/DRP/BC*	RII/DRP/BC*	NRR/DORL/BC	RII/DORL/BC
NAME	RGuzman	SFiguroa	GHopper	GMcCoy	DBroaddus	RPascarelli
DATE	11/18/13	11/18/13	11/18/13	11/18/13	11/22/13	11/25/13

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U.S.NRC

United States Nuclear Regulatory Commission

Protecting People and the Environment

BRIEFING PACKAGE

For Drop-in Visit with

Duke Energy Carolinas, LLC

**On DECEMBER 4, 2013 and
DECEMBER 11, 2013**

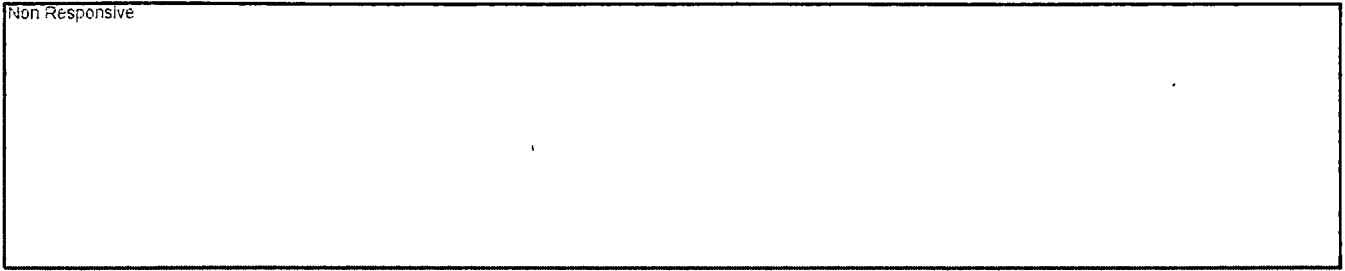
(ADAMS Accession No. ML13318A877)

CONTENTS

	TAB
AGENDA	1
Itinerary	
Visitors Presenting	
Topic of Discussion	
MANAGEMENT DATA	
Duke Energy Organization (Merged with Progress Energy)	7
Biographical Information	8
OCONEE UNITS 1, 2, AND 3 DATA AND PERFORMANCE	
Facility Data	3
Non Responsive	
Current Issues	6

Non Responsive

Non Responsive



Drop-In Visit Agenda

ITINERARY

December 4, 2013

TIME	PERSON VISITED	CONTACT PERSON	EXTENSION
10:00 AM – 10:30AM	Commissioner Apostolakis	Kathleen Blake, OCM	301-415-1810
1:00 PM – 1:30 PM	Mark Satorius, EDO	Ian Jung, OEDO	301-415-1290
1:30 PM – 2:15 PM	Commissioner Magwood	Renee Taylor, OCM	301-415-8420
2:30 PM – 3:00 PM	Commissioner Ostendorff	Amy Cubbage, OCM	301-415-1800

December 11, 2013

TIME	PERSON VISITED	CONTACT PERSON	EXTENSION
10:00 AM – 10:30AM	Chairman Macfarlane	Catina Gibbs	301-415-1820
1:00 PM – 1:45 PM	Eric Leeds, NRR OD	Sherry Schwartz, NRR	301-415-1270

VISITORS REPRESENTING DUKE ENERGY (MERGED WITH PROGRESS ENERGY)

- John W. (Bill) Pitesa, Chief Nuclear Officer
- Regis Repko, Senior Vice President for Operations (Brunswick and Harris)
- Robert J. (Bob) Duncan, II, Senior Vice President for Operations (Catawba and McGuire)
- Preston Gillespie, Senior Vice President for Operations (Oconee and Robinson)
- M. Christopher (Chris) Nolan, Director of Regulatory Affairs

TOPICS OF DISCUSSION

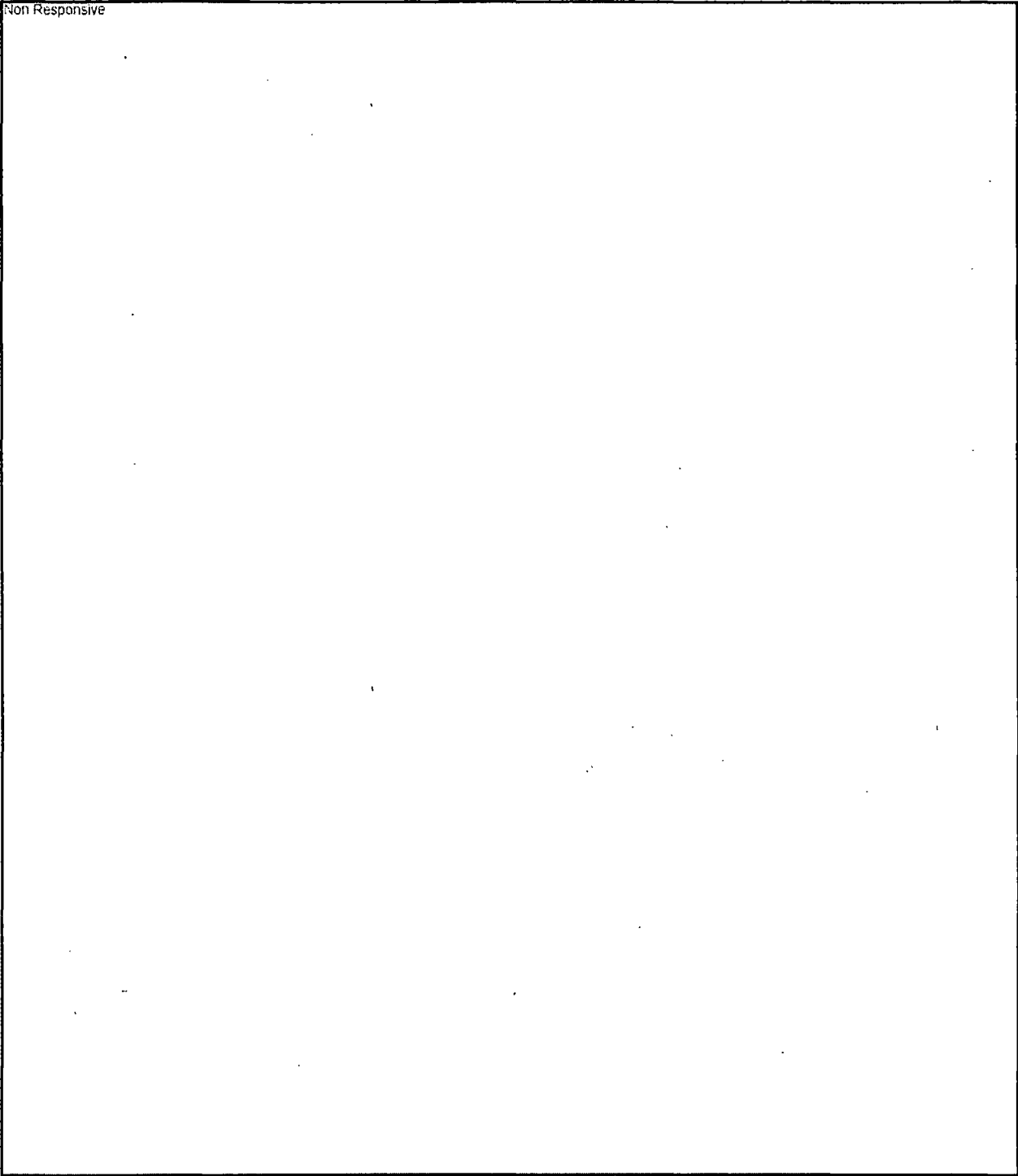
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TOPICS OF DISCUSSION

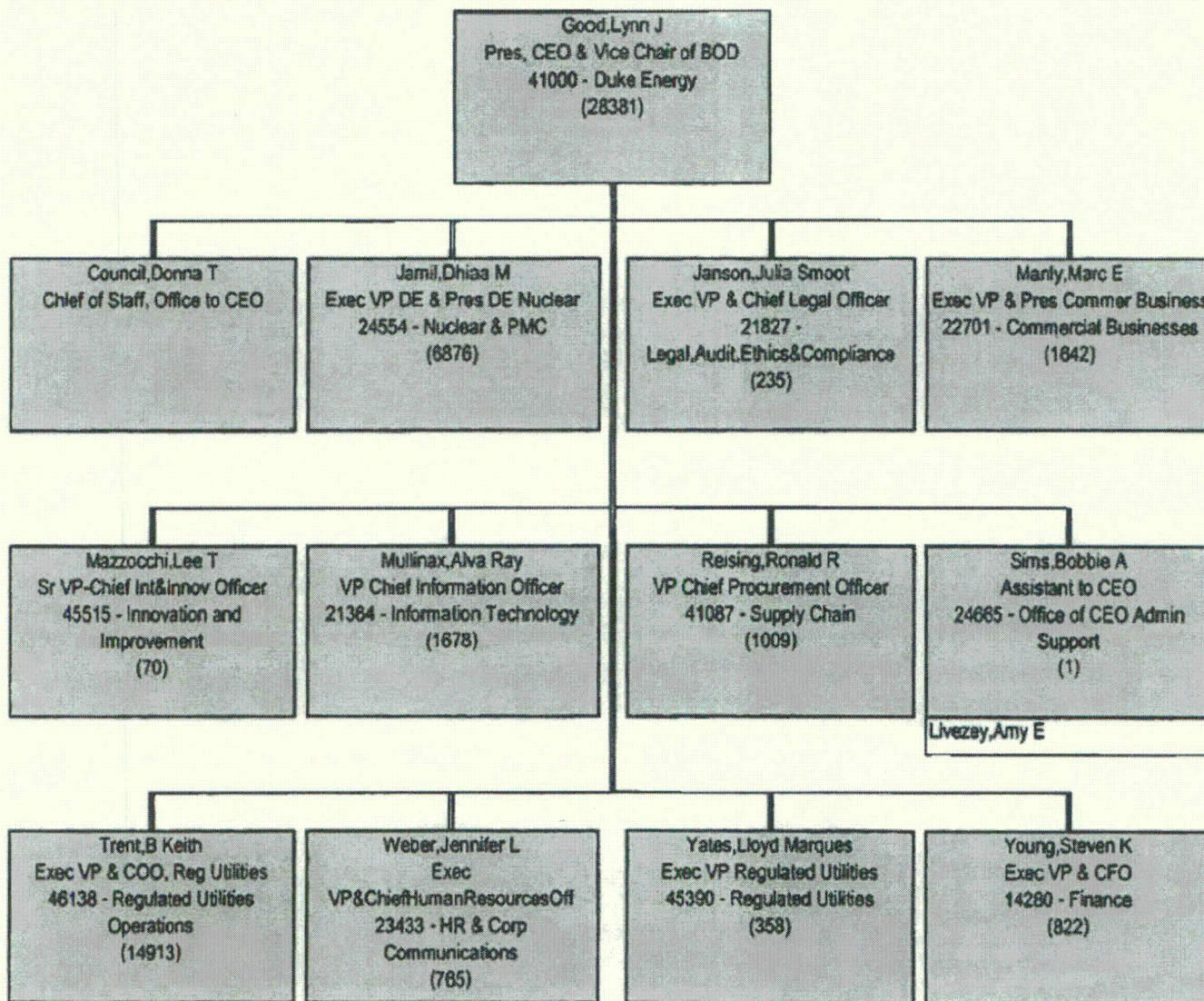
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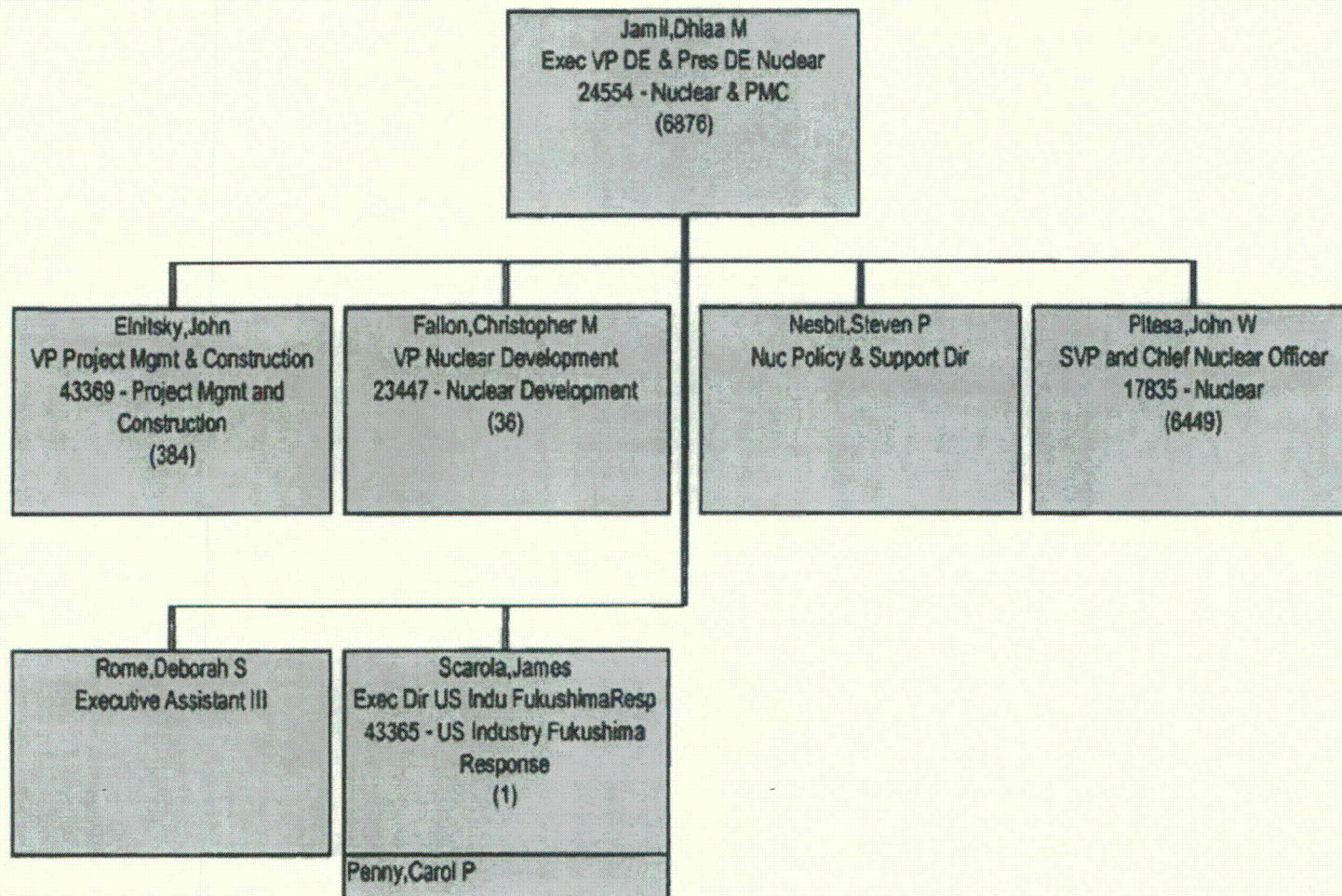
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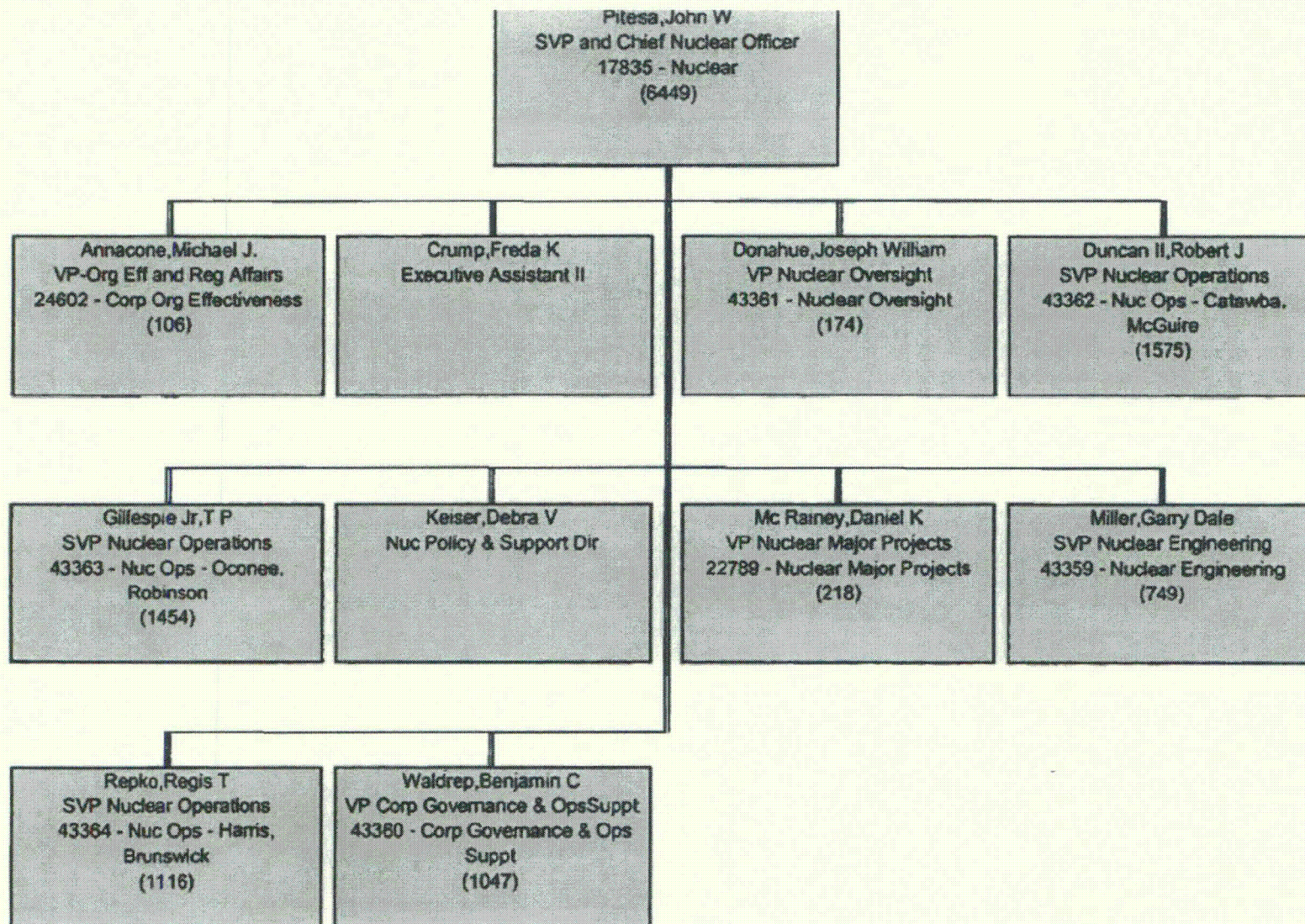


Duke Energy Organization

See Organization Charts below provided by Duke Energy







Annacone, Michael J.
VP-Org Eff and Reg Affairs
24602 - Corp Org Effectiveness
(106)

wn, Scott W
g Effectiveness
- Organizational
ectiveness
(34)

Gurganious, Jerry W
Dir Training
43479 - Corp Gov & Ops Suppt
Training
(35)

Nolan, Mark Christopher
Dir Regulatory Affairs
43471 - Regulatory Affairs-Nuclear
(34)

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Biographical Information

John W. (Bill) Pitesa
Senior Vice President and Chief Nuclear Officer



Bill Pitesa is senior vice president and chief nuclear officer for Duke Energy. He is responsible for the safe and efficient operation of the largest regulated nuclear generation fleet in the U.S.

Previously, Pitesa served as senior vice president of nuclear operations for Duke Energy. In that role, he provided oversight for the safe and reliable operation of two Duke Energy-operated nuclear plants – Brunswick near Southport, N.C., and Robinson near Hartsville, S.C.

Pitesa has more than 30 years of experience in the nuclear field. He joined the company in 1980 as an engineer at McGuire Nuclear Station in Huntersville, N.C. He was named senior reactor operator in 1986, and in 1992, served two years as a loaned employee to the Institute of Nuclear Power Operations.

Pitesa returned to McGuire Nuclear Station in 1995 as an independent oversight manager and later moved to the corporate office as the nuclear operating experience manager. In 2000, he moved to Catawba Nuclear Station as an engineering supervisor. After a series of promotions, including operations training manager and training manager, Pitesa was named as the station's operations manager in 2004 and station manager of Catawba Nuclear Station in 2005. In 2009, Pitesa was named vice president of nuclear support for Duke Energy. He was responsible for corporate nuclear engineering, major projects, licensing and regulatory support, fleet outage management and other plant support functions. Pitesa was named senior vice president of nuclear operations for Oconee Nuclear Station in January 2010, and assumed the additional responsibility for Catawba and McGuire nuclear stations in December 2010. He was named senior vice president of nuclear operations following the merger between Duke Energy and Progress Energy in July 2012. He assumed his current position in March 2013.

Pitesa earned a Bachelor of Science degree in electrical engineering from Auburn University. He is a registered professional engineer in North Carolina.

In support of the International Atomic Energy Agency (IAEA) and the World Association of Nuclear Operators (WANO), Pitesa has served on nuclear plant review teams in the United States, Korea, France, South Africa, and Ukraine.

(b)(6)

Biographical Information

Regis T. Repko Senior Vice President – Nuclear Operations



Regis Repko is senior vice president of nuclear operations for Duke Energy. He provides oversight for the safe and reliable operation of two Duke Energy-operated nuclear plants – Harris near New Hill, N.C., and Brunswick near Southport, N.C.

Previously, Repko served as senior vice president of nuclear operations for Duke Energy, where he provided oversight for Oconee Nuclear Station in Seneca, S.C., and Crystal River Nuclear Plant 3 in Crystal River, Fla. Prior to that, he served as site vice president of Duke Energy's McGuire Nuclear Station in Huntsville, N.C. In that role, he was responsible for the safe and efficient operation of two-unit, pressurized, water-reactor nuclear generating facility. He directed station and facilities management, operations, maintenance, chemistry and radiation protection, engineering, nuclear and industrial safety, and business operations.

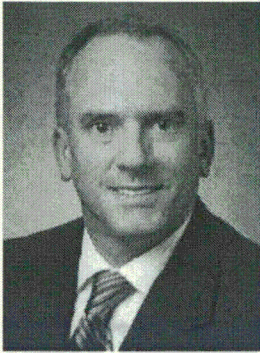
Repko has 27 years' experience in the nuclear energy field. He joined the company in 1985 as a junior engineer at Oconee Nuclear Station. He was named an engineer in operations in 1989; nuclear shift supervisor in August 1997; operations shift manager in December 1997; engineering supervisor in 2000; maintenance rotating equipment manager in March 2011; and superintendent of operations in October 2011, where he also had responsibility for the operations of Oconee Nuclear Station and Keowee Hydro Station. Repko was named engineering manager for Catawba Nuclear Station in April 2005 and station manager of McGuire Nuclear Station in January 2007. Moving on to become site vice president of McGuire in January 2010, Repko became senior vice president of nuclear operations following the Duke Energy/Progress Energy merger in July 2012.

The (b)(6) native earned a Bachelor of Science degree in nuclear engineering from Pennsylvania State University. Repko also completed the Institute of Nuclear Power Operations (INPO) Senior Nuclear Plant Manager Course. He maintained a senior reactor operator license from the U.S. Nuclear Regulatory Commission for Oconee Nuclear Station from February 1992 to September 2000. Repko currently serves as chairperson of the Academy Council of the National Academy for Nuclear Training.

(b)(6)

Biographical Information

Robert J. (Bob) Duncan, II
Senior Vice President – Nuclear Operations



Bob Duncan is a senior vice president of nuclear operations for Duke Energy. He provides oversight for the safe and reliable operation of three Duke Energy-operated nuclear plants – Catawba in York, S.C., Harris near New Hill, N.C., and McGuire in Huntersville, N.C.

Previously, Duncan served as vice president of nuclear operations for Progress Energy, from 2008 to 2010, and again from 2011 to July 2012. He was responsible for ensuring reliable operations; improving work efficiencies; and effectively aligning practices, policies and procedures. From 2010 to 2011, he was on special assignment as vice president of Progress Energy's Robinson Nuclear Plant.

Duncan has more than 30 years of experience in the nuclear field. After a brief stint as an assistant engineer with Virginia Power, he began his career with Progress Energy in 1980 as a start-up engineer at the Harris Nuclear Plant. He received his senior reactor operator certification in 1997. Through the years, Duncan held leadership roles in several areas within the nuclear organization, including engineering, mechanical systems, technical support, and reactor and performance engineering. In 2007, he was named vice president of Harris Nuclear Plant, where he was responsible for managing all activities to ensure the safe and efficient operation of the 900-megawatt generating facility. Duncan assumed his current position following the merger between Duke Energy and Progress Energy in July 2012.

Duncan graduated from the University of Florida at Gainesville with a bachelor's degree in nuclear engineering. He earned a master's degree in business administration from the University of North Carolina at Chapel Hill.

He currently serves as chair of the University of Florida Nuclear Engineering Advisory Board and is a member of the Department of Materials Science and Engineering Advisory Board.

(b)(6)

Biographical Information

T. Preston Gillespie **Senior Vice President – Nuclear Operations**



Preston Gillespie is senior vice president of nuclear operations for Duke Energy. He provides oversight for the safe and reliable operation of two Duke Energy-operated nuclear plants – Oconee in Seneca, S.C., and Robinson near Hartsville, S.C.

Previously, Gillespie served as site vice president of Oconee Nuclear Station. In that role, he was responsible for the safe and reliable operation of the three-unit, pressurized water-reactor nuclear generating facility. He directed station and facilities management, operations, maintenance, chemistry and radiation protection, engineering, nuclear and industrial safety, and business operations.

Gillespie has more than 25 years of experience in the nuclear energy field. He joined Duke Power in 1986 as an assistant engineer at Oconee Nuclear Station in Seneca, S.C. He served in a variety of functions in engineering and operations including reactor engineer, system engineer, shift technical advisor, operations shift manager, and shift operations manager. In 2004, he was named nuclear engineering manager at Oconee, where he managed the nuclear and electrical engineering activities for the station's engineering organization. Gillespie moved to Catawba Nuclear Station in 2007 to serve as the station's operations manager. He returned to Oconee Nuclear Station in October 2008 as plant manager and was named site vice president of Oconee in September 2010. Gillespie assumed his current position in March 2013.

(b)(6) graduated from Clemson University with a Bachelor of Science degree in mechanical engineering.

Gillespie is a registered professional engineer in South Carolina. He has held a senior reactor operator license from the U.S. Nuclear Regulatory Commission for Oconee Nuclear Station. He is a past recipient of the company's Robinson Award, which recognized employees for their outstanding contributions to the company's operations. Gillespie also serves on the board of trustees for the Oconee Medical Center Foundation.

(b)(6)

Biographical Information

M. Christopher (Chris) Nolan
Director - Regulatory Affairs



Chris Nolan is the Director of Regulatory Affairs for Duke Energy with fleet responsibilities in the areas of licensing, regulatory compliance, and emergency preparedness. Prior to the Duke-Progress Energy merger, Chris was the fleet manager for Duke Energy's nuclear safety assurance organization. He was responsible for providing programmatic oversight for the fleet in the areas of security, emergency preparedness, performance improvement, licensing, and regulatory compliance. Most recently, Chris served as the licensing manager in nuclear plant development for Duke Energy. He was responsible for managing licensing, site characterization and project development activities for new nuclear interests in Duke's Midwest service territory.

Prior to this position, Chris managed the licensing effort for Lee Nuclear Station, located in Cherokee County, South Carolina. Chris joined Duke Energy in 2006 after serving the U. S. Nuclear Regulatory Commission (NRC) for nine years. During this period, Chris held positions of increasing responsibility in the Office of Nuclear Reactor Regulation, Office of Nuclear Security and Incident Response, and the Office of Enforcement. Chris was the Chief of the New Reactors Environmental Projects Branch in the Office of Nuclear Reactor Regulation when he accepted a position with Duke Energy. Prior to his service with the NRC, Chris was a senior design engineer at Calvert Cliffs Nuclear Power Plant where he worked for nine years.

Additionally, Chris was a qualified operator in the U.S. Navy's nuclear power program while employed at the Knolls Atomic Power Laboratory for General Electric Co. (b)(6)

(b)(6) Chris graduated from the University of Maryland where he earned a bachelor's of science degree in mechanical engineering. In addition, he is a graduate of the U. S. Navy's Nuclear Power School and holds a master's degree in engineering management from the University of Maryland. Chris is a registered professional engineer in the State of Virginia.

(b)(6)

Facility Data

OCONEE NUCLEAR STATION

Licensee Duke Energy Carolinas, LLC
Location 8 miles northeast of Seneca, South Carolina
County Oconee County, South Carolina

	<u>UNIT 1</u>	<u>UNIT 2</u>	<u>UNIT 3</u>
Docket Nos.	50-269	50-270	50-287
License Nos.	DPR-38	DPR-47	DPR-55
Full Power License Date	02/06/1973	10/06/1973	07/19/1974
Commercial Operation Date	07/15/1973	09/09/1974	12/16/1974
OL Expiration Date	02/06/2033	10/06/2033	07/19/2034

Plant Characteristics

All Units

Reactor Type PWR
Containment Type Dry, Ambient Pressure
Power Level 2568 MWt (900 MWe)
NSSS Vendor Babcock and Wilcox (Lowered Loop design)

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Facility Data

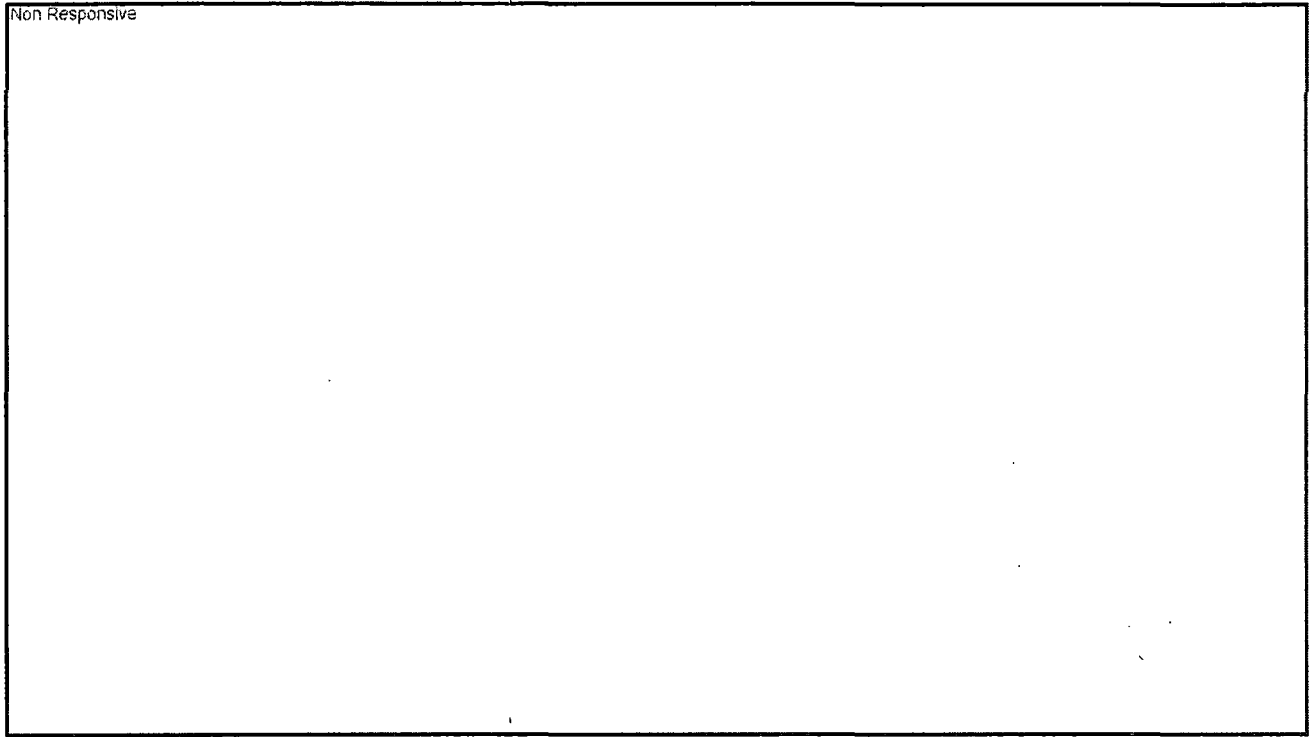
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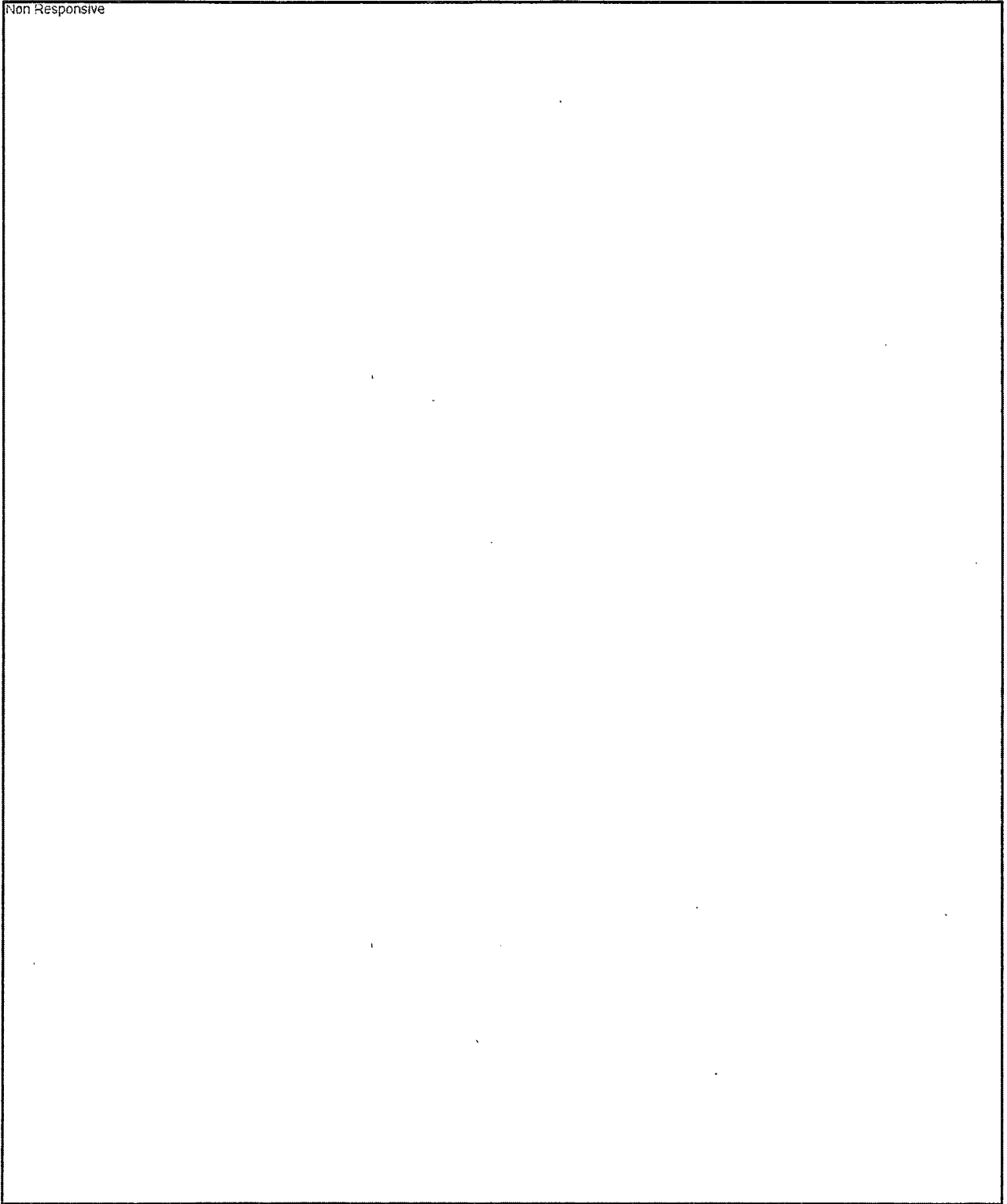
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CURRENT ISSUES

OCONEE UNITS 1, 2, AND 3

A. EXPECTED DISCUSSION TOPICS- OCONEE

Oconee External Flooding

An issue related to the potential impact of external flooding on the Oconee Nuclear Station site has been raised as a result of the potential random failure of the Jocassee Dam, which is located approximately 12 miles upstream from the Oconee site. On August 15, 2008, the NRC issued a request for information pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.54(f), regarding the protection against external flooding at the Oconee site, including the potential failure of the Jocassee Dam.

In January 2010, the licensee began taking actions to ensure the Oconee site would be protected from external flooding as a result of the potential failure of the Jocassee Dam by implementing interim compensatory measures (ICMs). The NRC inspected the ICMs in June 2010 and no significant issues were identified.

On June 22, 2010, the NRC issued a confirmatory action letter (CAL). The CAL confirmed actions to be taken by the licensee concerning external flooding. The NRC resident inspectors are verifying compensatory actions annually.

The NRC is currently reviewing the licensee's letter dated October 17, 2011, and will be coordinating with FERC and the Japan Lessons-Learned Project Directorate task force to ensure there is regulatory consistency between the licensee's proposed modifications, and forthcoming requirements concerning external flooding.

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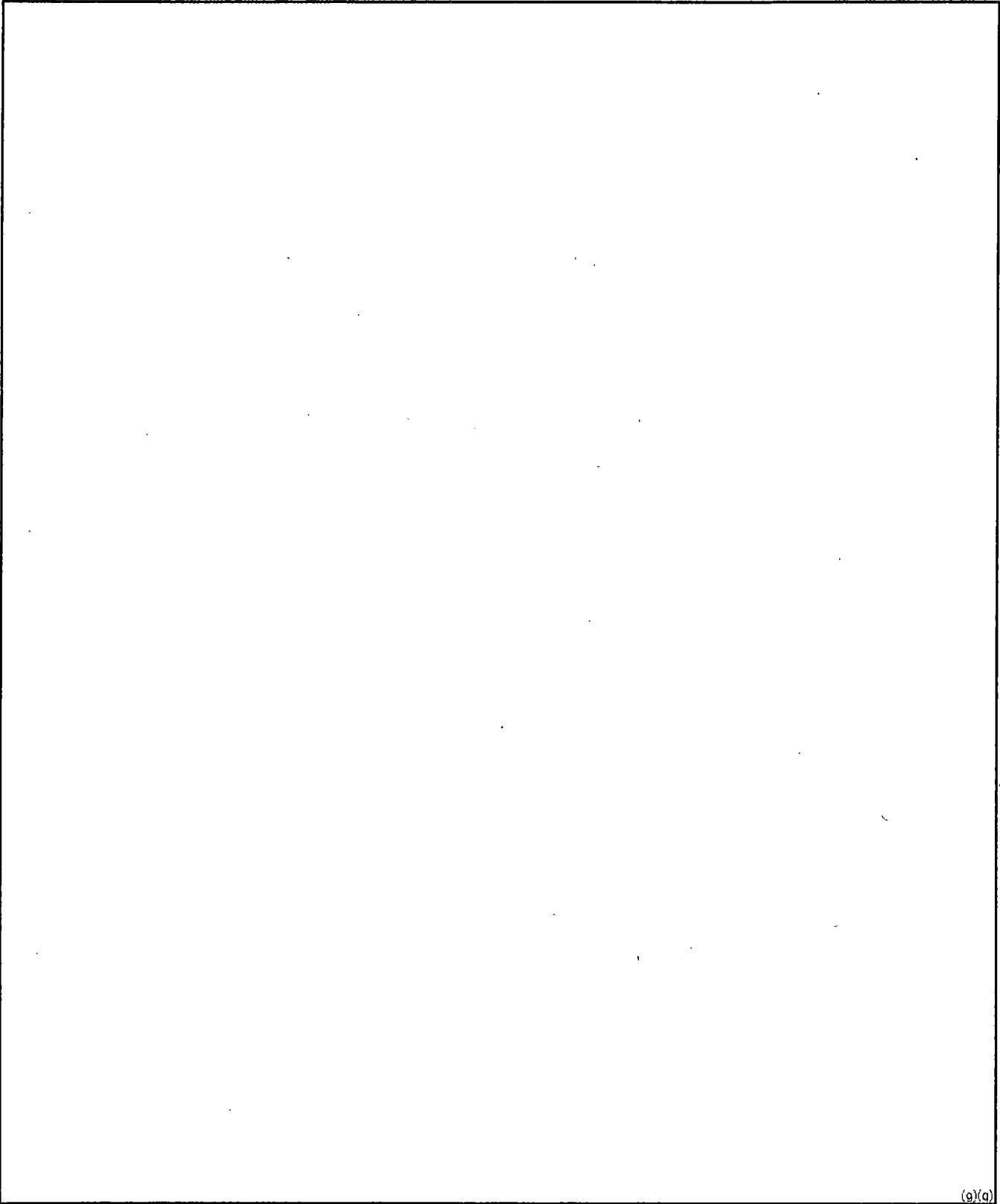


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