Stakeholders credit Duke with 'good faith'

BY MIKE EADS
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SALEM — Nuclear plant operators haven't gotten the best press over the years – thanks to such calamities as Three Mile Island, Fukushima and Chernobyl and films such as Silkwood – and understandably draw suspicion from most observers.

Duke Energy operates the Keowee-Toxaway hydroelectric facilities now up for federal relicensing, as well as the Oconee Nuclear Station. Both operations, as well as several hundred thousand water and electricity customers in the Upstate, are heavily dependent upon Bad Creek reservoir, Lake Jocassee and Lake Keowee for their existence.

And so far, at least, most of the parties involved give Duke good marks for openness and good faith.

A few dozen state, local, business and community "stakeholders" – including Duke, the Federal Energy Regulatory Commission (FERC) and Advocates for Quality Development (AQD) – are nearing a May 2013 deadline to work out a tentative agreement to keep Keowee-Toxaway running for another three decades or more.

Rumors are swirling that Duke is strong-arming the other stakeholder into accepting its dictates. That doesn't appear to be the case, according to some others involved in the talks.

"I haven't seen anything (from Duke) that wasn't in good faith," said Ben Turetsky, Executive Director of the Friends of Lake Keowee Society (FOLKS).

In a letter to FOLKS members, Turetsky and fellow stakeholder Bob Swank acknowledged that there is a tight lid on the talks, which they insist is out of necessity. They wrote: "Stakeholders are free to – and do – fight with Duke for what they and their organizations believe in. What could get a Stakeholder kicked off the team is taking these fights outside the Stakeholder team, e.g., to government officials (Congressmen, etc.) or the media. Anyone who knows anything at all about this kind of negotiating process knows it cannot survive actions of that type. Stakeholders who take such actions in an attempt to exert pressure for their individual causes will lose their seat at the table."

AQD stakeholder Chuck Smith dismisses talk that Duke has decided to run down Lake Keowee and wreck property values.

"We're just six weeks into (discussing the lake levels)," Smith recently told The Journal. "What we don't know is where does FERC, (Southeastern Power Association – which regulates hydroelectric facilities) and the Corps stand."

Duke has proposed raising Lake Keowee's minimum drought level agreement with the U.S. Army Corps of Engineers up from 775 feet to 790 feet. Company spokespeople say Keowee would sit at 795 feet or better most of the time under normal conditions.

They also add that the company, which controls the water in Lake Keowee and the adjacent Lake Jocassee, is obliged to release water downstream to U.S. Army Corps of Engineers reservoirs further down the Savannah River basin, especially during times of drought.

Under the new arrangement, Duke would allow dock owners to follow the water line with their docks, as do homeowners around drought-impacted Lake Hartwell.

Duke gets passing grades from one very vocal watchdog of the nuclear industry. David Lochbaum directs the Nuclear Safety Project for the Union of Concerned Scientists (UCS) in Chattanooga, Tenn. UCS has publicly called for Duke and the Nuclear Regulatory Commission (NRC) to step up flooding protections to the Oconee Nuclear Station to prevent another Fukushima-caliber event.

UCS and Lochbaum do not call such an event likely; they merely want the two sides to take advantage of new data modeling advancements and other research since the original flooding plan was crafted in the late 1960s.

Lochbaum said Duke has a good reputation as nuclear operators go. He said the company needs lakes Keowee and Jocassee to keep their nuclear plant running in good order.

"A few companies are more responsive, but far more are less responsive and have to be dragged kicking and screaming to make changes," said Lochbaum, but "(Oconee Nuclear Station) is a billion dollar asset that they don't want to become a liability."

As for Duke's talks with local, state and community groups, there will be a cooling-off period next summer and a final document for local stakeholders to sign (or not) in late fall.

Duke will submit its formal application to FERC in 2014 and isn't expected to get a new license for Keowee-Toxaway until sometime in 2016. That license may, or may not, follow the operating recommendations made in the local stakeholders' agreement. Those determinations will be entirely up to FERC.

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