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February 6, 2008

Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Attention: R. William Borchardt, Director
Office of New Reactors

Subject: Duke Energy Carolinas, LLC
William States Lee III Nuclear Station - Project 742
Part 2, Final Safety Analysis Report, Chapter 17 -
Clarification of Quality Assurance Plan Responsibilities

Reference: Dolan to Document Control Desk, *Application for Combined License for William States Lee III Nuclear Station Units 1 and 2*, dated December 12, 2007.

In the referenced letter, Duke Energy Carolinas, LLC (Duke) submitted an application for a combined construction and operating license (COL) for William States Lee III Nuclear Station (Lee Nuclear) Units 1 & 2, located in Cherokee County, South Carolina.

The purpose of this letter is to address an acceptance item regarding the clarification of quality assurance plan responsibilities in Section 17.1 of the Final Safety Evaluation Report (FSAR). As a result of discussions with the NRC staff, Duke is providing the enclosed information as clarification of the application in support of the ongoing acceptance review. Enclosure 1 contains the changes related to FSAR Section 17.1.

The commitments identified in this letter are described in Enclosure 1. If you have any questions or need any additional information, please contact Peter Hastings, Nuclear Plant Development, Licensing Manager, at (980) 373-7820.

Bryan J. Dolan
Vice President
Nuclear Plant Development

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NRD

Enclosure:

1. Proposed Changes to Part 2, FSAR Section 17.1

xc (w/ enclosure):

Gary Holahan, Deputy Director, Office of New Reactors
David Matthews, Director, Division of New Reactor Licensing
James Lyons, Director, Site and Environmental Reviews
Glenn Tracy, Director, Division of Construction Inspection and Operational Programs
Victor McCree, Acting Regional Administrator, Region II
Loren Plisco, Deputy Regional Administrator, Region II
Thomas A. Bergman, Deputy Division Director, DNRL
Stephanie M. Coffin, Branch Chief, DNRL
Joelle L. Starefos, Senior Project Manager, DNRL

AFFIDAVIT OF BRYAN J. DOLAN

Bryan J. Dolan, being duly sworn, states that he is Vice President, New Plant Development, Duke Energy Carolinas, LLC, that he is authorized on the part of said Company to sign and file with the U. S. Nuclear Regulatory Commission this supplement to the combined license application for the William States Lee III Nuclear Station and that all the matter and facts set forth herein are true and correct to the best of his knowledge.

Bryan J. Dolan
Bryan J. Dolan

Subscribed and sworn to me: February 6, 2008
Date

Shirley P. Elliott
Notary Public

My Commission Expires: June 26, 2011



Enclosure 1
Lee Nuclear Station
Combined License Application
Changes to Part 2 (FSAR), Section 17.1

Background

During the NRC staff's acceptance review of the combined license application for the Lee Nuclear Station, the NRC staff requested clarification regarding the description of responsibilities regarding the delegation of quality assurance program requirements to other organizations.

Description of Change

The change to Part 2 (FSAR), Section 17.1, "Quality Assurance During the Design and Construction Phases," (page 17.1-1 of the FSAR) is indicated in the redline/strikeout format on the following page. Duke commits to incorporate this change in a future revision to the combined license application for Lee Nuclear Station.

17.1 QUALITY ASSURANCE DURING THE DESIGN AND CONSTRUCTION PHASES

This section of the referenced DCD is incorporated by reference with the following departures and/or supplements.

Replace the information in DCD Section 17.1 with the following information.

WLS COL 17.5-1

Duke Energy Carolinas (Duke) is responsible for the establishment and execution of quality assurance program requirements during the design, construction, and operations phases of Lee Nuclear Station Units 1 and 2. Duke may delegate, and has delegated to others, as discussed below, the work of establishing and executing the quality assurance program, or any parts thereof, but retains responsibility for the quality assurance program.

The Duke Energy Quality Assurance (QA) Program ~~along with the Westinghouse Electric Company Quality Management System (DCD Section 17.6 Reference 9)~~ defines the QA program requirements for design and construction activities. These program requirements remain in effect until such time as the Quality Assurance Program Description (QAPD) discussed in Section 17.5 becomes effective.

Duke Energy contracted with Enercon Services, Inc. to develop the Lee Nuclear Station Combined License (COL) application, including site characterization activities. The process of collection, review and analysis of specific data for site characterization was performed under the Enercon Quality Assurance Program and is described in the Enercon Quality Assurance Project Planning Document (Reference 201). Duke Energy maintains oversight under its existing 10 CFR Part 50, Appendix B program, as described in "Duke Energy Carolinas Topical Report Quality Assurance Program" (Reference 202). Duke Energy oversight is provided through its review and approval of the Enercon QA Plan, by conducting QA audits and surveillances of Enercon activities, and by direct participation in COL development activities. This includes providing site specific applicant input and review of COL application content, signing the COL application as applicant at submittal, and working directly with Enercon and contractors to respond to NRC requests for additional information.

The QAPD discussed in Section 17.5 ~~will become effective after receipt of a COL, and~~ establishes the QA program requirements for the remaining portion of the design and construction phases. ~~Duke Energy will include flowdown requirements based on the QAPD into contracts issued for design, construction, or procurement of safety related structures, systems, and components.~~