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September 19, 2008

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

Subject: Duke Energy Carolinas, LLC.
William States Lee III Nuclear Station - Docket Nos. 52-018 and 52-019
AP1000 Combined License Application for the William States Lee III
Nuclear Station Units 1 and 2
Response to Request for Additional Information
Ltr # WLG2008.09-09

Reference: Letter from Tanya Simms (NRC) to Peter Hastings (Duke Energy),
*Request for Additional Information Letter No. 009 Related to SRP Section
09.05.01 for the William States Lee III Units 1 and 2 Combined License
Application, dated August 28, 2008.*

This letter provides the Duke Energy response to the Nuclear Regulatory Commission's requests for additional information (RAIs) included in the referenced letter.

Responses to the NRC information requests described in the reference letter are addressed in separate enclosures, which also identifies associated changes, when appropriate, that will be made in a future revision of the Final Safety Analysis Report for the Lee Nuclear Station.

If you have any questions or need any additional information, please contact Peter S. Hastings, Nuclear Plant Development Licensing Manager, at 980-373-7820.

Bryan J. Dolan
Vice President
Nuclear Plant Development

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NRC

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Enclosures:

- 1) Duke Energy Response to Request for Additional Information Letter 009, RAI
09.05.01-01
- 2) Duke Energy Response to Request for Additional Information Letter 009, RAI
09.05.01-02
- 3) Duke Energy Response to Request for Additional Information Letter 009, RAI
09.05.01-03

AFFIDAVIT OF BRYAN J. DOLAN

Bryan J. Dolan, being duly sworn, states that he is Vice President, Nuclear 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 on *September 19, 2008*

Elaine Falcone
Notary Public *ELAINE FALCONE*

My commission expires: *2/27/11*

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xc (w/o enclosures):

Michael Johnson, Director, Office of New Reactors
Gary Holahan, Deputy Director, Office of New Reactors
David Matthews, Director, Division of New Reactor Licensing
Scott Flanders, Director, Site and Environmental Reviews
Glenn Tracy, Director, Division of Construction Inspection and Operational Programs
Charles Ader, Director, Division of Safety Systems and Risk Assessment
Michael Mayfield, Director, Division of Engineering
Luis Reyes, Regional Administrator, Region II
Loren Plisco, Deputy Regional Administrator, Region II
Thomas Bergman, Deputy Division Director, DNRL
Stephanie Coffin, Branch Chief, DNRL

xc (w/enclosures):

Brian Hughes, Senior Project Manager, DNRL

Duke Letter Dated: September 19, 2008

Lee Nuclear Station Response to Request for Additional Information (RAI)

RAI Letter No. 009

NRC Technical Review Branch: Fire Protection (SFPT)

Reference NRC RAI Number(s): 09.05.01-001

NRC RAI:

The Lee COL application does not specifically identify the Engineer in Charge of Fire Protection as responsible for the fire brigade organization (COLA section 13.1.2.1.2.9). At a minimum, the applicant needs to include CMEB BTP C.1.a(3)(e) 'fire brigade organization' in COLA section 13.1.2.1.2.9 as seen in the standard AP1000 COLA.

Duke Energy Response:

WLS FSAR Subsection 9.5.1.8.1.2 provides detailed information regarding the responsibilities of the engineer in charge of fire protection and includes management of the plant fire brigade in Subsection e. However, as noted in the RAI question, it is not listed in FSAR Subsection 13.1.2.1.2.9 that fire brigade management is the responsibility of the engineer in charge of fire protection. Therefore FSAR Subsection 13.1.2.1.2.9 will be changed to clarify that the engineer in charge of fire protection is responsible for the fire brigade organization.

Associated Revision to the Lee Nuclear Station Final Safety Analysis Report:

FSAR Subsection 13.1.2.1.2.9

Attachment:

1) Revised FSAR Subsection 13.1.2.1.2.9

Lee Nuclear Station Response to Request for Additional Information (RAI)

Attachment 1 to RAI 9.05.01-01

Mark-up of FSAR Section 13.1.2.1.2.9

COLA Part 2, FSAR, Chapter 13, Subsection 13.1.2.1.2.9 will be revised by insertion of a new bullet between the existing 4th and 5th bullets as follows:

13.1.2.1.2.9 Engineer in Charge of Fire Protection

The engineer in charge of fire protection and the fire protection program staff are responsible for the following:

- Fire protection program requirements, including consideration of potential hazards associated with postulated fires, knowledge of building layout, and system design.
- Post-fire shutdown capability.
- Design, maintenance, surveillance, and quality assurance of fire protection features (e.g., detection systems, suppression systems, barriers, dampers, doors, penetration seals and fire brigade equipment).
- Fire prevention activities (administrative controls and training).
- Fire brigade organization and oversight of fire brigade training.
- Pre-fire planning including review and updating of pre-fire plans at least every two years.

Lee Nuclear Station Response to Request for Additional Information (RAI)

RAI Letter No. 009

NRC Technical Review Branch: Fire Protection (SFPT)

Reference NRC RAI Number(s): 09.05.01-002

NRC RAI:

Organizational responsibility (fire protection) and lines of communication: BTP C.1.a(4) states that an organizational chart and functional descriptions should be provided explaining the organization of the management team members involved in fire protection program. Included in the chart and descriptions should be all lines of communication with other management members needed for a successful fire protection program (e.g. fire protection engineer communicates with the operations manager for any maintenance activities). The Lee COLA organization chart shows the Emergency Preparedness FM will be in charge of fire brigade drills and exercises, however there is no line of communication established between the fire protection engineer who oversees the entire fire protection program and the Emergency Preparedness FM who oversees fire brigade drills and exercises. The applicant should present these lines of communication in the COL application, or justify an alternative approach.

Duke Energy Response:

The engineer in charge of fire protection manages the site fire protection program. The functional manager (FM) in charge of emergency preparedness is responsible for organizing fire brigade training, drills, and exercises. To successfully perform the tasks of their positions the engineer in charge of fire protection and the FM of emergency preparedness maintain communication. The lines of communication between the engineer in charge of fire protection and the FM emergency preparedness will be clarified in the next FSAR revision. FSAR Subsections 13.1.1.2.10 and 13.1.1.3.2.2.3 will be revised as shown below to reflect that the engineer in charge of fire protection and the FM of emergency preparedness coordinate and communicate with each other to fulfill their individual fire protection related responsibilities.

Associated Revision to the Lee Nuclear Station Final Safety Analysis Report:

FSAR Subsections 13.1.1.2.10 and 13.1.1.3.2.2.3

Attachments:

1) Revised Subsections 13.1.1.2.10 and 13.1.1.3.2.2.3

Lee Nuclear Station Response to Request for Additional Information (RAI)

Attachment 1 to RAI 9.05.01-02

Mark-up of FSAR Sections 13.1.1.2.10 and 13.1.1.3.2.2.3

COLA Part 2, FSAR. Chapter 13, Subsection 13.1.1.2.10, first paragraph, will be revised as follows:

Note: The change below includes text revision from response to NRC question 9.5.1-003.

13.1.1.2.10 Fire Protection

The station is committed to maintaining a fire protection program as described in DCD Subsection 9.5.1. The site executive in charge of plant management is responsible for the fire protection program. Assigning the responsibilities at that level provides the authority to obtain the resources and assistance necessary to meet fire protection program objectives, resolve conflicts, and delegate appropriate responsibility to fire protection staff. The relationship of the site executive in charge of plant management to other staff personnel with fire protection responsibilities is shown on Figure 13.1-201. Fire protection for the facility is organized and administered by the engineer in charge of fire protection. The site executive in charge of plant management, through the engineer in charge of fire protection, is responsible for development and implementation of the fire protection program including development of fire protection procedures and inspections of fire protection systems and functions. Fire brigade training, drills, and practice are organized by is the responsibility of the functional manager in charge of emergency preparedness in consultation with the engineer in charge of fire protection. Fire protection trainers are qualified to perform classroom instruction or practical training as discussed in FSAR Subsection 9.5.1.8.2.2. The engineer in charge of fire protection reports to the site executive in charge of plant management through engineering department management and coordinates operations related fire protection program activities with the manager in charge of operations. Functional descriptions of position responsibilities are included in appropriate procedures. Station personnel are responsible for adhering to the fire protection/prevention requirements detailed in DCD Subsection 9.5.1. The site executive of the operating unit(s) has the lead responsibility for the overall site fire protection during construction of new units.

COLA Part 2, FSAR. Chapter 13, Subsection 13.1.1.3.2.2.3, first paragraph will be revised as follows:

13.1.1.3.2.2.3 Functional Manager In Charge of Emergency Preparedness

The functional manager in charge of emergency preparedness is responsible for:

- Coordinating and implementing the plant emergency response plan with state and local emergency plans.
- Developing, planning, and executing emergency drills and exercises including coordination of fire brigade training exercises with the engineer in charge of fire protection.
- Emergency action level development.
- NRC reporting associated with 10CFR50.54(q).

Lee Nuclear Station Response to Request for Additional Information (RAI)

RAI Letter No. 009

NRC Technical Review Branch: Fire Protection (SFPT)

Reference NRC RAI Number(s): RAI 09.05.01-003

NRC Request for Additional Information:

The Lee COLA identifies that the fire brigade drills will be responsibility of the Emergency Preparedness FM. There was concern and confusion in the COLA as to the qualifications of the FM. After a teleconference with Duke Energy, it was clarified that although the Emergency Preparedness FM will be in charge of the drills, the actual drills and drill training will be conducted by qualified fire brigade trainers. The applicant needs to include this clarification in FSAR section 13.1.1.2.10.

Duke Energy Response:

As described in FSAR Subsection 9.5.1.8.2.2, all fire brigade training, including classroom and practical, is conducted by qualified individuals knowledgeable in fighting the types of fires that could occur within the plant and its environs. FSAR Subsection 13.1.1.2.10 will be revised in the next FSAR revision to also indicate that fire protection trainers are qualified to perform classroom instruction or practical training.

Associated Revision to the Lee Nuclear Station Final Safety Analysis Report:

FSAR Subsection 13.1.1.2.10

Attachment:

1) Revised FSAR Subsection 13.1.1.2.10

Lee Nuclear Station Response to Request for Additional Information (RAI)

Attachment 1 to RAI 9.05.01-03

Mark-up of FSAR Sections 13.1.1.2.10

COLA Part 2, FSAR, Chapter 13, Subsection 13.1.1.2.10, first paragraph, will be revised as follows:

Note: The change below includes text revision from response to NRC question 9.5.1-002.

13.1.1.2.10 Fire Protection

The station is committed to maintaining a fire protection program as described in DCD Subsection 9.5.1. The site executive in charge of plant management is responsible for the fire protection program. Assigning the responsibilities at that level provides the authority to obtain the resources and assistance necessary to meet fire protection program objectives, resolve conflicts, and delegate appropriate responsibility to fire protection staff. The relationship of the site executive in charge of plant management to other staff personnel with fire protection responsibilities is shown on Figure 13.1-201. Fire protection for the facility is organized and administered by the engineer in charge of fire protection. The site executive in charge of plant management, through the engineer in charge of fire protection, is responsible for development and implementation of the fire protection program including development of fire protection procedures and inspections of fire protection systems and functions. Fire brigade training, drills, and practice are organized by is the responsibility of the functional manager in charge of emergency preparedness preparedness in consultation with the engineer in charge of fire protection. Fire protection trainers are qualified to perform classroom instruction or practical training as discussed in FSAR Subsection 9.5.1.8.2.2. The engineer in charge of fire protection reports to the site executive in charge of plant management through engineering department management and coordinates operations related fire protection program activities with the manager in charge of operations. Functional descriptions of position responsibilities are included in appropriate procedures. Station personnel are responsible for adhering to the fire protection/prevention requirements detailed in DCD Subsection 9.5.1. The site executive of the operating unit(s) has the lead responsibility for the overall site fire protection during construction of new units.