



DAVE BAXTER
Vice President
Oconee Nuclear Station

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October 23, 2008

U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Document Control Desk

Subject: Duke Energy Carolinas, LLC
Oconee Nuclear Station, Units 1, 2, and 3
Docket Numbers 50-269, 50-270, and 50-287
Response to Request for Additional Information for License Amendment
Request for Reactor Protective System/Engineered Safeguards Protective
System Digital Upgrade, Technical Specification Change (TSC) Number
2007-09, Supplement 8

On January 31, 2008, Duke Energy Carolinas, LLC (Duke) submitted a License Amendment Request (LAR) to address replacement of the existing Oconee Nuclear Station (ONS) analog based Reactor Protective System (RPS) and Engineered Safeguards Protective System (ESPS) with a digital computer based RPS/ESPS. By letter dated August 20, 2008, Duke received a request for additional information (RAI) associated with this LAR.

Duke responded to the RAI by letter dated September 30, 2008. As a result of a Duke/NRC meeting on September 8, 2008, to discuss Duke's draft responses to the RAI, Duke agreed to provide additional information associated with RAI 10(a) that required input from AREVA GmbH that was not available at the time of the September 30, 2008, response. Enclosure 1 provides the additional information requested. A non proprietary version of Enclosure 1 is provided in Enclosure 4.

In Duke's September 30, 2008, response to RAIs 56 and 57, Duke cited several AREVA Operating Instructions (OIs) as providing the mechanism for ensuring the acceptance criteria of Standard Review Plan (SRP) Branch Technical Position (BTP) 7-14 Sections 3.1.1 and 3.1.2 are met. NRC Staff requested Duke to submit these AREVA OIs during a conference call on October 16, 2008. Enclosure 2 provides a copy of the AREVA OIs that were transmitted by electronic mail on October 16, 2008.

Enclosure 1 and 2 are classified by AREVA NP as proprietary. The appropriate affidavits from AREVA NP are provided in Enclosure 3 in accordance with the provisions of 10 CFR 2.390.

Enclosures 1 and 2 to this letter contain proprietary information.
Withhold From Public Disclosure Under 10 CFR 2.390.
Upon removal of the enclosures, this letter is uncontrolled.

ADD
NRR

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If there are any questions regarding this submittal, please contact Boyd Shingleton at (864) 885-4716.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 23, 2008.

Very truly yours,



Dave Baxter, Vice President
Oconee Nuclear Station

Enclosures:

1. Duke Response to Request for Additional Information – Proprietary
2. AREVA Documents - Proprietary
3. AREVA NP Affidavit
4. Duke Response to Request for Additional Information – Non Proprietary

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cc: Mr. L. N. Olshan, Project Manager
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Mail Stop O-14 H25
Washington, D. C. 20555

Mr. L. A. Reyes, Regional Administrator
U. S. Nuclear Regulatory Commission - Region II
Atlanta Federal Center
61 Forsyth St., SW, Suite 23T85
Atlanta, Georgia 30303

Mr. G. A. Hutto
Senior Resident Inspector
Oconee Nuclear Station

S. E. Jenkins, Manager
Infectious and Radioactive Waste Management Section
2600 Bull Street
Columbia, SC 29201

Enclosure 3 – Non Proprietary
AREVA NP Affidavits for Enclosures 1 and 2

AFFIDAVIT

State of Georgia

County of Fulton

MARK J. BURZYNSKI personally appeared before me and took an oath that the following is true and correct:

1. My name is Mark J. Burzynski. I am Manager, Product Licensing, for AREVA NP Inc. and as such I am authorized to execute this Affidavit.

2. I am familiar with the criteria applied by AREVA NP to determine whether certain AREVA NP information is proprietary. I am familiar with the policies established by AREVA NP to ensure the proper application of these criteria.

3. I am familiar with the AREVA NP information provided to the NRC in support of a Duke Power Company LLC License Amendment Request for Oconee Nuclear Station, Units 1, 2, and 3 (Docket Numbers 50-269, 50-270, and 50-287) entitled *Reactor Protective System/Engineered Safeguards Protective System Digital Upgrade, Technical Specification Change Number 2007-09*. The revised response to requests for additional information 10(a) is provided and referred to herein as the "Document." Information contained in this Document has been classified by AREVA NP as proprietary in accordance with the policies established by AREVA NP for the control and protection of proprietary and confidential information.

4. This Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by AREVA NP and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in this Document as proprietary and confidential.

5. This Document has been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in this Document be withheld from public disclosure. The request for withholding of proprietary information is made in

accordance with 10 CFR 2.390. The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information".

6. The following criteria are customarily applied by AREVA NP to determine whether information should be classified as proprietary:

- (a) The information reveals details of AREVA NP's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA NP.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by AREVA NP, would be helpful to competitors to AREVA NP, and would likely cause substantial harm to the competitive position of AREVA NP.

The information in this Document is considered proprietary for the reasons set forth in paragraphs 6(a), 6(b), and 6(d) above.

7. In accordance with AREVA NP's policies governing the protection and control of information, proprietary information contained in these Documents has been made available, on a limited basis, to others outside AREVA NP only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. AREVA NP policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Mark J. Buszynski
(Signature of Affiant)

Sworn to or affirmed and subscribed before me this 15th day of October, 2008.

K. Smart

(Signature of Notary)

**KENDRICK SMART
NOTARY PUBLIC, CHEROKEE COUNTY, GA
MY COMMISSION EXPIRES DEC. 15, 2009**

Notary Public, State of Georgia

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- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.

- (e) The information is vital to a competitive advantage held by AREVA NP, would be helpful to competitors to AREVA NP, and would likely cause substantial harm to the competitive position of AREVA NP.

The information in this Document is considered proprietary for the reasons set forth in paragraphs 6(b), 6(d) and 6(e) above.

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8. AREVA NP policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

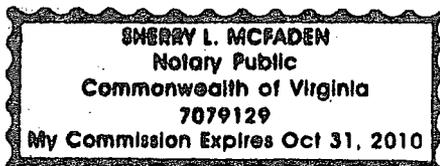
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Marilyn Buzzard

SUBSCRIBED before me on this 20th
day of October, 2008.

Sherry L. McFaden

Sherry L. McFaden
NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES: 10/31/2010
Registration # 7079129



**Enclosure 4 – Non Proprietary
Duke Response to Request for Additional Information**

RAI 10

Slide 27 - The 3rd bullet says the cyclic data transfer has a predefined package size, constant bus load and age monitoring.

- (a) Please define the package size and show the bit allocation for the message. Is this a standard bus protocol, and if so, which is it?*
- (b) Please define the bus load, show what it is, and how often a message is sent. Define what units are on the bus, and under what conditions each is the bus master.*
- (c) How is the checksum generated, and how is the message age monitoring accomplished?*
- (d) How does usage of a bus meet the Interim Staff Guideline (ISG) 4 requirement that all communications be point-to-point?*

Duke Response to RAI 10

Revised Response (a): The analog and binary application data (Function Diagram data) to be transferred are prepared in an individual, static FDG message buffer during the current cycle of processing the application functions (i.e., the function diagram module FDG_n). This message, called FDG message, is supplemented with a short FDG-specific message header (H_{FDG}).

The TELEPERM XS (TXS) system uses a proprietary message frame for communication. The proprietary TXS messages are comprised of a standard message header used for all messages and a fixed data section that is specified for each type of message. All messages are constructed to these specifications every time messages are assembled.

