



DAVE BAXTER  
Vice President  
Oconee Nuclear Station

Duke Energy Corporation  
ON01VP/7800 Rochester Highway  
Seneca, SC 29672

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October 16, 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  
License Amendment Request for Reactor Protective System/Engineered  
Safeguards Protective System Digital Upgrade, Technical Specification Change  
(TSC) Number 2007-09, Supplement 7

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. Duke docketed most of the technical documents listed in Table 1-2 of the LAR in Supplement 1 dated April 3, 2008. In some cases where the document's date of availability was not known, Duke indicated the date would be determined. During subsequent discussions with NRC Staff, Duke agreed to provide factory acceptance test (FAT) procedures (Table 1-2, Item 16.a) by electronic mail as they become available and then docket within two weeks. The FAT procedures Duke provided by electronic mail on October 13, 2008 and October 14, 2008, are provided in Enclosure 3.

Enclosure 2 identifies test cases that address software integration testing requirements for the RPS Functional FAT. These test cases address testing requirements that could be performed using AREVA NP's simulation validation tool.

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

Enclosure 3 to this letter contains proprietary information.  
Withhold from public disclosure under 10 CFR 2.390.  
Upon removal of Enclosure 3, this letter is uncontrolled.

ADD  
NRB

U. S. Nuclear Regulatory Commission  
October 16, 2008  
Page 2

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

Very truly yours,



Dave Baxter, Vice President  
Oconee Nuclear Station

Enclosures:

1. AREVA NP Affidavits
2. Test Case Identification
3. AREVA NP Documents - Proprietary

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U. S. Nuclear Regulatory Commission  
October 16, 2008  
Page 3

cc: w/o attachments

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

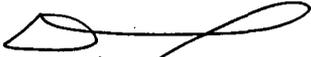
L. A. Reyes, Regional Administrator  
U. S. Nuclear Regulatory Commission - Region II  
Atlanta Federal Center  
61 Forsyth St., SW, Suite 23T85  
Atlanta, Georgia 30303

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

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Dave Baxter affirms that he is the person who subscribed his name to the foregoing statement, and that all the matters and facts set forth herein are true and correct to the best of his knowledge.



\_\_\_\_\_  
Dave Baxter, Vice President  
Oconee Nuclear Site

Subscribed and sworn to me: October 16, 2008  
Date



\_\_\_\_\_  
Notary Public

My Commission Expires: 6-12-2013  
Date

SEAL

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License Amendment Request No. 2007-09, Supplement 7  
October 16, 2008

**Enclosure 1**

**AREVA NP Affidavit for Enclosure 3 Documents**



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(b), 6(c) and 6(d) above.

7. In accordance with AREVA NP's policies governing the protection and control of information, proprietary information contained in this Document 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.

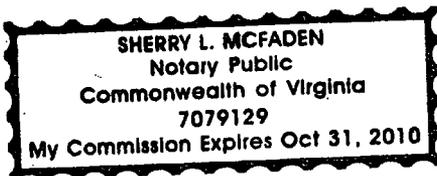
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Mandy Bouzard

SUBSCRIBED before me on this 26<sup>th</sup>  
day of September, 2008.

Sherry L. McFaden

NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA





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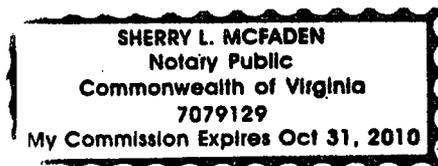
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Mark J. Burzynski

SUBSCRIBED before me on this 13<sup>th</sup>  
day of August, 2008.

Sherry L. McFaden

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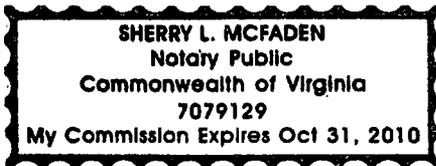
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Mark J. Benzynski

SUBSCRIBED before me on this 11<sup>th</sup>  
day of August, 2008.

Sherry L. McFaden

NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA



AFFIDAVIT

COMMONWEALTH OF VIRGINIA     )  
  )  
CITY OF LYNCHBURG            )     ss.

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 following AREVA NP document is provided and referred to herein as the "Document."

- AREVA NP document 63-9018592-000, Oconee Nuclear Station, Unit 1 RPS/ESFAS Controls Upgrade Startup/Shutdown Acceptance Test Procedure

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.

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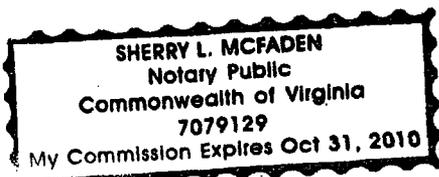
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Marilyn Buzzard

SUBSCRIBED before me on this 26  
day of September, 2008.

S. McFaden

NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA





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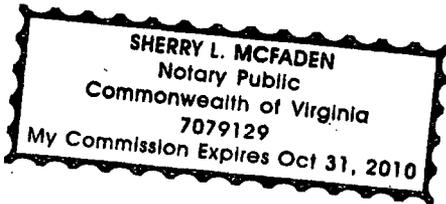
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Marky Bourgeois

SUBSCRIBED before me on this 24<sup>th</sup>  
day of September, 2008.

Sherry L. McFaden

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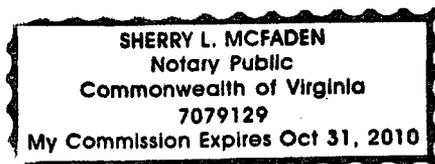
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Mandy Brzezinski

SUBSCRIBED before me on this 22nd  
day of September, 2008.

Sherry L. McFaden

NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA





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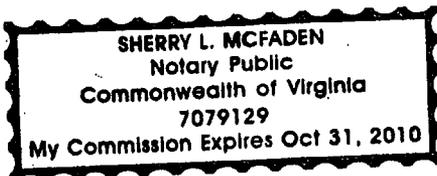
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Marilyn Bourgeois

SUBSCRIBED before me on this 26<sup>th</sup>  
day of September, 2008.

Sherry L. McFaden

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**Enclosure 2**

The following test cases address Oconee application software integration testing requirements that could be performed during the implementation phase using AREVA NP's simulation validation tool. The specific test cases are described in AREVA NP document 62-9066984-000, Oconee Nuclear Station, Unit 1 RPS/ESFAS Controls Upgrade RPS Factory Acceptance Test Functional Test Specification.

<b>RPS Trip Function</b>	<b>Test Cases</b>
RPS Trip #1 (Attachment 1)	System Test Cases 1 through 9 (Test Specification Sections 2.1.2 – 2.1.10)
RPS Trip #3 (Attachment 2)	System Test Cases 1 through 9 (Test Specification Sections 2.1.2 – 2.1.10)
RPS Trip #4 (Attachment 3)	System Test Cases 1 through 9 (Test Specification Sections 2.1.3 – 2.1.11)
RPS Trip #5 (Attachment 4)	System Test Cases 1 through 9 (Test Specification Sections 2.1.2 – 2.1.10)
RPS Trip #6 (Attachment 5)	System Test Cases 1 through 9 (Test Specification Sections 2.1.2 – 2.1.10)
RPS Trip #7 (Attachment 6)	System Test Cases 1 through 9 (Test Specification Sections 2.1.2 – 2.1.10)
RPS Trip #8 (Attachment 7)	System Test Cases 1 through 9 (Test Specification Sections 2.1.2 – 2.1.10)
RPS Trip #9 (Attachment 8)	System Test Cases 1 through 9 (Test Specification Sections 2.1.2 – 2.1.10)
RPS Trip #10 (Attachment 9)	System Test Cases 1 through 9 (Test Specification Sections 2.1.2 – 2.1.10)
RPS Trip #11 (Attachment 10)	System Test Cases 1 through 9 (Test Specification Sections 2.1.2 – 2.1.10)
RPS Trip #13 (Attachment 11)	Channel Specific Test Case 1 (Test Specification Section 1.1.3)
RPS Trip #14 (Attachment 12)	None
Channel E (Attachment 13)	Channel Specific Test Cases 1 and 2 (Test Specification Sections 1.1.3 – 1.1.4)
RPS Signal Failures (Attachment 14)	None
Initial Conditions (Attachment 15)	None