



DAVE BAXTER
Vice President
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January 30, 2009

U. S. Nuclear Regulatory Commission
Document Control Desk
Washington, D. C. 20555

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 to adopt NFPA 805 Performance-Based
Standard for Fire Protection for Light Water Reactor Generating Plants
(2001 Edition)
License Amendment Request (LAR) 2008-01

In accordance with 10 CFR 50.90, Duke Energy Carolinas, LLC (Duke) proposes to amend Renewed Facility Operating Licenses (FOLs) Nos. DPR-38, DPR-47, and DPR-55. This LAR requests Nuclear Regulatory Commission (NRC) review and approval for adoption of a new fire protection licensing basis which complies with the requirements in 10 CFR 50.48(a), 10 CFR 50.48(c), and the guidance in Regulatory Guide (RG) 1.205. The LAR follows the guidance provided in Nuclear Energy Institute (NEI) 04-02. The LAR was submitted to the NRC on October 31, 2008.

In a conference call on January 12, 2009 and January 22, 2009, the NRC requested additional information to support the acceptance review of the LAR. The requested additional information included approved calculations, a LAR roadmap, any information that does not require LAR revisions, new calculations, and resulting LAR revisions, if any.

Enclosure 1 is a signed and notarized affidavit, while enclosures 2 and 3 provide approved calculations. The LAR roadmap and information that does not result in LAR revisions will be supplied by February 9, while new calculations and revised LAR sections will be supplied as soon as the information is reviewed and approved by Duke's internal processes.

If there are any questions regarding this submittal, please contact Reene' Gambrell at (864) 885-3364 or David J. Goforth at 704-382-2659.

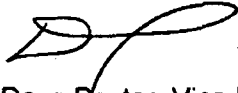
Enclosure 2 contains Security Sensitive Information submitted under 10 CFR 2.390.
Withhold from public disclosure under 10 CFR 2.390.
Upon removal of this enclosure, this letter is uncontrolled.

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I declare under penalty of perjury that the foregoing is true and correct. Executed on
January 30, 2009.

Very truly yours,



Dave Baxter, Vice President
Oconee Nuclear Station

Enclosures:

1. Notarized Affidavit for Duke Sensitive Security Information
2. Duke Energy Oconee Nuclear Station Calculations Supporting Transition to NFPA-805 [contains Security Sensitive Information]
3. Duke Energy Oconee Nuclear Station Calculations Supporting Transition to NFPA-805

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cc: w/o enclosures

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U. S. Nuclear Regulatory Commission
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Mr. Luis Reyes, Regional Administrator
U. S. Nuclear Regulatory Commission - Region II
Atlanta Federal Center
61 Forsyth St., SW, Suite 23T85
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Mr. Andy Hutto
Senior Resident Inspector
Oconee Nuclear Station

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2600 Bull Street
Columbia, SC 29201

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bcc: w/o enclosures

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D. C. Leslie
K. R. Alter
H. L. Lefkowitz
B. G. Davenport
C. E. Curry
L. F. Vaughn
S. L. Jarrett
C. H. Eflin
E. L. Anderson
R. L. Gill – NRI&A
R. D. Hart – CNS
K. L. Ashe - MNS
R. V. Gambrell
NSRB, EC05N
File - T.S. Working

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ELL, ECO50

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Enclosure 1

Notarized Affidavit

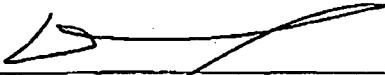
for Duke Security Sensitive Information

AFFIDAVIT OF DAVE BAXTER

1. I am Vice President, Oconee Nuclear Station, Duke Energy Carolinas, LLC (Duke), and as such, have the responsibility of reviewing the proprietary information sought to be withheld from public disclosure in connection with nuclear plant licensing and am authorized to apply for its withholding on behalf of Duke.
2. I am making this affidavit in conformance with the provisions of 10 CFR 2.390 of the regulations of the Nuclear Regulatory Commission (NRC) and in conjunction with Duke's application for withholding which accompanies this affidavit.
3. I have knowledge of the criteria used by Duke in designating information as being security sensitive or otherwise confidential.
4. Pursuant to the provisions of paragraph (b) (4) of 10 CFR 2.390, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
 - (i) The information sought to be withheld from public disclosure is owned by Duke and has been held in confidence by Duke and its consultants.
 - (ii) The information is of a type that would customarily be held in confidence by Duke.
 - (iii) The information was transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390; it is to be received in confidence by the NRC.
 - (iv) The information sought to be protected is not available in public to the best of our knowledge and belief.
 - (v) The Duke security sensitive information sought to be withheld are calculations that support Oconee's Transition to NFPA-805.


(Continued)

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 Station

Subscribed and sworn to before me this 30 day of January, 2009



Notary Public

My Commission Expires:

6-12-2013
Date