



**DAVE BAXTER**  
Vice President  
Oconee Nuclear Station

**Duke Energy**  
ONO1VP / 7800 Rochester Highway  
Seneca, SC 29672

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864-873-4208 fax  
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April 30, 2009

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  
Supplemental 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 16

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 responded to an August 20, 2008, NRC request for additional information by letter dated September 30, 2008.

During the NRC audit at AREVA NP Alpharetta conducted from April 15 to 17, 2009, Duke agreed to docket three AREVA NP presentations associated with the non safety related to safety related communication interface, two test certificates, and the latest revision to the system architecture document. Proprietary and non-proprietary versions of these presentations are included in Enclosures 1 and 3 respectively. The system architecture document is included in Enclosure 1. The test certificates associated with the testing are provided in Enclosure 3.

As requested by NRC Staff, Vendor/Duke Manual Certification Forms documenting Duke's approval of the RPS/ESPS equipment qualification reports (AREVA NP Document No. 66-5015893 and 66-5065212) are included in Enclosure 3.

NRC Staff also requested Duke submit four AREVA Condition Reports (CRs) initiated during Factory Acceptance Testing (FAT). Copies of these CRs are provided in Enclosure 1.

The documents provided in Enclosure 1 are considered proprietary by AREVA NP. Affidavits for withholding of these proprietary documents are provided in Enclosure 2.

Enclosure 1 to this letter contain proprietary information.  
Withhold from public disclosure under 10 CFR 2.390.  
Upon removal of Enclosure 1, this letter is uncontrolled.

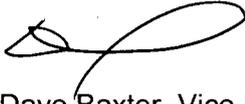
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If there are any questions regarding this submittal, please contact Boyd Shingleton at (864) 873-4716.

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

Sincerely,

A handwritten signature in black ink, appearing to be "Dave Baxter", written over a horizontal line.

Dave Baxter, Vice President  
Oconee Nuclear Station

Enclosures:

1. AREVA NP Documents - Proprietary
2. AREVA NP Affidavit
3. AREVA NP Documents – Non Proprietary

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cc: Mr. J. F. Stang, 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

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**Enclosure 2**

**AREVA NP Proprietary Affidavit**

AFFIDAVIT

STATE OF GEORGIA                    )  
  )  
COUNTY OF FULTON                )        ss.

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 following AREVA NP documents are provided and referred to herein as the "Documents."

- AREVA NP Document 51-5045374-08, Oconee Nuclear Station, Unit 1 RPS/ESFAS Controls Upgrade System Architecture
- Presentation on TELEPERM XS Parameter Change Enable Design
- Presentation on TELEPERM XS Parameter Change Enable Testing
- Presentation on TELEPERM XS Runtime Environment

Information contained in these Documents 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. These Documents contain 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 these Documents as proprietary and confidential.

5. These Documents have been made available to the U S. Nuclear Regulatory Commission in confidence with the request that the information contained in these Documents 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 these Documents are considered proprietary for the reasons set forth in paragraphs 6(b), 6(c) and 6(d) above.

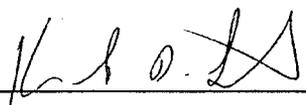
7. In accordance with AREVA NP's policies governing the protection and control of information, proprietary information contained in these Documents have been made available, on a limited basis, to others outside AREVA NP only as required and under suitable agreement providing for nondisclosure and limited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

  
\_\_\_\_\_  
(Signature of Affiant)

Sworn to (or affirmed) INSCRIBED before me on this 17<sup>th</sup> day of April, 2009.

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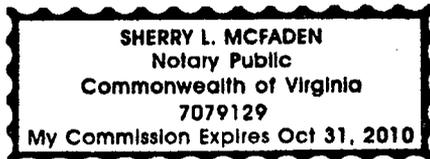
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Mark J. Burzynski

SUBSCRIBED before me on this 30<sup>th</sup>  
day of January, 2009.

Sherry L. McFaden

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





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."

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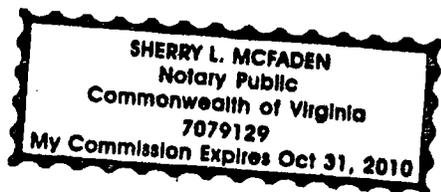
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

*Russell Anderson*

SUBSCRIBED before me this 23<sup>rd</sup>  
day of April 2009.

*Sherry L. McFaden*

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





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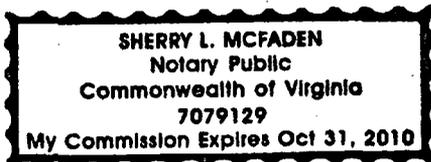
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Ronnie Z. Gardner

SUBSCRIBED before me this 23<sup>rd</sup>  
day of April 2009.

Sherry L. McFaden

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



**Enclosure 3**  
**AREVA NP Documents – Non Proprietary**

1. ISTec and TÜV Nord Certificate No. TXS-AUST-1006-03 for the Digital Safety Instrumentation and Control System TELEPERM XS, dated October 31, 2006
2. ISTec and TÜV Nord Certificate No. TXS-AU-0902-06 for the Digital Safety Instrumentation and Control System TELEPERM XS, dated September 10, 2002
3. Presentation on TELEPERM XS Parameter Change Enable Design – Non Proprietary dated April 15, 2009
4. Presentation on TELEPERM XS Parameter Change Enable Testing – Non Proprietary dated April 15, 2009
5. Presentation on TELEPERM XS Runtime Environment – Non Proprietary dated April 15, 2009
6. EDM 130 Form for AREVA NP Document No. 66-5065212-03, Oconee Nuclear Station Unit 1 RPS/ESFAS Replacement Project Equipment Qualification Safety Report
7. EDM 130 Form for AREVA NP Document 66-5015893-03, TELEPERM XS Supplemental Equipment Qualification summary Test Report