



BRYAN J. DOLAN
VP, Nuclear Plant Development

Duke Energy
EC09D / 526 South Church Street
Charlotte, NC 28201-1006

Mailing Address:
P.O. Box 1006 - EC09D
Charlotte, NC 28201-1006

704 382 0605

bjdolan@duke-energy.com

March 30, 2009

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

Subject: Duke Energy Carolinas, LLC
William States Lee III Nuclear Station - Project Number 742
Revision 1 to the Environmental Report (Part 3) and Revision 2 to
Withheld Information (Part 9) for William States Lee III Nuclear Station
Units 1 and 2 Combined License Application

Reference: Letter from Bryan J. Dolan (Duke Energy) to R. William Borchardt (NRC),
*Application for Combined License for William States Lee III Nuclear
Station Units 1 and 2*, dated December 12, 2007

This letter provides Revision 1 to Part 3, Environmental Report, and Revision 2 to Part 9, Withheld Information, for the William States Lee III Combined License (COL) application. Revisions to the COL application are identified by change bars positioned in the right hand margin for text and by the revision number for figures.

This revision includes changes identified by previous correspondence, including responses to requests for additional information, conforming changes to the FSAR, updates to reflect the 2008 Duke Energy Carolinas Integrated Resource Plan and impacts to reflect an increase in the projected construction work force. In addition, other changes are included, such as miscellaneous errata items, and standard and plant specific changes necessary to reflect the incorporation by reference of the AP1000 Design Control Document (DCD) Revision 17.

A document identifying each change, as well as its source or basis, is being provided as an aid to the NRC reviewers and will be submitted by separate letter.

This application revision contains no Restricted Data or other defense information requiring separation in accordance with 10 CFR 50.33(j). Additionally, this submittal contains no safeguards information as defined in 10 CFR 73.21. Part 9 of this application update contains the information that Duke Energy is requesting the NRC to withhold from public disclosure in accordance with the requirements of 10 CFR 2.390, including sensitive, unclassified, non-safeguards information (SUNSI). Appropriate affidavits are included with this letter.

A complete set of the revised application documents is provided in electronic file format on the enclosed disk (Enclosure 1). Appropriate pre-submission checks have been successfully performed on the electronic files to ensure compliance with the guidelines

D093
NRO

provided on the NRC web site and they have been found acceptable for electronic submittal. The disk includes a "packing slip" describing its contents, pursuant to NRC instructions for electronic filing.

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

A handwritten signature in black ink, appearing to read "Bryan J. Dolan". The signature is fluid and cursive, with the first name "Bryan" being more prominent.

Bryan J. Dolan
Vice President
Nuclear Plant Development

Enclosure:

1. Revision 1 of the Environmental Report (Part 3) and Revision 2 to Withheld Information (Part 9) for the William States Lee III Combined License (COL) application (Electric Submittal 4)(Non-Public)

AFFIDAVIT OF BRYAN J. DOLAN


1. I am Vice President, Nuclear Plant Development, and as such have the responsibility for reviewing the information sought to be withheld from public disclosure in connection with and am authorized to apply for its withholding on behalf of Duke Energy Carolinas, LLC (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 sensitive, proprietary, or confidential.
4. Pursuant to the provision of paragraph (a)(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.
 - a. The information sought to be withheld from public disclosure is owned by Duke and has been held in confidence by Duke and its consultants.
 - b. The information sought to be protected is not available to the public to the best of our knowledge and belief.
 - c. The information is of the type that would customarily be held in confidence by Duke. This financial information consists of Duke's projection for construction, fuel supply, and operating costs. Public disclosure of this information is likely to cause harm to Duke because it would allow contractors, vendors, and competitors to understand Duke's competitive position and schedule prior to securing the related contracts and services.
 - d. The proprietary information sought to be withheld from public disclosure is identified in Part 9 of the COL application and is marked as proprietary as it appears in the application.
 - e. 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.


Mr. Bryan J. Dolan

(Continued)

AFFIDAVIT OF BRYAN J. DOLAN


5. Pursuant to the provisions of paragraphs (a)(6) and (a)(9) of 10 CFR 2.390, the following information is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
 - a. The information is of the type that would customarily be held in confidence by Duke. The COL application contains geological and geophysical information and data, including maps, concerning wells. Some of the data concerning wells also contains associated personal identifiers.
 - b. The proprietary information sought to be withheld from public disclosure is identified in Part 9 of the COL application and is marked as proprietary as it appears in the application.
 - c. 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.
6. Pursuant to the provisions of paragraph (d)(1) of 10 CFR 2.390 and 10 CFR 9.17(a), the following information is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
 - a. The information is of the type that would customarily be held in confidence by Duke. The COL application contains sensitive, unclassified, non-safeguards physical security information. Public disclosure of this information is likely to cause harm to Duke because it would identify details or features of the plant that could be an aid to a potential adversary. In addition, through the course of developing the COL application in accordance with Regulatory Guide 1.206, "Combined License Application for nuclear Power Plants," Duke has identified certain information that might identify potential vulnerabilities to the critical infrastructure.
 - b. The proprietary information sought to be withheld from public disclosure is identified in Part 9 of the COL application and is marked as proprietary as it appears in the application.
 - c. 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.


Mr. Bryan J. Dolan

(Continued)


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 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, Vice President

Subscribed and sworn to me:

March 30, 2009
Date


Notary Public

My commission expires:

June 26, 2011
Date

SEAL

xc (w/out enclosure):

Loren Plisco, Deputy Regional Administrator, Region II
Robert Schaaf, Branch Chief, DSER
Stephanie Coffin, Branch Chief, DNRL

xc (w/ enclosure):

Linda Tello, Project Manager, DSER
Brian Hughes, Senior Project Manager, DNRL