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

Attention: R. William Borchardt, Director
Office of New Reactors

Subject: Duke Energy Carolinas, LLC
William States Lee III Nuclear Station - Project Number 742
Application for Combined License for William States Lee III Nuclear
Station Units 1 and 2

In accordance with the requirements of 10 CFR Part 52, *Licenses, Certifications, and Approvals for Nuclear Power Plants*, Duke Energy Carolinas, LLC (Duke), hereby submits an application for a combined construction and operating license (COL) for the William States Lee III Nuclear Station Units 1 and 2, two AP1000 advanced passive pressurized water reactor units located in Cherokee County, SC, and the associated material licenses under 10 CFR Parts 30, 40, and 70. These reactors are identified further as Lee Nuclear Station Units 1 and 2.

This COL application incorporates by reference Appendix D to 10 CFR Part 52, as amended by Westinghouse Electric Corporation's AP1000 Design Control Document (DCD), Revision 16 which was submitted to the Nuclear Regulatory Commission (NRC) on May 26, 2007, and Westinghouse Technical Report APP-GW-GLR-134, *AP1000 DCD Impacts to Support COLA Standardization*, Revision 1, which was submitted on December 12, 2007.

This COL application utilizes, to the maximum practical extent, the standard content contained and designated as such in the Tennessee Valley Authority's Bellefonte Unit 3 and 4 COL application, the AP1000 reference plant application developed by NuStart Energy Development, LLC.¹ Standard content is identified as such, primarily in the Final Safety Analysis Report of this application.

¹ NuStart Energy Development, LLC, is the industry consortium organized as part of the U.S. Department of Energy's Nuclear Power 2010 initiative to demonstrate the viability of the licensing process defined in 10 CFR Part 52, associated regulations, and NRC guidance.

This COL application is comprised of the following parts:

- Part 1 Administrative and Financial Information
- Part 2 Final Safety Analysis Report
- Part 3 Applicant's Environmental Report – Combined License Stage (Environmental Report)
- Part 4 Technical Specifications
- Part 5 Emergency Planning
- Part 6 [Not used in this application; reserved for applications requesting Limited Work Authorization]
- Part 7 Departures and Exemption Requests
- Part 8 Safeguards / Security Plans (provided under separate cover)
- Part 9 Withheld Information
- Part 10 Proposed License Conditions, including Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC)
- Part 11 Enclosures

This COL application contains no Restricted Data or other defense information requiring separation in accordance with 10 CFR 50.33(j). Part 8 of this application contains Safeguards Information and is provided under separate cover. Part 9 of this application contains the information that Duke 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.

Consistent with common licensing practice, most of the application text is written in the present tense, including discussions of facilities and programs not yet built or implemented. Exceptions to this approach are the discussions of operating experience and completed studies and evaluations, which are written in the past tense. It should be understood, however, that statements regarding facilities (e.g., structures, systems and components), and pre-construction, pre-operational, and operational activities (e.g., procedures and programs) typically address activities that have not yet been performed, and will not be performed until it is reasonable and appropriate to do so.

A complete set of application documents (identified above) is provided in electronic file format on the two enclosed disks (Enclosures 1 & 2). Enclosure 1 contains a publicly available version of the COL application; Enclosure 2 contains the COL application with information requested to be withheld from public disclosure included in Part 9. Appropriate pre-submission checks have been successfully performed on the files for both disks to ensure compliance with the guidelines provided on the NRC web site and

they have been found acceptable for electronic submittal. Each disk includes a "packing slip" describing its contents, pursuant to NRC instructions for electronic filing.

Duke acknowledges that the NRC acceptance review will begin on or about January 2, 2008, and conclude approximately 60 days later.

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



Bryan J. Dolan
Vice President
Nuclear Plant Development

Enclosures:

1. Lee Nuclear Station Units 1 and 2 COL Application, Public Version (electronic submittal)
2. Lee Nuclear Station Units 1 and 2 COL Application, Non-Public Version (electronic submittal)

xc (w/out enclosures):

R. William Borchardt, NRC/HQ
Gary Holahan, NRC/HQ
David Matthews, NRC/HQ
James E. Lyons, NRC/HQ
Glenn Tracy, NRC/HQ
Roy P. Zimmerman, NRC/HQ
Victor McCree, NRC/RII
Loren Plisco, NRC/RII
Stephanie M. Coffin, NRC/HQ
Richard P. Raione, NRC/HQ
Joelle L. Starefos, NRC/HQ
Linda M. Tello, NRC/HQ

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

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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

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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: 12/12/07
Date


Notary Public

My commission expires: June 26, 2011
Date

