

May 16, 2000

Mr. M. S. Tuckman
Executive Vice President
Nuclear Generation
Duke Energy Corporation
526 South Church Street
P. O. Box 1006
Charlotte, NC 28201-1006

SUBJECT: OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3 RE: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE - TOPICAL REPORT DPC-NE-2005A, REVISION 2 AND DPC-NE-2005PA, REVISION 2 (TAC NOS. M98660, M98661, AND M98662)

Dear Mr. Tuckman:

By your application dated April 17, 2000, and affidavit dated April 18, 2000, you submitted Topical Report DPC-NE-2005A, Revision 2 and Topical Report DPC-NE-2005PA, Revision 2, as a single document and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version was submitted for placement in the NRC public document room.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure because the information consists of analysis methodology details, analysis results, supporting data, and aspects of development programs relative to a method of analysis that provide a competitive advantage to Duke.

We have reviewed your application and the material in accordance with the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review

W. R. McCollum, Jr.

- 2 -

this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

/RA/

David E. LaBarge, Senior Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-269, 50-270, and 50-287

cc: See next page

this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

/RA/

David E. LaBarge, Senior Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-269, 50-270, and 50-287

cc: See next page

DISTRIBUTION:

- PUBLIC
- PDII-1 R/F
- JZwolinski/SBlack
- MPSiemien, OGC
- LPlisco, RII
- REmch
- JWermiel
- CHawes
- DLaBarge
- HBerkow

DOCUMENT NAME: G:\PDII-1\OCONEE\M98660 PI.WPD

To receive a copy of this document, indicate in the box C=Copy w/o attachment/enclosure E=Copy with attachment/enclosure N = No copy

OFFICE	PDII-1/PM		PDII-1/LA		SRXB	OGC		PDII-1/SC	
NAME	DLaBarge:cn		CHawes		JWermiel	MPSiemien		REmch	
DATE	5/3/00		5/3/00		5/3/00	5/10/00		5/15/00	

OFFICIAL RECORD COPY

Oconee Nuclear Station

cc:

Ms. Lisa F. Vaughn
Legal Department (PBO5E)
Duke Energy Corporation
422 South Church Street
Charlotte, North Carolina 28201-1006

Anne W. Cottingham, Esquire
Winston and Strawn
1400 L Street, NW
Washington, DC 20005

Mr. Rick N. Edwards
Framatome Technologies
Suite 525
1700 Rockville Pike
Rockville, Maryland 20852-1631

Manager, LIS
NUS Corporation
2650 McCormick Drive, 3rd Floor
Clearwater, Florida 34619-1035

Senior Resident Inspector
U. S. Nuclear Regulatory
Commission
7812B Rochester Highway
Seneca, South Carolina 29672

Virgil R. Autry, Director
Division of Radioactive Waste Management
Bureau of Land and Waste Management
Department of Health and Environmental
Control
2600 Bull Street
Columbia, South Carolina 29201-1708

Mr. L. E. Nicholson
Compliance Manager
Duke Energy Corporation
Oconee Nuclear Site
7800 Rochester Highway
Seneca, South Carolina 29672

Ms. Karen E. Long
Assistant Attorney General
North Carolina Department of
Justice
P. O. Box 629
Raleigh, North Carolina 27602

Mr. C. Jeffrey Thomas
Manager - Nuclear Regulatory
Licensing
Duke Energy Corporation
526 South Church Street
Charlotte, North Carolina 28201-1006

Mr. Richard M. Fry, Director
Division of Radiation Protection
North Carolina Department of
Environment, Health, and
Natural Resources
3825 Barrett Drive
Raleigh, North Carolina 27609-7721

Mr. Steven P. Shaver
Senior Sales Engineer
Westinghouse Electric Company
5929 Carnegie Blvd.
Suite 500
Charlotte, North Carolina 28209