

October 25, 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 (TAC NOS. MA9969, MA9970, AND MA9971)

Dear Mr. Tuckman:

By your application dated September 12, 2000, you submitted a license amendment request to revise Technical Specification 5.5.10, Item 6.e. The submittal included a proprietary version of Framatome Technologies Incorporated (FTI) Topical Report BAW-2303P, Revision 4, "OTSG Repair Roll Qualification Report," dated August 2000, and an affidavit signed by Mr. Joseph J. Kelly of FTI, dated September 11, 2000. You requested that the topical report be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version was submitted by letter dated October 4, 2000, for placement in the NRC's public document room located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland and added to the Agency-wide Documents Access and Management Systems Publically Available Records system (ADAMS PARS Library).

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 FTI.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 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

M. S. Tuckman

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promptly notify the NRC. You also should understand that the NRC may have cause to review 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

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David E. LaBarge, Senior Project Manager, Section 1
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cc: See next page

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Oconee Nuclear Station

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