



Duke Power
526 South Church Street
P.O. Box 1006
Charlotte, NC 28201-1006

September 13, 2001

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

Subject: Catawba Nuclear Station Units 1 and 2
Docket Nos. 50-413, 50-414
McGuire Nuclear Station Units 1 and 2
Docket Nos. 50-369, 50-370
Appendix E to Topical Report DPC-NE-2005P, *Duke Power Thermal-Hydraulic Statistical Core Design Methodology* (PROPRIETARY)

Submitted herewith in Attachment 1 is a copy of new Appendix E to Duke Power topical report, DPC-NE-2005P, *Duke Power Thermal-Hydraulic Statistical Core Design Methodology*, for NRC staff review and approval. This new Appendix E describes the use of the BWU-Z critical heat flux correlation with the Advanced Mark-BW fuel assembly. Duke plans to use the methodology described in this appendix to analyze the thermal-hydraulic performance of mixed oxide fuel, which use the Advanced Mark-BW fuel assembly. NRC approval of this methodology is requested by September 2002. When approved by NRC, this appendix will constitute Revision 3 to DPC-NE-2005P.

This report contains information that is considered proprietary to Duke. In accordance with 10CFR 2.790, Duke requests that this information be withheld from public disclosure. An affidavit that attests to the proprietary nature of this information is included with this letter. A complete non-proprietary version of Appendix E to DPC-NE-2005P with proprietary information bracketed and removed is included as Attachment 2.

Inquiries on this matter should be directed to G.A Copp at (704) 373-5620.

Very truly yours,

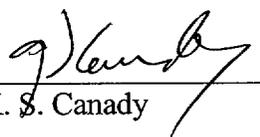
K. S. Canady

Attachments

AP01

AFFIDAVIT OF K. S. CANADY

1. My name is K. S. Canady. I am Vice President of Duke Energy Corporation, and as such have the responsibility of reviewing the proprietary information sought to be withheld from public disclosure in connection with nuclear plant licensing, am authorized to apply for its withholding on behalf of Duke.
2. I am making this affidavit in conformance with the provisions of 10 CFR 2.790 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 proprietary or confidential.
4. Pursuant to the provisions of paragraph (b)(4) of 10 CFR 2.790, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
 - (i) The information sought to be withheld from public disclosure is owned by Duke and has been held in confidence by Duke and its consultants.
 - (ii) The information is of a type that would customarily be held in confidence by Duke. The information consists of analysis methodology details, analysis results, supporting data, and aspects of development programs, relative to a method of analysis that provides a competitive advantage to Duke.
 - (iii) The information was transmitted to the NRC in confidence and under the provisions of 10 CFR 2.790, it is to be received in confidence by the NRC.
 - (iv) The information sought to be protected is not available in public to the best of our knowledge and belief.
 - (v) The proprietary information sought to be withheld in this submittal is that which is marked in the proprietary version of the report DPC-NE-2005, *Duke Power Company Thermal-Hydraulic Statistical Core Design Methodology*, and supporting documentation, and omitted from the non-proprietary versions. This information enables Duke to:
 - (a) Respond to Generic Letter 83-11, "Licensee Qualification for Performing Safety Analyses in Support of Licensing Actions."


K. S. Canady

(continued)

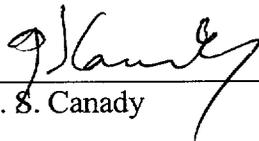
- (b) Support license amendment and Technical Specification revision requests for McGuire and Catawba reactors with advanced Mk-BW fuel assemblies manufactured by Framatome Advanced Nuclear Power.
- (c) Perform safety reviews per 10 CFR 50.59.
- (d) Evaluate core thermal-hydraulic performance and support the establishment of core operating limits.

(vi) The proprietary information sought to be withheld from public disclosure has substantial commercial value to Duke.

- (a) It allows Duke to reduce vendor and consultant expenses associated with supporting the operation and licensing of nuclear power plants.
- (b) Duke intends to sell the information to nuclear utilities, vendors, and consultants for the purpose of supporting the operation and licensing of nuclear power plants.
- (c) The subject information could only be duplicated by competitors at similar expense to that incurred by Duke.

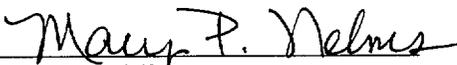
5. Public disclosure of this information is likely to cause harm to Duke because it would allow competitors in the nuclear industry to benefit from the results of a significant development program without requiring a commensurate expense or allowing Duke to recoup a portion of its expenditures or benefit from the sale of the information.

K. S. Canady, being duly sworn, on his oath deposes and says that he is the person who subscribed his name to the foregoing statement, and that the matters and facts set forth in the statement are true.



K. S. Canady

Sworn to and subscribed before me this 13TH day of September, 2001.
Witness my hand and official seal.



Notary Public

My commission expires: JAN 22, 2006

SEAL

U. S. Nuclear Regulatory Commission
September 13, 2001
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xc w/Attachment 1:

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Catawba Nuclear Station

xc: w/ five copies of Attachment 1:

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