Duke Power®
A Duke Energy Company

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October 22, 2002

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
Issuance of Approved Versions of Topical Report DPC-NE-2005A and DPC-NE-2005P-A, Appendix E, *Duke Power Thermal-Hydraulic Statistical Core Design Methodology* (PROPRIETARY)

By letter dated September 16, 2002, the Nuclear Regulatory Commission transmitted its safety evaluation of Appendix E to DPC-NE-2005P stating that it was acceptable for referencing in license applications. Duke Power has issued Revision 3 of the subject topical report, which incorporates Appendix E. Enclosed are one copy of the proprietary version and one copy of the non-proprietary version of Revision 3 of this topical report.

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 DPC-NE-2005A, Revision 3 with proprietary information bracketed and removed is included in this submittal.

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

Very truly yours,

K. S. Canady

Enclosures

A001

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-2005P-A, *Duke Power Company Thermal-Hydraulic Statistical Core Design Methodology* 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."

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(continued)

(b) Support license amendment and Technical Specification revision requests for McGuire and Catawba reactors to support the use of advanced Mk-BW or Mk-BW/MOX1 fuel assemblies manufactured by Framatome ANP.
(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 22ND day of OCTOBER, 2002.
Witness my hand and official seal.

Notary Public

My commission expires: JAN 22, 2006

SEAL

xc w/non-proprietary copy of report:

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