

November 9, 2007

Mr. James Scarola, Vice President
Brunswick Steam Electric Plant
Carolina Power & Light Company
Post Office Box 10429
Southport, North Carolina 28461

SUBJECT: PROGRESS ENERGY CAROLINAS, INC. - REQUEST FOR WITHHOLDING OF PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE FOR BRUNSWICK STEAM ELECTRIC PLANT, UNIT NOS. 1 AND 2 (TAC NOS. MD4061 AND MD4062)

Dear Mr. Scarola:

By letter dated July 18, 2007, you submitted an affidavit dated June 28, 2007, executed by Jerald S. Holm, Manager of Product Licensing for AREVA NP, Inc., requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

AREVA Report ANP-2646(P): "Brunswick Unit 1 Thermal-Hydraulic Design Report for ATRIUM™-10 Fuel Assemblies," dated June 2007.

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (a) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (b) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

J. Scarola

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Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(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 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.

If you have any questions regarding this matter, I may be reached at 301-415-1321.

Sincerely,

/RA/

Stewart N. Bailey, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-325 and 50-324

cc: See next page

J. Scarola

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Mr. James Scarola
Carolina Power & Light Company

Brunswick Steam Electric Plant,
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