



*Receivment Original
Per PM*

BRUCE H HAMILTON
Vice President
McGuire Nuclear Station

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April 16, 2008

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

Subject: Duke Energy Carolinas, LLC
McGuire Nuclear Station, Units 1 and 2
Docket Nos. 50-369, 50-370
Information discussed in the April 7, 2008 Meeting between the
Nuclear Regulatory Commission and Mr. Smith

On April 7, 2008 there was a public meeting between the Nuclear Regulatory Commission (NRC) and Mr. Smith regarding a petition filed in accordance with 10 CFR 2.206. In this meeting Mr. Smith referenced a Duke report completed in October 1990. In response to your request we have attached a copy of the report for your review and use. Please note that portions of this report have been identified as proprietary in accordance with 10 CFR 2.390. As such, a redacted version of this report is included as Attachment 1 and the proprietary pages are included in Attachment 2. In accordance with 10 CFR 2.390, Duke requests that the information in Attachment 2 be withheld from public disclosure. An affidavit attesting to the proprietary nature of this information is included with this letter.

There are no commitments contained in this letter or its attachments.

If you have any questions or need any additional information, please contact Ken Ashe at (704) 875-4535.

Sincerely,

Bruce H. Hamilton

Attachment 2 to this letter contains proprietary information.
Withhold From Public Disclosure Under 10 CFR 2.390.
Upon removal of the attachment, this letter is uncontrolled. www.duke-energy.com

Acc 11/11/08

U.S. Nuclear Regulatory Commission
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Xc w/o attachments:

V.M. McCree, acting Regional Administrator
U.S. Nuclear Regulatory Commission
Sam Nunn Atlanta Federal Center
61 Forsyth St., SW
Atlanta, GA 30303-8931

J.F. Stang, Jr., Senior Project Manager
U.S. Nuclear Regulatory Commission
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Mail Stop 0-8G9A
Rockville, MD 20852-2738

J.B. Brady
NRC Senior Resident Inspector
McGuire Nuclear Station

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AFFIDAVIT OF BRUCE H. HAMILTON

1. I am Vice President McGuire Nuclear Station and as such have the responsibility of reviewing the proprietary information sought to be withheld from public disclosure in connection with nuclear plant licensing and 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 2.390 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 2.390, 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.

(ii) The information on pages 5 through 7 of the October 18, 1990 memo to file containing report recommendations, and the feedwater data sheets in attachment 8 (pgs 8a through 8g) is of a type that would customarily be held in confidence by Duke. The information consists of analysis results, supporting data, and aspects of development programs.

(iii) The information was transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390, it is to be received in confidence by the NRC.

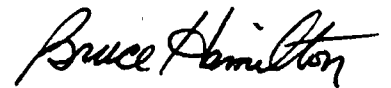
(iv) The information sought to be protected is not available in public to the best of our knowledge and belief.

(v) The proprietary information sought to be withheld in the submittal is that which is marked in the proprietary version of the October 18, 1990 2A2 Feedwater Heater Under Shell Inspection Report (specific pages identified above).

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

- (a) The subject information could only be duplicated by competitors at similar expense to that incurred by Duke.

(Continued)



Bruce H. Hamilton

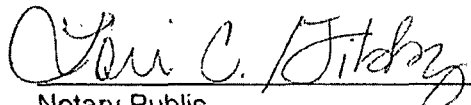
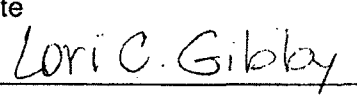
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- Public disclosure of this information is likely to cause harm to Duke because it would allow competitors in the nuclear industry to benefit from the results of a significant development program without requiring a commensurate expense or allowing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

Bruce H. Hamilton affirms that he is the person who subscribed his name to the foregoing statement, and that all the matters and facts set forth herein are true and correct to the best of his knowledge.


Bruce H. Hamilton

Subscribed and sworn to me: April 16, 2008
Date

 
Notary Public

My Commission Expires: July 1, 2012
Date

SEAL

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