



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 9, 2010

Mr. Eric McCartney, Vice President
H. B. Robinson Steam Electric Plant,
Unit No. 2
Carolina Power & Light Company
3581 West Entrance Road
Hartsville, South Carolina 29550-0790

SUBJECT: H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. ME2952)

Dear Mr. McCartney:

By letter dated March 11, 2010, you submitted an affidavit dated August 14, 2009, executed by J.A. Gresham, Manager, Regulatory Compliance and Plant Licensing, in Nuclear Services, Westinghouse Electric Company LLC, 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:

LTR-SGMP-09-104 P-Attachment, Rev. 1 "White Paper on Probabilistic Assessment of H*," dated August 2009 (Proprietary).

In the same letter, you submitted an affidavit dated August 31, 2009, also executed by Mr. Gresham, requesting that the information contained in the following document be withheld from public disclosure pursuant to 10 CFR 2.390:

LTR-SGMP-09-108 P-Attachment, "Response to NRC Request for Additional Information on H*; Model 44F and Model 51F Steam Generators," dated August 2009 (Proprietary).

Nonproprietary copies of these documents have been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

The affidavits, in conjunction with the annotations of the documents in question, stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.

2. It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
3. Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
4. It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

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 pursuant to 10 CFR 2.390(a)(4).

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.

E. McCartney

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If you have any questions regarding this matter, I may be reached at 301-415-2788.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracy J. Orf". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tracy J. Orf, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-261

cc: J. A. Gresham, Manager
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company LLC
P.O. Box 355
Pittsburgh, Pennsylvania 15230-0355

Additional distribution via Listserv

E. McCartney

- 3 -

If you have any questions regarding this matter, I may be reached at 301-415-2788.

Sincerely,

/RA/

Tracy J. Orf, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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