



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

September 18, 2012

Mr. Preston Gillespie  
Site Vice President  
Oconee Nuclear Station  
Duke Energy Carolinas, LLC  
7800 Rochester Highway  
Seneca, SC 29672-0752

SUBJECT: OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3, REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
(TAC NOS. ME8436, ME8437, AND ME8438)

Dear Mr. Gillespie:

By letter dated February 20, 2012, you submitted an affidavit dated October 29, 2010, executed by Gayle F. Elliott from AREVA NP Inc., which requested 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 NP Engineering Information Record, Document Number 51-9038244-002, dated October 27, 2010, entitled "Update of Irradiation Embrittlement in BAW-10008 Part 1 Rev. 1."

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in the Agencywide Documents Access and Management System (ADAMS) under accession no. ML12053A333.

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

- a. The document contains information of a proprietary and confidential nature.
- b. The information has been held in confidence in that the proprietary information contained in this document has been made available, on a limited basis, to others outside AREVA NP only as required and under suitable agreement providing for nondisclosure and limited use of the information. AREVA NP policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.
- c. 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.
- d. The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA NP.

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.

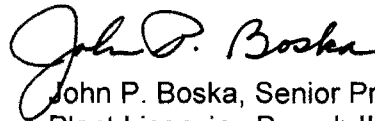
Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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, please call me at 301-415-2901.

Sincerely,



John P. Boska, Senior Project Manager  
Plant Licensing Branch II-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-269, 50-270, and 50-287

cc: Distribution via Listserv

Gayle F. Elliott  
AREVA NP Inc.  
P.O. Box 10935  
Lynchburg, VA 24506-0935

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