



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

January 22, 2015

Mr. Richard Michael Glover
Site Vice President
H. B. Robinson Steam Electric Plant
Duke Energy
3581 West Entrance Road
Hartsville, SC 29550

SUBJECT: REQUEST FOR WITHHOLDING OF PROPRIETARY INFORMATION FROM
PUBLIC DISCLOSURE FOR H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT
NO. 2 (TAC NO. ME9633)

Dear Mr. Glover:

By letter dated October 1, 2014 (Agencywide Documents Access and Management System Accession No. ML14287A222), you responded to a request for additional information from the U.S. Nuclear Regulatory Commission (NRC) staff regarding the Aging Management Program for the Reactor Vessel Internals at H. B. Robinson Steam Electric Plant, Unit No. 2. Among other things, the submittal includes Enclosure 3, a document identified as PWROG-14018-P, Revision 0, "H. B. Robinson Unit 2 Summary Report for the Fuel Design/Fuel Management Assessments." Your letter describes Enclosure 2 as containing proprietary information.

For Enclosure 2, you included an affidavit dated September 8, 2014, executed by Mr. James A. Gresham of Westinghouse Electric Company (Westinghouse), requesting that Enclosure 2, which contains proprietary information owned by Westinghouse, be withheld from public disclosure in accordance with the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390(a)(4). Mr. Gresham stated, in part, that:

- (a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
- (c) Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.

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 affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, Enclosure 2, 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.

R. Glover

- 2 -

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 301-415-2760, or by e-mail at Martha.Barillas@nrc.gov.

Sincerely,

/RA/

Martha Barillas, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-261

cc:

Mr. James A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company
1000 Westinghouse Drive
Building 3 - Suite 310
Cranberry Township, PA 16066

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R. Glover

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Sincerely,

/RA/

Martha Barillas, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-261

cc:

Mr. James A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company
1000 Westinghouse Drive
Building 3 - Suite 310
Cranberry Township, PA 16066

Additional Distribution via Listserv

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