



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

February 4, 2016

Mr. Kelvin Henderson  
Site Vice President  
Catawba Nuclear Station  
Duke Energy Carolinas, LLC  
4800 Concord Road  
York, SC 29745

Mr. James A. Gresham  
Manager, Regulatory Compliance  
Westinghouse Electric Company  
Engineering, Equipment, and Major Projects  
1000 Westinghouse Drive, Building 3 Suite 310  
Cranberry Township, PA 16066

SUBJECT: CATAWBA NUCLEAR STATION, UNITS 1 AND 2 - REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (CAC NOS.  
MF4526 AND MF4527)

Dear Mr. Henderson, and Mr. Gresham:

By letter dated December 15, 2014,<sup>1</sup> Duke Energy Carolinas, LLC (Duke, the licensee), submitted an affidavit to the U.S. Nuclear Regulatory Commission (NRC) dated November 24, 2014, for Westinghouse Electric Company LLC (Westinghouse). This affidavit was executed by James A. Gresham, Manager of Regulatory Compliance, Westinghouse. The affidavit requested that the information contained in the following corresponding documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

DPC-05-14, Revision 0, "Mini-Uprate (Appendix K Uprate) Evaluation of the Best-Estimate Large Break Loss of Coolant Accident for the McGuire Unit 1 and 2 and Catawba Unit 1 and 2 Nuclear Plants"

Westinghouse identified that the document, in its entirety was considered proprietary. As such, a nonproprietary copy of this document was not submitted.

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<sup>1</sup> Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML14353A024.

The affidavit was submitted because the reports contain information that is claimed to be proprietary to the company. The affidavit submitted by Westinghouse stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (a) 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.
- (b) 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.
- (c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, and assurance of quality, or licensing a similar product.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customer or suppliers.
- (e) It reveals aspects of past, present or future Westinghouse or customer funded development plans and programs of potential customer value to Westinghouse.
- (f) It contains patentable ideas, for which patent protection may be desirable.

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 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.

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If you have any questions regarding this matter, I may be reached at (301) 415-4090 or by e-mail at [jeffrey.whited@nrc.gov](mailto:jeffrey.whited@nrc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey A. Whited". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Whited" clearly legible.

Jeffrey A. Whited, Project Manager  
Plant Licensing Branch II-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-413, and 50-414

cc: Distribution via Listserv

If you have any questions regarding this matter, I may be reached at (301) 415-4090 or by e-mail at [jeffrey.whited@nrc.gov](mailto:jeffrey.whited@nrc.gov).

Sincerely,

*/RA/*

Jeffrey A. Whited, Project Manager  
Plant Licensing Branch II-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-413, and 50-414

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**ADAMS Accession No.: ML16033A086**

**\*via e-mail dated**

OFFICE	NRR/DORL/LPLII-1/PM	NRR/DORL/LPLII-1/LA	NRR/DSS/SNPB/BC (A)
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NAME	MMarkley	JWhited	
DATE	02/04/2016	02/04/2016	

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