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Serial: RA-16-0012  
February 17, 2016

10 CFR 50.90

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

CATAWBA NUCLEAR STATION, UNIT NOS. 1 AND 2  
DOCKET NOS. 50-413 AND 50-414  
RENEWED LICENSE NOS. NPF-35 AND NPF-52

MCGUIRE NUCLEAR STATION, UNIT NOS. 1 AND 2  
DOCKET NOS. 50-369 AND 50-370  
RENEWED LICENSE NOS. NPF-9 AND NPF-17

OCONEE NUCLEAR STATION, UNIT NOS. 1, 2 AND 3  
DOCKET NOS. 50-269, 50-270 AND 50-287  
RENEWED LICENSE NOS. DPR-38, DPR-47 AND DPR-55

**SUBJECT: RESPONSE TO NRC DRAFT AUDIT REPORT REGARDING LICENSE  
AMENDMENT REQUEST RE: ALTERNATE FISSION GAS GAP FRACTIONS**

**REFERENCE:**

1. Duke Energy letter, *License Amendment Request Proposing a New Set of Fission Gas Gap Release Fractions for High Burnup Fuel Rods that Exceed the Linear Heat Generation Rate Limit Detailed in Regulatory Guide 1.183, Table 3, Footnote 11*, dated July 15, 2015 (ADAMS Accession No. ML15196A093).
2. Regulatory Guide 1.183, *Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors*, Revision 0, U.S. Nuclear Regulatory Commission, July 2000.
3. NRC letter, *Catawba Nuclear Station, Units 1 and 2, McGuire Nuclear Station, Units 1 and 2, and Oconee Nuclear Station, Units 1, 2, and 3 - Transmittal of Draft Audit Report Regarding License Amendment Request RE: Alternate Fission Gas Gap Fractions (TAC NOS. MF6480, MF6481, MF6482, MF6483, MF6484, MF6485 and MF6486)*, dated February 2, 2016 (ADAMS Accession No. ML15364A456).

Ladies and Gentlemen:

In Reference 1, Duke Energy Carolinas, LLC (Duke Energy) submitted a license amendment request (LAR) for Catawba Nuclear Station (CNS), Units 1 and 2; McGuire Nuclear Station (MNS), Units 1 and 2; and Oconee Nuclear Station (ONS), Units 1, 2 and 3. The request for

amendment proposes to revise the facilities as described in the Updated Final Safety Analysis Reports (UFSAR) to provide gap release fractions for high-burnup fuel rods that exceed the 6.3 kW/ft linear heat generation rate (LHGR) limit detailed in Table 3 of Reference 2. On October 26, 2015, the NRC staff performed a regulatory audit at Duke Energy corporate headquarters. In Reference 3, the NRC made a preliminary determination that the draft audit report does not contain proprietary information. However, there are two instances in the draft audit report where Duke Energy has identified proprietary information pursuant to the criteria of 10 CFR 2.390. The enclosure provides Duke Energy's comments regarding the proprietary content in the draft audit report.

This submittal contains no new regulatory commitments.

In accordance with 10 CFR 50.91, Duke Energy is transmitting a copy of this letter to the designated state officials of North Carolina and South Carolina. Should you have any questions concerning this letter and its enclosure, or require additional information, please contact Art Zaremba, Manager - Nuclear Fleet Licensing, at 980-373-2062.

Sincerely,



Ernest J. Kapopoulos, Jr.  
Vice President - Operations Support

Enclosure: Duke Energy Comments Regarding Proprietary Content in the Draft Audit Report

cc: (all with Enclosure unless otherwise noted)

L.D. Wert, Regional Administrator USNRC Region II (Acting)  
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Enclosure to  
RA-16-0012

**Enclosure**

**Duke Energy Comments Regarding Proprietary Content in the Draft Audit Report**

Enclosure to  
RA-16-0012

### **Proprietary Content in the NRC Draft Audit Report**

Pursuant to the provisions of paragraph (a)(4) of 10 CFR 2.390 ("Trade secrets and commercial or financial information"), the following two instances from the February 2, 2016 Nuclear Regulatory Commission draft audit report should be withheld from public disclosure.

1. Figure 2 should be marked proprietary. While the COPERNIC computer code results were included in a Duke Energy calculation reviewed by the NRC audit team, these results were intentionally kept out of the License Amendment Request (LAR) application due to proprietary concerns.
2. The very last paragraph on Page 4 of the draft audit report that begins "Figure 2 shows the difference between...." should be marked proprietary. While the COPERNIC computer code results were included in a Duke Energy calculation reviewed by the NRC audit team, these results were intentionally kept out of the LAR application due to proprietary concerns.