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AUTH. NAME	AUTHOR AFFILIATION
TUCKMAN, M.S.	Duke Power Co.
RECIP. NAME	RECIPIENT AFFILIATION
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SUBJECT: Reaffirms proprietary designation of Topical Rept
 DPC-NE-3000, "Thermal-Hydraulic Transient Analysis
 Methodology." New affidavit of TC McMeekin re proprietary
 nature of rept (ref 10CFR2.790) encl.

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DUKE POWER

September 25, 1991

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Subject: McGuire Nuclear Station
Docket Numbers 50-369 and -370
Catawba Nuclear Station
Docket Numbers 50-413 and -414
Oconee Nuclear Station
Docket Numbers 50-269, -270, and -287
Reaffirmation of Proprietary Designation of
Information Relative to Topical Report DPC-NE-3000

Duke Power Company was recently advised by NRC Project Management that affidavits which designate correspondence as containing proprietary information are considered to have "expired" after two years, according to the NRC's Office of the General Counsel.

Topical Report DPC-NE-3000, "Thermal-Hydraulic Transient Analysis Methodology" was submitted on September 29, 1987, and is still under review. Correspondence which contained proprietary information pertaining to the review of the topical report referenced the affidavit that was included in the original submittal. In order to ensure the protection of recent (after September, 1989) and future correspondence relative to this topical report, attached (Attachment I) is a new affidavit which reaffirms the proprietary nature of information contained in the report and the correspondence. A listing of the affected correspondence to date is included as Attachment II.

If there are any questions, please call Scott Gewehr at (704) 373-7581.

Very truly yours,

M. S. Tuckman
topprop2/sag

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Foot
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Nuclear Regulatory Commission
September 25, 1991
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cc: Mr. T. A. Reed, Project Manager
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U.S. Nuclear Regulatory Commission - Region II
101 Marietta Street, NW - Suite 2900
Atlanta, Georgia 30323

Attachment I

AFFIDAVIT OF T. C. McMEEKIN

1. I am Vice President, Design Engineering Department of Duke Power Company ("Duke") and as such have the responsibility of reviewing the proprietary information sought to be withheld from public disclosure in connection with nuclear power plant licensing or rule-making proceedings, and am authorized to apply for its withholding on behalf of Duke.
2. I am making this affidavit in conformance with the provisions of 10 CFR 2.790 of the regulations of the Nuclear Regulatory Commission ("NRC") and in conjunction with Duke's application for withholding which accompanies this affidavit.
3. I have knowledge of the criteria used by Duke in designating information as proprietary or confidential.
4. Pursuant to the provisions of paragraph (b)(4) of 10 CFR 2.790, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
 - (i) The information sought to be withheld from public disclosure is owned by Duke and has been held in confidence by Duke and its consultants.
 - (ii) The information is of a type that would customarily be held in confidence by Duke. The information consists of analysis methodology details, analysis results, supporting data, and aspects of development programs, relative to a method of analysis that provides a competitive advantage to Duke.
 - (a) The use of the information by a competitor would greatly reduce its expenditure in qualifying similar methodologies.
 - (b) It reveals aspects of a methodology with potential commercial value to Duke Power.
 - (iii) The information was transmitted to the NRC in confidence and under the provisions of 10 CFR 2.790, it is to be received in confidence by the NRC.
 - (iv) The information sought to be protected is not available in public sources to the best of our knowledge and belief.
 - (v) The proprietary information sought to be withheld in this submittal is that which is marked in the proprietary version of the report DPC-NE-3000, Thermal-Hydraulic Transient Analysis Methodology, and omitted from the non-proprietary version.

This information enables Duke to:


- (a) Respond to Generic Letter 83-11, "Licensee Qualification for Performing Safety Analyses in Support of Licensing Actions."



T. C. McMeekin

(continued)

- (b) Respond to NRC requests for information regarding the transient response of Babcock & Wilcox and Westinghouse pressurized water reactors.
 - (c) Support license amendment and Technical Specification revision requests for Babcock & Wilcox and Westinghouse pressurized water reactors.
 - (d) Perform safety reviews per 10 CFR 50.59.
 - (e) Enhance operation of and training programs related to nuclear power plants.
- (vi) The proprietary information sought to be withheld from public disclosure has substantial commercial value to Duke.
- (a) It allows Duke to reduce vendor and consultant expenses associated with supporting the operation and licensing of nuclear power plants.
 - (b) Duke intends to sell the information to nuclear utilities, vendors and consultants for the purpose of supporting the operation and licensing of nuclear power plants.
 - (c) The subject information could only be duplicated by competitors at similar expense to that incurred by Duke.
5. Public disclosure of this information is likely to cause harm to the position of Duke because it would allow competitors in the nuclear industry to benefit from the results of a significant development program without requiring a commensurate expense or allowing Duke to recoup a portion of its expenditures or benefit from the sale of the information.



T. C. McMeekin

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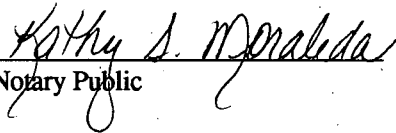
AFFIDAVIT OF T. C. McMEEKIN (Page 3)

Ted C. McMeekin, being duly sworn, on his oath deposes and says that he is the person who subscribed his name to the foregoing statement, and that the matters and facts set forth in the statement are true.



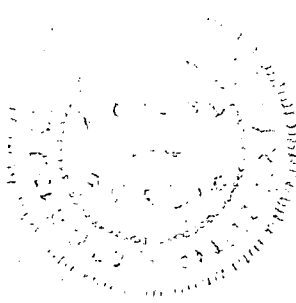
T. C. McMeekin

Sworn to and subscribed before me this 20th day of September, 1991.
Witness my hand and official seal.



Kathy S. Moraleda
Notary Public

My commission expires December 13, 1993



Attachment II
Correspondence Listing

Letter, H. B. Tucker to U. S. Nuclear Regulatory Commission,
(Document Control Desk), September 29, 1987.

Letter, H. B. Tucker to U. S. Nuclear Regulatory Commission,
(Document Control Desk), May 11, 1989.

Letter, H. B. Tucker to U. S. Nuclear Regulatory Commission,
(Document Control Desk), June 15, 1989.

Letter, H. B. Tucker to U. S. Nuclear Regulatory Commission,
(Document Control Desk), September 13, 1989.

Letter, H. B. Tucker to U. S. Nuclear Regulatory Commission,
(Document Control Desk), February 20, 1990.