



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

May 25, 2017

Mr. Thomas D. Ray  
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 (CAC NOS.  
MF9377, MF9378, AND MF9379)

By letter dated May 26, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession Package No. ML16152A128), Duke Energy Carolinas, LLC (Duke, the licensee) submitted an affidavit dated May 4, 2016, executed by Morris Byram, AREVA Inc. (AREVA), requesting 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:

MRP-227-A Applicant/Licensee Action Item 6 Analysis for the Oconee Nuclear Station Units 1, 2, and 3; ANP-3477P (Rev. 0); [Proprietary]; dated May 2016.

The information is included in Attachment 3 to the licensee's letter dated May 26, 2016. A nonproprietary version of ANP-3477P, Rev. 0, designated as Attachment 1 to the licensee's letter dated May 26, 2016, has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to ADAMS in the NRC Library at Accession No. ML16152A052.

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

- (b) 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.
- (c) 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.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA in product optimization or marketability.

The staff reviewed the application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, 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, the staff may send copies of this information to its consultants working in this area and will 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, the licensee should promptly notify the NRC. The licensee 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 the proprietary information. In all review situations, if the NRC makes a determination adverse to the above, the staff will notify the licensee in advance of any public disclosure.

If the licensee has any questions regarding this matter, it may contact Ms. Audrey Klett at 301-415-0489 or via email at [Audrey.Klett@nrc.gov](mailto:Audrey.Klett@nrc.gov).

Sincerely,



Audrey L. Klett, 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: Morris Byram  
Manager, Product Licensing  
AREVA Inc.  
3315 Old Forest Road  
Lynchburg, VA 24501

Additional Distribution via Listserv

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