

March 31, 1976

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Docket No. 50-269

Karl R. Goller, Assistant Director for Operating Reactors, DOR
THRU: Robert A. Purple, Chief, Operating Reactors Branch #1, DOR

DUKE POWER COMPANY REQUEST TO WITHHOLD PROPRIETARY DOCUMENT FROM
PUBLIC DISCLOSURE

Duke Power Company submitted a request for an Amendment to the Operating License for Oconee Unit 1 dated December 1, 1975 and requested that Attachment 2 be withheld from public disclosure. By letter dated January 15, 1976, Duke submitted justification for withholding the December 1, 1975 proprietary information.

The reason for withholding the information was that Babcock and Wilcox states that the designated data was obtained from independently conducted studies investigating cladding creep collapse. This data is not available in open literature, and disclosure would provide knowledgeable individuals with information which might impair Babcock & Wilcox's competitive position in this area.

We have reviewed the data presented in the aforementioned letters. In an attempt to achieve an effective balance between legitimate concerns for protection of Babcock & Wilcox's competitive position and the right of the public to be fully apprised as to the operation of Oconee Unit 1, we have concluded that Duke has made a sufficient showing that Babcock & Wilcox's interest could be adversely affected by disclosure of the information contained in the proprietary document. We have also concluded that sufficient information is contained in non-proprietary documents in the public record of Docket No. 50-269 to advise an interested member of the public of the applicable safety considerations related to the proposed amendment.

We find that Duke has supplied sufficient justification for withholding this information from public disclosure.

In view of the foregoing, I have determined that disclosure of the information contained in the above referenced document is not required in the public interest nor by 10 CFR Part 9, and that it should, therefore, be withheld from public disclosure pursuant to 2.790(b) of 10 CFR Part 2.

Gary Zech
Operating Reactors Branch #1
Division of Operating Reactors

9

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