

DUKE POWER COMPANY
POWER BUILDING
422 SOUTH CHURCH STREET, CHARLOTTE, N. C. 28242

WILLIAM O. PARKER, JR.
VICE PRESIDENT
STEAM PRODUCTION

July 8, 1980

TELEPHONE AREA 704
373-4082

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Mr. B. J. Youngblood, Chief
Licensing Projects Branch No. 1

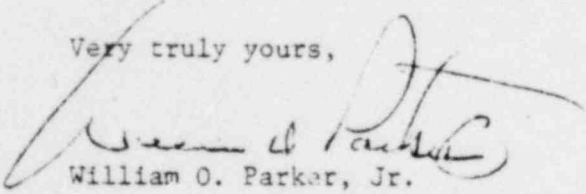
Re: McGuire Nuclear Station
Docket Nos. 50-369, 50-370

Subject: Process Control Program

Dear Mr. Denton:

Please find attached ten copies of the Process Control Program for McGuire Nuclear Station. As this submittal contains information proprietary to Chem-Nuclear Systems, Incorporated, it is supported by an affidavit signed by Chem-Nuclear Systems, Incorporated, the owner of the information. The affidavit sets forth the basis on which the information may be withheld from public disclosure by the Commission. Accordingly, it is respectfully requested that the information which is attached be withheld from public disclosure in accordance with 10CFR Section 2.790.

Very truly yours,


William O. Parker, Jr.

LJB:scs
Attachments (10)

MATERIAL TRANSMITTED HERewith
CONTAINS 2.790 MATERIAL
WITHHELD FROM
PUBLIC DISCLOSURE

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CHEM-NUCLEAR SYSTEMS INC.

P.O. Box 1866 • Bellevue, Washington 98009 • (206) 827-0711

TO: U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attention: Harold R. Denton

Re: Chem-Nuclear Systems, Inc., Document No. SD-OP-005,

"Process Control Program for CNSI Mobile
Solidification Units Using the Dow Process"

AFFIDAVIT SUBMITTED IN SUPPORT OF REQUEST THAT THE
ABOVE DOCUMENT BE WITHHELD FROM PUBLIC DISCLOSURE
PURSUANT TO 10 C.F.R. § 2.790

STATE OF WASHINGTON)
) ss:
COUNTY OF KING)

LOUIS E. REYNOLDS states as follows on behalf of Chem-Nuclear Systems, Inc.:

1. I am the director of regulatory affairs for Chem-Nuclear Systems, Inc. ("CNSI").

2. I have reviewed and am familiar with the contents of the document entitled "Process Control Program for CNSI, Mobile Solidification Units Using the Dow Process," CNSI Document No. SD-OP-005, and submit this affidavit in support of the request by Duke Power Company that this document be withheld from public disclosure.

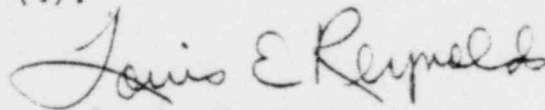
3. Chem-Nuclear Systems, Inc. has devoted extensive resources to development and improvement of its radioactive waste disposal services. A major financial expenditure was made by CNSI in connection with a September 1979 contract entered into with the Dow Chemical Company ("Dow") whereby Dow licensed CNSI to use certain Dow proprietary technology, including use of patented processes, relating to a chemical system for solidification of low-level radioactive waste materials. Under this agreement with Dow, which supersedes an earlier February 1978 agreement, CNSI pays a royalty fee to Dow for use of Dow proprietary information, and also is restricted from disclosing such proprietary information to CNSI employees or customers, unless such employees and customers agree in writing to maintain the Dow proprietary information in confidence.

4. CNSI has used the Dow process through engineering research, equipment design and fabrication, to develop a high-technology system for solidifying radioactive waste which uses Dow confidential information and also proprietary information developed by CNSI. The above-entitled document contains a complete description of the CNSI mobile solidification unit, including chemical usages and adjustment data, formulas, and a schematic diagram of the system, all of which set forth proprietary information of CNSI, and also Dow proprietary information which CNSI is restricted by its contract with Dow from transmitting to the public, or using in any way not specifically permitted under the CNSI agreement with Dow.

5. Release of the above document to the public would afford competitors of CNSI an unfair advantage, and would cause substantial harm to the Company and loss of the benefit of past investment of financial resources by CNSI including license fees paid and engineering man hours. In addition, release of the above report to the general public would cause CNSI to be in breach of its licensing agreement with the Dow Chemical Company, and might lead to a cancellation of the agreement.

6. CNSI has continuously held in confidence detailed information concerning the design and operation of its mobile solidification units so as to protect both Dow proprietary information, and related CNSI proprietary information involving CNSI use and improvement of the Dow process. The proprietary information contained in the above document is not available from public sources.

7. For the reasons set forth in this affidavit, CNSI respectfully requests that the Nuclear Regulatory Commission withhold the above document from public disclosure as permitted under 10 C.F.R. § 2.790(b) (4).



Louis E. Reynolds
Director, Regulatory Affairs

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 25th day of June, 1980, before me, a notary public in and for the State of Washington, duly commissioned, personally appeared LOUIS E. REYNOLDS, to me known to be the Director of Regulatory Affairs for Chem-Nuclear Systems, Inc., and on oath stated that he was authorized to make this affidavit on behalf of the corporation.

IN WITNESS WHEREOF, I have set my hand and affixed by official seal the day and year first above written

Barbara Fischer

NOTARY PUBLIC in and for the State
of Washington, residing at *Bellevue*

NAM 3P