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Vice President
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DUKE POWER

March 19, 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
Proprietary Designation of Supplementary
Information Relative to Topical Report DPC-NE-3001

By letter dated February 13, 1991, Duke Power Company submitted responses to NRC Staff questions relative to Duke-proprietary Topical Report DPC-NE-3001. While information in the responses was designated as proprietary by means of the word "proprietary" stamped at the top of the affected pages, and the appropriate information identified by brackets, the letter did not reference the affidavit to support the proprietary designation which was submitted with the original Topical Report by letter dated January 29, 1990. For your convenience, that affidavit is attached. Pursuant to 10CFR 2.790, and the terms of that affidavit, we request that the information in the responses so designated in the February 13, 1991 submittal be considered proprietary and withheld from public disclosure. We regret any inconvenience this oversight may have caused.

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

Very truly yours,

M.S. Tuckman

M. S. Tuckman

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Nuclear Regulatory Commission
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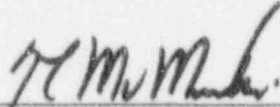
cc: Mr. T. A. Reed, Project Manager
Office of Nuclear Reactor Regulation
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Mail Stop 9H3, OWFN
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Mr. R.E. Martin, Project Manager
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Mr. S. D. Ebnetter, Regional Administrator
U.S. Nuclear Regulatory Commission - Region II
101 Marietta Street, NW - Suite 2900
Atlanta, Georgia 30323

AFFIDAVIT OF TED 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.



Ted C. McMeekin

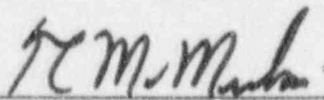
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- (v) The proprietary information sought to be withheld in this submittal is that which is marked in the proprietary version of the report DPC-NE-3001-P, Safety Analysis Physics Parameters and Multidimensional Reactor Transients Methodology, and omitted from the non-proprietary version.

This information enables Duke to:

- (a) Systematically confirm that reload physics parameters important to FSAR Chapter 15 transients and accidents are bounded by values assumed in the licensing analyses.
 - (b) Simulate the following Chapter 15 events: the rod ejection accident, the main steam line break, and the dropped rod transient.
- (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.



Ted C. McMeekin

(continued)

AFFIDAVIT OF TED 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.

Ted C. McMeekin

Ted C. McMeekin

Sworn to and subscribed before me this 19th day of January, 1990.
Witness my hand and official seal.

Harry S. Morales
Notary Public

My commission expires December 13, 1993