



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 1, 1994

Docket Nos. 50-269, 50-270
and 50-287

Mr. M. S. Tuckman
Senior Vice President
Nuclear Generation
Duke Power Company
P. O. Box 1006
Charlotte, North Carolina 28201-1006

Dear Mr. Tuckman:

SUBJECT: REQUEST FOR WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC
DISCLOSURE - OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3
(TAC NOS. M87258, M87259, AND M87260)

By letter dated August 11, 1993, Duke Power Company (DPC or licensee) submitted Topical Report DPC-NE-3003-P, "Mass and Energy Release and Containment Response Methodology" for review. The NRC staff, in a letter dated January 27, 1994, requested additional information to complete its review of the report. By letter dated February 16, 1994, DPC responded to the staff's questions and requested that Question 5 be considered proprietary in accordance with 10 CFR 2.790 and be withheld from public disclosure.

By affidavit dated February 17, 1994, DPC submitted information in support of its request to withhold the proprietary information for the following reasons:

1. The information sought to be withheld from public disclosure is owned by Duke and has been held in confidence by Duke and its consultants.
2. 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.
3. 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.
4. The information sought to be protected is not available in public to the best of Duke's knowledge and belief.
5. The proprietary information sought to be withheld in this submittal is that which is marked in the proprietary version of the report DPC-NE-3003, "Mass and Energy Release and Containment Response Methodology" and supporting documentation, and omitted from the non-proprietary versions.

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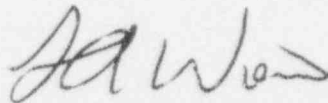
April 1, 1994

The NRC staff has reviewed DPC's topical report based on the requirements and criteria of 10 CFR 2.790 and, on the basis of DPC's statement, has determined that the submitted material sought to be withheld contains proprietary commercial information. Therefore, the proprietary information will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act, as amended.

Withholding from public disclosure shall not affect the right if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, 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, you should promptly notify the NRC. You should also 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 your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,



Leonard A. Wiens, Project Manager
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page

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Mr. M. S. Tuckman

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Sincerely,

/s/

Leonard A. Wiens, Project Manager
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page

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