

50-269/270/287



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20565-0001

September 4, 1997

Mr. M. S. Tuckman, Executive Vice President
Nuclear Generation
Duke Energy Corporation
526 South Church Street
P.O. Box 1006
Charlotte, NC 28201-1006

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE - OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3

Dear Mr. Tuckman:

By letter dated July 30, 1997, Duke Energy Corporation (Duke) submitted Topical Report DPC-NE-3005, "UFSAR [Updated Final Safety Analysis Report] Chapter 15 Transient Analysis Methodology," as proprietary information and affidavit dated July 30, 1997. The information is related to the methodology for analyzing the non-loss-of-coolant accident (LOCA) UFSAR Chapter 15 transients and accidents for the Oconee Nuclear Station. You requested that the information be considered proprietary and withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version of the document was also included in the submittal and will be placed in the NRC's Public Document Room for public inspection.

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

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.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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Mr. M. S. Tuckman

- 2 -

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, 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 also 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 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,



David E. LaBarge, Senior Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

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

cc: See next page

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Sincerely,

ORIGINAL SIGNED BY:

David E. LaBarge, Senior Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

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Oconee Nuclear Station

cc:

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