



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 19, 2015

Mr. Steven D. Capps
Vice President
McGuire Nuclear Station
Duke Energy Carolinas, LLC
12700 Hagers Ferry Road
Huntersville, NC 28078

SUBJECT: MCGUIRE NUCLEAR STATION, UNIT 1 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. MF5817)

Dear Mr. Capps

By letter dated March 5, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15083A053), Duke Energy Carolinas, LLC (Duke, the licensee), submitted relief request 10-MN-001 for the McGuire Nuclear Station, Unit 1. The request contained an affidavit to the U.S. Nuclear Regulatory Commission (NRC) dated October 22, 2013 (Affidavit included in aforementioned ADAMS Accession No.), and executed by Mr. Henry A. Sepp, Director of MCRE-Engineering Services, Westinghouse Electric Company, LLC. The affidavit requested that selected information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- LTR-PAFM-14-114 P-Attachment, "Technical Justification to Support Extended Volumetric Examination Interval for McGuire Unit 1 Reactor Vessel Inlet Nozzle to Safe End Dissimilar Metal Welds" (Proprietary)

A nonproprietary copy of this response to the RAI has been placed in the NRC's Public Document Room and added to the NRC Library in ADAMS at Accession No. ML15083A046.

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

- The information reveals distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies;
- It's use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product; and

- Public disclosure of the information sought to be withheld is likely to cause substantial harm to competitive position of Westinghouse because it would enhance the ability of competitors to provide similar technical evaluation justifications and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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.

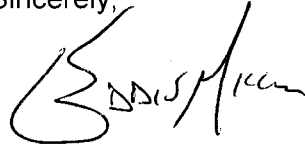
If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the 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.

S. Capps

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If you have any questions regarding this matter, I may be reached at (301) 415-2481 or by e-mail at ed.miller@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Edward Miller". The signature is stylized with a large, looped initial "G" and a long, sweeping horizontal stroke at the end.

G. Edward Miller, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-369

cc:

Mr. James A. Gresham
Manager, Regulatory Compliance
Westinghouse Electric Company
1000 Westinghouse Drive, Building 310
Cranberry Township, PA 16066

Additional Distribution via ListServ

S. Capps

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If you have any questions regarding this matter, I may be reached at (301) 415-2481 or by e-mail at ed.miller@nrc.gov.

Sincerely,

/RA/

G. Edward Miller, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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Mr. James A. Gresham
Manager, Regulatory Compliance
Westinghouse Electric Company
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Cranberry Township, PA 16066

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DATE	06/19/15	06/16/15	06/19/15	06/19/15	06/19/15

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