



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001
October 27, 2016

Mr. John Elnitsky
Senior Vice President – Nuclear Engineering
Duke Energy Corporation
Mail Code EC07H
Charlotte, NC 28202

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2, AND SHEARON
HARRIS NUCLEAR POWER PLANT (CAC NOS. MF6648 AND MF6649)

Dear Mr. Elnitsky:

By letter dated October 3, 2016, you submitted an affidavit dated October 3, 2016, executed by John Elnitsky, and requested that the 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:

Attachment 2, Response to NRC Request for Additional Information (Proprietary), regarding application to revise Technical Specifications for Methodology Report DPC-NE-1008, Revision 0, "Nuclear Design Methodology Using CASMO-5/SIMULATE-3 for Westinghouse Reactors"

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in the Agencywide Documents Access and Management System (ADAMS) Accession No. ML16278A090.

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

4. Pursuant to the provisions of paragraph (b)(4) of 10 CFR 2.390, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
 - (ii) The information is of a type that would customarily be held in confidence by Duke Energy. Information is held in confidence if it falls in one or more of the following categories.
 - (a) The information requested to be withheld reveals distinguishing aspects of a process (or component, structure, tool, method, etc.) whose use by a vendor or consultant, without a license from Duke Energy, would constitute a competitive economic advantage to that vendor or consultant.

- (c) Use by a competitor of the information requested to be withheld would reduce the competitor's expenditure of resources, or improve its competitive position, in the design, manufacture, shipment, installation assurance of quality or licensing of a similar product.

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 versions of 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.

J. Elnitsky

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If you have any questions regarding this matter, I may be reached at 301-415-2760.

Sincerely,

A handwritten signature in black ink, appearing to read 'MB', with a long horizontal flourish extending to the right.

Martha Barillas, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-261 and 50-400

cc:

Mr. Benjamin C. Waldrep
Site Vice President
Shearon Harris Nuclear Power Plant
5413 Shearon Harris Road
New Hill, NC 27562-0165

Mr. Richard Michael Glover
Site Vice President
H. B. Robinson Steam Electric Plant
Duke Energy
3581 West Entrance Road, RNPA01
Hartsville, SC 29550

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J. Elnitsky

- 3 -

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Sincerely,

/RA/

Martha Barillas, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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