



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

August 10, 2020

Ms. Kim Maza
Vice President
Shearon Harris Nuclear Plant
5413 Shearon Harris Road
New Hill, NC 27562

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1
(EPID L-2019-LLA-0076)

Dear Ms. Maza:

By letter dated April 10, 2019, as supplemented by letters dated June 6, 2019, and December 20, 2019, Duke Energy Progress, LLC submitted an affidavit dated December 16, 2019, executed by Steve Snider, Vice President of Nuclear Engineering, Duke Energy Corporation, requesting 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 1 to Duke Energy letter RA-19-0453 regarding the response to the request for additional information pertaining to the application to revise technical specifications and the corresponding impact to report DPC-NE-2005-P-A, *Thermal-Hydraulic Statistical Core Design Methodology*.

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC) Public Document Room and added to the NRC Library in the Agencywide Documents Access and Management System (ADAMS) under Accession No. ML19354B380.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure. Some, but not all, of the reasons for exemption are listed below:

- 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.
- 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.
- 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 Energy.

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.

If you have any questions regarding this matter, I may be reached at (301) 415-1387 or Tanya.Hood@nrc.gov.

Sincerely,

/RA/

Tanya E. Hood, Project Manager
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-400

cc: Listserv

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