



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

November 3, 2022

Mr. Steven M. Snider
Site Vice President,
Oconee Nuclear Station
Duke Energy Carolinas, LLC
7800 Rochester Highway
Seneca, SC 29672-0752

SUBJECT: OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3 – REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE REGARDING
THE SUBSEQUENT LICENSE RENEWAL APPLICATION – DUKE ENERGY
LETTER DATED SEPTEMBER 2, 2022 (RESPONSES TO REQUEST FOR
ADDITIONAL INFORMATION) (EPID NO. L-2021-SLR-0000)

Dear Mr. Snider:

By letter dated June 7, 2021 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML21158A193), as supplemented by letters dated October 22, 2021 (ML21295A035), October 28, 2021 (ML21302A208), November 11, 2021 (ML21315A012), December 2, 2021 (ML21336A001), December 15, 2021 (ML21349A005), December 17, 2021 (ML21351A000), January 7, 2022 (ML22010A129), January 21, 2022 (ML22021A000), February 14, 2022 (ML22045A021), February 21, 2022 (ML22052A002), March 22, 2022 (ML22081A027), March 31, 2022 (ML22090A046), April 20, 2022 (ML22110A207), April 22, 2022 (ML22112A016), May 11, 2022 (ML22131A023), May 20, 2022 (ML22140A016), May 27, 2022 (ML22147A001), June 7, 2022 (ML22158A028), June 8, 2022 (ML22159A151), July 8, 2022 (ML22189A008), July 25, 2022 (ML22206A005), and September 2, 2022 (ML22245A008), Duke Energy Carolinas, LLC (Duke Energy or applicant) submitted an application for the subsequent license renewal of Renewed Facility Operating License Nos. DPR-38, DPR-47 and DPR-55 for Oconee Nuclear Station (ONS), Units 1, 2, and 3 to the U.S. Nuclear Regulatory Commission (NRC or staff), per Title 10 of the *Code of Federal Regulations* (10 CFR) Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants."

By letter dated May 3, 2022 (ML22124A161), the NRC staff issued request for additional information (RAI) Second Round RAI B2.1.7-4a. In the letter dated September 2, 2022, "Response to ONS SLRA Second Round RAI B2.1.7-4a," Enclosure 1, Duke Energy provided response to the RAI to support completion of the safety review.

As part of the letter dated September 2, 2022, Duke Energy submitted an affidavit dated August 30, 2022, executed by Gayle Elliott, Deputy Director, Licensing and Regulatory Affairs, for Framatome Inc. (Framatome), where Duke Energy requested that the information cited in Enclosure 1, Attachment 1P, be withheld from public disclosure pursuant to 10 CFR Part 2, Section 2.390, "Public inspections, exemptions, requests for withholding":

- Attachment 1P, Response To ONS SLRA Second Round RAI B2.1.7-4a – Proprietary Version

A non-proprietary copy of Duke's letter September 2, 2022, "Subsequent License Renewal Application Response to ONS SLRA Second Round RAI B2.1.7-4a" has been added to the NRC Library (ML22245A010).

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

Gayle Elliott – Affidavit for Framatome, Inc. (Enclosure 1, Attachment 1P)

5. "This Document has been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in this Document be withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information.""

6. "The following criteria are customarily applied by Framatome to determine whether information should be classified as proprietary:

- (a) The information reveals details of Framatome's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for Framatome.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatome in product optimization or marketability.

- (e) The information is vital to a competitive advantage held by Framatome, would be helpful to competitors to Framatome, and would likely cause substantial harm to the competitive position of Framatome.”

The NRC staff has 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, has 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, the NRC staff may send copies of this information to our consultants working in this area. The NRC staff will 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 on this matter, please contact me via email at Mark.Yoo@nrc.gov.

Sincerely,



Signed by Yoo, Mark
on 11/03/22

Mark L. Yoo, Project Manager
License Renewal Projects Branch
Division of New and Renewed Licenses
Office of Nuclear Reactor Regulation

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

cc: Listserv

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DATE	10/26/2022	10/28/2022	11/2/2022
OFFICE	DNRL/NVIB: BC	DNRL/NLRP: BC	DNRL/NLRP: PM
NAME	ABuford	LGibson	MYoo
DATE	11/3/2022	11/3/2022	11/3/22

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