



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

February 15, 2019

Mr. Thomas D. Ray
Vice President
McGuire Nuclear Station
Duke Energy Carolinas, LLC
12700 Hagers Ferry Road
Huntersville, NC 28078-8985

SUBJECT: MCGUIRE NUCLEAR STATION, UNITS 1 AND 2 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2017-LLA-0414)

Dear Mr. Ray:

By letter dated January 30, 2019 Agencywide Documents Access and Management System (ADAMS) Accession No. and ML19032A094, respectively), you submitted an affidavit dated January 22, 2019, executed by Philip A. Opsal, Manager, Product Licensing of Framatone Inc. (formally known as AREVA, Inc.), requesting that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- Attachment 3 – “Response to Requests for Additional Information for Aging Management Program and Inspection Plan for the McGuire Units 1 and 2 Reactor Vessels Internals to Implement MRP-227-A Technical Report; ANP-3750P Revision 0”

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

- (a) The information reveals details of Framatone Inc.’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 Framatone, Inc.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatone Inc. in product optimization or marketability.

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

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 documents listed above, 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 Nuclear Regulatory Commission (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 by phone at 301-415-3867 or by email at Michael.Mahoney@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to be 'Michael Mahoney', written over a horizontal line.

Michael Mahoney, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos.: 50-369 and 50-370

cc: Listserv

SUBJECT: MCGUIRE NUCLEAR STATION, UNITS 1 AND 2 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (EPID L-2017-LLA-0414) DATED FEBRUARY 15, 2019

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