

August 11, 2011

Mr. L. N. Hartz  
Vice President, Nuclear Support Services  
Virginia Electric and Power Company  
5000 Dominion Boulevard  
Glen Allen, VA 23060

SUBJECT: NRC APPROVAL OF VIRGINIA ELECTRIC AND POWER COMPANY  
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
REGARDING THE NORTH ANNA EXEMPTION REQUEST FOR NUHOMS®  
HD DRY SHIELDED CANISTERS

Dear Mr. Hartz:

By letter dated July 21, 2011, you submitted an affidavit dated June 21, 2011, requesting that the information contained in Attachment 2 of your July 21, 2011, letter (regarding "TN Calculation 10494-174 Rev 0: Effect of Reversed Loading Patterns on the Thermal Performance of 32PTH DSC") be withheld from public disclosure pursuant to 10 CFR 2.390.

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

- The information sought to be withheld from public disclosure involves details and analyses related to Transnuclear, Inc.'s design for the NUHOMS® HD 32PTH Dry Shielded Canister, which are owned and have been held in confidence by Transnuclear, Inc.
- The information is of a type customarily held in confidence by Transnuclear, Inc., and not customarily disclosed to the public. Transnuclear, Inc., has a rational basis for determining the types of information customarily held in confidence by it.
- Public disclosure of the information is likely to cause substantial harm to the competitive position of Transnuclear, Inc., because the information consists of details and analyses related to Transnuclear, Inc.'s design for the NUHOMS® HD 32PTH Dry Shielded Canister, the application of which provide a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with Transnuclear, Inc., take marketing or other actions to improve their product's position or impair the position of Transnuclear, Inc.'s product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.

U.S. Nuclear Regulatory Commission (NRC) staff have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your

statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, Attachment 2 of your July 21, 2011, letter 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 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 of the date of public disclosure, in advance which will be a reasonable time thereafter.

If you have any questions regarding this matter, you may contact me at 301-492-3268.

Sincerely,

**/RA/**

Jennie Rankin, Project Manager  
Licensing Branch  
Division of Spent Fuel Storage and Transportation  
Office of Nuclear Material Safety  
and Safeguards

Docket Nos. 72-1030, 72-56

L. Hartz

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**/RA/**

Jennie Rankin, Project Manager  
Licensing Branch  
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Docket Nos. 72-1030, 72-56

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