



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

June 12, 2012

Mr. Ken Langdon
Vice President Nine Mile Point
Nine Mile Point Nuclear Station, LLC
P. O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NO. 1 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE: (TAC NO.
ME5789)

Dear Mr. Langdon:

By letters dated March 4, 2011 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML110680293), and April 9, 2012 (ADAMS Package Accession No. ML121020213), you submitted affidavits dated February 24, 2011, and April 6, 2012, respectively, executed by Gayle F. Elliott, Manager, Licensing, AREVA, NP, Inc. (AREVA NP). Also, by letter dated March 25, 2011 (ADAMS Package Accession No. ML110950302), you submitted an affidavit dated March 17, 2011, executed by Sandra M. Sloan, Manager, Regulatory Affairs for New York Plants for AREVA NP. All the affidavits were superseded by your letter dated May 22, 2012 (ADAMS Accession No. ML12152A173). The two affidavits dated May 14, 2012, submitted by letter dated May 22, 2012, requested 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(a)(4):

- (1) CENG Letter to NRC, "Nine Mile Point Nuclear Station Unit No. 1; Docket No. 50-220 Request to Utilize an Alternative to the Requirements of 10 CFR 50.55a(g) for the Repair of Control Rod Drive Housing Penetrations for the Remainder of the License Renewal Period of Extended Operation," dated March 4, 2011, Attachment 5, "AREVA Document No. 32-9138065-001, NMP-1 CRD Housing IDTB Weld Anomaly Analysis (Proprietary)" (Affidavit dated May 14, 2012).
- (2) CENG Letter to NRC, "Nine Mile Point Nuclear Station Unit No. 1; Docket No. 50-220 Request to Utilize an Alternative to the Requirements of 10 CFR 50.55a(g) for the Repair of Control Rod Drive Housing Penetrations for the Remainder of the License Renewal Period of Extended Operation," dated March 25, 2011, Attachment 5, "AREVA Document No. 32-9138065-002, NMP-1 CRD Housing IDTB Weld Anomaly Analysis (Proprietary)" (Affidavit dated May 14, 2012).
- (3) CENG Letter to NRC, "Nine Mile Point Nuclear Station Unit No. 1; Docket No. 50-220 Request to Utilize an Alternative to the Requirements of 10 CFR 50.55a(g) for the Repair of Control Rod Drive Housing Penetrations - Response to NRC Follow-up Request for Additional Information (TAC No. ME5789)," dated April 9, 2012, Attachment 5, "White Paper Regarding Peening (Proprietary)" (Affidavit dated May 14, 2012).

Both the affidavits dated May 14, 2012, stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (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 AREVA NP.

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 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 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.

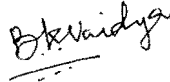
K. Langdon

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Nonproprietary copies of CENG documents listed in paragraphs (1), (2), and (3) above (ADAMS Accession Nos. ML110680289, ML12102A112, and ML110950312, respectively), have been placed in the NRC's Public Document Room and added to the ADAMS Public Electronic Reading Room.

If you have any questions regarding this matter, I may be reached at 301-415-3308.

Sincerely,

A handwritten signature in cursive script, appearing to read "B.K. Vaidya", with a horizontal line underneath.

Bhalchandra K. Vaidya, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-220

cc:

Gayle F. Elliott, Manager, Product Licensing
AREVA NP Inc.
3315 Old Forest Road
Lynchburg, VA 24506-0935

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- 3 -

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Sincerely,

/RA/

Bhalchandra K. Vaidya, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-220

cc:

Gayle F. Elliott, Manager, Product Licensing
AREVA NP Inc.
3315 Old Forest Road
Lynchburg, VA 24506-0935

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