



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

May 23, 2013

Mr. Chris Costanzo
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. 2 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
RE: SUBMITTAL OF EVALUATION TO ESTABLISH INSPECTION INTERVALS
FOR JET PUMP HOLDDOWN BEAMS FABRICATED FROM MODIFIED ALLOY
718 MATERIAL (TAC NO. ME7800)

Dear Mr. Costanzo:

By letter dated March 11, 2013 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML130780404), you submitted affidavit dated February 28, 2013, executed by James A. Gresham, Manager, Regulatory Compliance, Nuclear Services, Westinghouse Electric Company, LLC (Westinghouse), 1000 Westinghouse Drive, Cranberry Township, PA16066, USA. By letter dated May 3, 2013 (ADAMS Accession No. ML13130A158), you submitted a supplemented affidavit, which included the same affidavit as before, and additionally provided the missing page with the information that was not included in the affidavit as required by 10 CFR 2.390. The supplemented affidavit requested 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(a)(4):

CENG Letter to NRC, "Nine Mile Point Nuclear Station, Unit No. 2, Docket No. 50-410, Submittal of Evaluation to Establish Inspection Intervals for Jet Pump Holddown Beams Fabricated from Modified Alloy 718 Material, March 11, 2013, Attachment 4, "Westinghouse Engineering Report XGEN-2012-25-P, Revision 1, Technical Basis for the Inspection Frequency of the Modified Alloy 718 Jet Pump Beam (Proprietary)" (ADAMS Accession No. ML13078A325) (Affidavit dated February 28, 2013).

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

- 4(ii) (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- 4(ii) (c) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.

C. Costanzo

- 2 -

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.

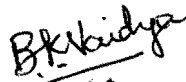
Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the 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.

Nonproprietary copy of CENG document, (Attachment 2 ADAMS Accession No. ML13078A323), has 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,



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

Docket No. 50-410

cc:

James A. Gresham, Manager,
Regulatory Compliance, Nuclear Services,
Westinghouse Electric Company, LLC (Westinghouse),
1000 Westinghouse Drive,
Cranberry Township, PA16066, USA

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/ra/

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

Docket No. 50-410

cc:

James A. Gresham, Manager,
Regulatory Compliance, Nuclear Services,
Westinghouse Electric Company, LLC (Westinghouse),
1000 Westinghouse Drive,
Cranberry Township, PA16066, USA

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