



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

September 3, 2014

Mr. Christopher A. 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: LICENSE
AMENDMENT REQUEST PURSUANT TO 10 CFR 50.90: MAXIMUM
EXTENDED LOAD LINE LIMIT ANALYSIS PLUS, DATED MARCH 10, 2014
(TAC NO. MF3056)

Dear Mr. Costanzo:

By letter dated March 10, 2014 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML14071A460), Nine Mile Point Nuclear Station, LLC (the licensee) submitted the affidavit executed by Peter M. Yandow, Manager, Nuclear Plant Projects [NPP] /Services Licensing, Regulatory Affairs, GE-Hitachi Nuclear Energy Americas, LLC (GEH), 3901 Castle Hayne Road, Wilmington, NC 28401, on March 4, 2014.

The 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):

The information sought to be withheld is contained in Enclosure 1 of GEH letter, GE-PPO-IGYEF-KG1-728, "GEH Response to NRC Request for Additional Information in Support of NMP2 MELLLA+ License Amendment Request," dated March 4, 2014.

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

- (4) The information sought to be withheld is considered to be proprietary for the reasons set forth in paragraphs (4)a. and (4)b. Some examples of categories of information that fit into the definition of proprietary information are:
 - a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH constitutes a competitive economic advantage over other companies;
 - b. Information that, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;

- (8) The information identified in paragraph (2) is classified as proprietary because it contains the detailed GEH methodology for maximum extended load line limit analysis and for the GEH Boiling Water Reactor (BWR). These methods, techniques, and data along with their application to the design, modification, and analyses associated with stability were achieved at a significant cost to GEH.

The development of the evaluation processes along with the interpretation and application of the analytical results is derived from the extensive experience and information databases that constitute a major GEH asset.

The information identified in the affidavit is contained in Attachment 3 (ADAMS Accession No. ML14071A467) of the CENG Letter to NRC, dated March 10, 2014, Nine Mile Point Nuclear Station, Unit No. 2; Renewed Facility Operating License No. NPF-69, Docket No. 50-410, "License Amendment Request Pursuant to 10 CFR 50.90: Maximum Extended Load Line Limit Analysis Plus – Response to SRXB RAI 1 AND RAI 2 (TAC No. MF3056)".

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 in Attachment 3 of the submission, 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.

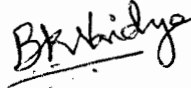
C. A. Costanzo

- 3 -

The Nonproprietary versions of Attachment 3 of the licensee submittal (Attachment 1 of the licensee's submittal, part of ADAMS Accession No. ML14071A466) 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,

A handwritten signature in black ink, appearing to read "BK Vaidya", with a horizontal line drawn underneath the name.

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

Docket No. 50-410

cc: Peter M. Yandow,
Manager, Nuclear Plant Projects/Services Licensing, Regulatory Affairs,
GE-Hitachi Nuclear Energy Americas, LLC,
3901 Castle Hayne Road,
Wilmington, NC28401

Additional Distribution via Listserv

C. A. Costanzo

-3-

The Nonproprietary versions of Attachment 3 of the licensee submittal (Attachment 1 of the licensee's submittal, part of ADAMS Accession No. ML14071A466) 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,

/RA/

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

Docket No. 50-410

cc: Peter M. Yandow,
Manager, Nuclear Plant Projects/Services Licensing, Regulatory Affairs,
GE-Hitachi Nuclear Energy Americas, LLC,
3901 Castle Hayne Road,
Wilmington, NC28401

Additional Distribution via Listserv

DISTRIBUTION:

PUBLIC

RidsNrrDorlLpl1-1 Resource
RidsRgn1MailCenter Resource
RidsNrrDssSnpb Resource
DSchroeder, Region 1

LPL1-1 R/F
RidsNrrLAKGoldstein Resource
RidsAcraAcnw_MailCTR Resource
RidsNrrDssEicb Resource

RidsNrrDssStsb Resource
RidsNrrPMNineMilePoint Resource
RidsNrrDssSrxb Resource
RidsNrrDssScvb Resource

ADAMS Accession No.: ML14072A015

(*) by email

OFFICE	NRR/LPL1-1\PM	NRR/LPL1-1\LA	NRR/SRXB/BC	NRR/SNPB/BC(A(*))	NRR/EICB/BC(*)
NAME	BVaidya	KGGoldstein	CJackson	JDean	JThorp
DATE	3/24/14	3/24/14	8/19/14	9/02/14	3/26/14
OFFICE	NRR/ARCB/BC(*)	NRR/SCVB/BC(*)	NRR/STSB/BC	NRR/LPL1-1/BC	NRR/LPL1-1/PM
NAME	UShoop	RDennig	RElliott	BBeasley	BVaidya
DATE	4/02/14	3/25/14	8/20/14	9/02/14	9/03/14

OFFICIAL RECORD COPY