



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

August 11, 2015

Mr. Mano Nazar
President and Chief Nuclear Officer
Nuclear Division
NextEra Energy
P.O. Box 14000
Juno Beach, FL 33408-0420

SUBJECT: ST. LUCIE PLANT, UNIT NO. 2 – REQUEST FOR WITHHOLDING
PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE FOR THE
LICENSE AMENDMENT REQUEST AND EXEMPTION REQUEST REGARDING
THE TRANSITIONING TO AREVA FUEL (TAC NOS. MF5494 AND MF5495)

Dear Mr. Nazar:

By letter dated December 30, 2014 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15002A091), Florida Power & Light Company (the licensee) submitted an affidavit dated December 1, 2014, executed by Alan B. Meginnis, on behalf of AREVA Inc., requesting that information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390:

ANP-3345P, Revision 0, "St. Lucie Unit 2 Fuel Transition Small Break LOCA
[loss-of-coolant accident] Summary Report," dated December 2014.

Non-proprietary versions of the affidavit and the report are publicly available under ADAMS Accession Nos. ML15002A091 and ML15002A092, respectively.

The U.S. Nuclear Regulatory Commission (NRC) staff informed the licensee that part of ANP-3345P that was marked as proprietary did not meet the 10 CFR 2.390 criteria for being withheld from public disclosure. The licensee indicated that it would be revised and resubmitted.

By letter dated June 18, 2015 (ADAMS Accession No. ML15181A290), the licensee submitted a revision of ANP-3345P. With this letter, the licensee submitted an affidavit dated June 4, 2015, executed by Gayle Elliott, on behalf of AREVA Inc., requesting that information contained in the following document be withheld from public disclosure pursuant to 10 CFR, Section 2.390:

ANP-3345P, Revision 1, "St. Lucie Unit 2 Fuel Transition Small Break LOCA Summary Report," dated June 2015.

The June 4, 2015, affidavit stated that the submitted information should be considered exempt from mandatory public disclosure per 10 CFR 2.390(a)(4) for the following reasons:

- (6.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.

- (6.d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA in product optimization or marketability.
- (6.e) The information is vital to a competitive advantage held by AREVA, would be helpful to competitors to AREVA, and would likely cause substantial harm to the competitive position of AREVA.

Non-proprietary versions of the affidavit and the report are publicly available under ADAMS Accession Nos. ML15181A290 and ML15181A291, respectively.

The NRC staff has reviewed the information provided with the June 18, 2015, letter in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the June 4, 2015, affidavit, has determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the information marked as proprietary that was included with the June 18, 2015, letter 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 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.

M. Nazar

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Please direct any inquiries to Robert L. Gladney at 301-415-1022 or Robert.Gladney@nrc.gov.

Sincerely,

A handwritten signature in blue ink that reads "Robert L. Gladney" followed by a stylized "for" or "per" mark.

Farideh E. Saba, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-389

cc:

Mr. Alan B. Meginnis
Manager, Product Licensing
AREVA Inc.
2101 Horn Rapids Road, RC36
Richland, WA 99354

Ms. Gayle Elliott
Manager, Product Licensing
AREVA NP, Inc.
3315 Old Forest Road, OF-16
Lynchburg, VA 24501

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M. Nazar

- 3 -

Please direct any inquiries to Robert L. Gladney at 301-415-1022 or Robert.Gladney@nrc.gov.

Sincerely,

/RA/ Robert L. Gladney for

Farideh E. Saba, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-389

cc:

Mr. Alan B. Meginnis
Manager, Product Licensing
AREVA Inc.
2101 Horn Rapids Road, RC36
Richland, WA 99354

Ms. Gayle Elliott
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OFFICE	DORL/LPL1-2/PM	DORL/LPL2-2/LA	DSS/SRXB/BC	DSS/SNPB/BC
NAME	RGladney	BClayton	CJackson	JDean
DATE	7/22/15	7/22/15	7/22/15	7/22/15
OFFICE	DORL/LPL2-2/BC	DORL/LPL2-2/PM		
NAME	SHelton	FSaba <i>RGladney for</i>		
DATE	8/09/15	8/11/15		

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