



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

July 2, 2015

Mr. Ernest J. Harkness  
Site Vice President  
FirstEnergy Nuclear Operating Company  
Mail Stop A-PY-A290  
P.O. Box 97, 10 Center Road  
Perry, OH 44081-0097

SUBJECT: PERRY NUCLEAR POWER PLANT, UNIT NO. 1 - REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (L-15-163)

Dear Mr. Harkness:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated June 1, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15153A154), FirstEnergy Nuclear Operating Company submitted an affidavit dated April 28, 2015, executed by Lukas Trosman, Engineering Manager, Reload Design and Analysis at Global Nuclear Fuel - Americas, LLC (GNF-A), requesting 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) 9.17(a)(4) and 2.390(a)(4):

Enclosure A to L-15-163, "Core Operating Limits Report for the Perry Nuclear Power Plant Unit 1 Cycle 16 (Reload 15), Revision 23, [Proprietary]"

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

- (4)a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GNF-A's competitors without license from GNF-A constitutes a competitive economic advantage over other companies;
- (4)b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;

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 version of 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.

E. Harkness

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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.

If you have any questions regarding this matter, I may be reached at 301-415-1627.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly J. Green". The signature is fluid and cursive, with the first name "Kimberly" and last name "Green" clearly distinguishable.

Kimberly J. Green, Senior Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-440

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Sincerely,

/RA/

Kimberly J. Green, Senior Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

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