



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

October 26, 2016

Mr. Thomas A. Vehec
Vice President
NextEra Energy
Duane Arnold Energy Center
3277 DAEC Road
Palo, IA 52324-9785

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR DUANE ARNOLD ENERGY CENTER (CAC NO. MF7486)

Dear Mr. Vehec:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated March 15, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16077A234), NextEra Energy Duane Arnold, LLC (the licensee) submitted a license amendment request (LAR) for the Duane Arnold Energy Center (DAEC). The proposed amendment would revise DAEC technical specifications (TSs), Section 4.3.1, "Fuel Storage, Criticality," and TS 4.3.3, "Fuel Storage, Capacity." The proposed LAR would also add a new requirement to TS 5.5, "Programs and Manuals," for a Spent Fuel Pool Neutron Absorber Monitoring Program. The submittal contains information that Global Nuclear Fuel – Americas (GNF-A) considers to be proprietary in nature. Accordingly, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Sections 9.17(a)(4) and 2.390(a)(4), GNF-A requests that following document be withheld from public disclosure:

Attachment 6 to DAEC Letter NG-16-0052, dated March 15, 2016, "Criticality Safety Evaluation of the PaR Racks in the Duane Arnold Spent Fuel Pool"

A nonproprietary version of this document was provided as Attachment 4 of the March 15, 2016 submittal, and has been made publicly available at ADAMS Accession No. ML16077A234.

An affidavit requesting this information to be withheld from public disclosure was issued on February 29, 2016, signed by Lukas Trosman, Engineering Manager, Reload Design and Analysis, Global Nuclear Fuel – Americas, LLC. 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 document identified above marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR Section 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.

If you have any questions regarding this matter, I may be reached at 301-415-8371.

Sincerely,



Mahesh Chawla, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-331

cc: Mr. Lukas Trosman, Engineering Manager,
Reload Design and Analysis
Global Nuclear Fuel – Americas, LLC
3901 Castle Hayne Road
Wilmington, NC 28401

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- (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;

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Sincerely,

/RA/

Mahesh Chawla, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-331

cc: Mr. Lukas Trosman, Engineering Manager,
Reload Design and Analysis
Global Nuclear Fuel – Americas, LLC
3901 Castle Hayne Road
Wilmington, NC 28401

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DATE	10/18/16	10/17/16	10/24/16	10/25/16	10/26/16

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