



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

January 4, 2018

Mr. Bryan C. Hanson
Senior Vice President
Exelon Generation Company, LLC
President and Chief Nuclear Officer
Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR NINE MILE POINT NUCLEAR STATION, UNIT 2 (EPID L-2017-LLA-0373)

Dear Mr. Hanson:

By letter dated November 3, 2017, Exelon Generation Company, LLC submitted an affidavit dated September 25, 2017, executed by Mr. Brian R. Moore, General Manager, Core & Fuel Engineering, 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) Section 2.390:

GNF-004N4798-R0-P, "GNF Additional Information Regarding the Requested Changes to the Technical Specification SLMCPR Nine Mile Point Unit 2 Cycle 17," September 2017 (GNF Proprietary Information - Class II (Internal)).

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure. Some, but not all, of the reasons for exemption are listed below:

- 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.
- 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.
- To address 10 CFR 2.390 (b) (4), the information sought to be withheld is being submitted to NRC in confidence. The information is of a sort customarily held in confidence by GNF-A, and is in fact so held.
- All disclosures to third parties including any required transmittals to NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence.
- The development of this methodology, along with the testing, development and approval was achieved at a significant cost to GNF-A.

- Public disclosure of the information sought to be withheld is likely to cause substantial harm to GNF-A's competitive position and foreclose or reduce the availability of profit-making opportunities.

A non-proprietary version of the document is available in the U.S. Nuclear Regulatory Commission's (NRC's) Agencywide Documents Access and Management System at ADAMS Accession No. ML17307A019.

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 above document 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 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, please contact me, at (301) 415-2871 or Michael.Marshall@nrc.gov.

Sincerely,



Michael L. Marshall, Jr., Senior Project Manager
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-410

cc: Mr. Brian R. Moore
General Manager
Core & Fuel Engineering
Global Nuclear Fuel - Americas, LLC
3901 Castle Hayne Road
Wilmington, NC 28401

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