



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

April 5, 2018

Mr. William R. Gideon, Vice President
Brunswick Steam Electric Plant
Duke Energy Progress, LLC
8470 River Rd., SE (M/C BNP001)
Southport, NC 28461

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR BRUNSWICK STEAM ELECTRIC PLANT, UNITS 1 AND 2, REGARDING
CORE FLOW OPERATING RANGE EXPANSION (CAC NOS. MF8363 AND
MF8364; EPID L-2016-LLA-0009)

Dear Mr. Gideon:

By letter dated September 6, 2016 (Agencywide Documents Access and Management system (ADAMS) Accession No. ML16257A410), you submitted affidavits dated August 1, July 18, and August 1, 2016, executed by Lisa K. Schichlein of General Electric-Hitachi (GEH) Nuclear Energy Americas LLC, Alan B. Meginnis of AREVA Inc., and Randy Stark of Electric Power Research Institute (EPRI), respectively, 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), Part 2, Section 2.390:

DUKE-OB21-1104-000(P), "Safety Analysis Report for Brunswick Steam Electric Plant Units 1 and 2 Maximum Extended Load Line Limit Analysis Plus," dated July 2016.

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS (ADAMS Accession No. ML16257A411).

The affidavit from GEH, provided in Enclosure 7 of the letter dated September 6, 2016 (ADAMS Accession No. ML16257A411), stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

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

- (c) Information that reveals aspects of past, present, or future GEH customer-funded development plans and programs, resulting in potential products to GEH.
- (d) Information that discloses trade secret or potentially patentable subject matter for which it may be desirable to obtain patent protection.

The affidavit from AREVA, provided in Enclosure 8 of the letter dated September 6, 2016 (ADAMS Accession No. ML16257A411), stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (a) The information reveals details of AREVA's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (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.
- (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.
- (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.

The affidavit from EPRI, provided in Enclosure 9 of the letter dated September 6, 2016 (ADAMS Accession No. ML16257A411), stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

EPRI made a substantial economic investment to develop the Proprietary Information and, by prohibiting public disclosure, EPRI derives an economic benefit in the form of licensing royalties and other additional fees from the confidential nature of the Proprietary Information. If the Proprietary Information were publicly available to consultants and/or other businesses providing services in the electric and/or nuclear power industry, they would be able to use the Proprietary Information for their own commercial benefit and profit and without expending the substantial economic resources required of EPRI to develop the Proprietary Information.

In addition, by letter dated September 6, 2016 (ADAMS Accession No. ML16257A410), you submitted affidavits from AREVA Inc., requesting that the information contained in the following documents be withheld from public disclosure pursuant to 10 CFR 2.390:

Affidavit Executor/ Enclosure to September 6, 2016 Letter	Affidavit Date/ADAMS Accession No. of Affidavit	Document Title	ADAMS Accession No. of Nonproprietary Copy of Document
Gayle Elliott/ Enclosure 14	July 30, 2015/ ML16257A412	ANP-3108P, Revision 1, "Applicability of AREVA BWR Methods to Brunswick Extended Power Flow Operating Domain," dated July 2015.	ML16257A412
Alan B. Meginnis/ Enclosure 17	May 4, 2016/ ML16257A404	ANP-3280P, Revision 1, "Brunswick Unit 1 Cycle 19 MELLLA+ Reload Safety Analysis," dated May 2016.	ML16257A404
Alan B. Meginnis/ Enclosure 20	December 1, 2015/ ML16257A406	ANP-3106P, Revision 2, "Brunswick Units 1 and 2 LOCA-ECCS Analysis MAPLHGR Limit for ATRIUM 10XM Fuel for MELLLA+ Operation," dated December 2015.	ML16257A406
Alan B. Meginnis/ Enclosure 23	May 22, 2013/ ML16257A407	ANP-3013(P), Revision 0, "Brunswick Unit 1 Cycle 19 Fuel Cycle Design MELLLA+ Operating Domain," dated May 2013.	ML16257A407
Gayle Elliott/ Enclosure 26	July 30, 2015/ ML16257A408	ANP-3105P, Revision 1, "Brunswick Units 1 and 2 LOCA Break Spectrum Analysis for ATRIUM 10XM Fuel for MELLLA+ Operation," dated July 2015.	ML16257A408

Subsequently, by letter dated March 16, 2018 (ADAMS Accession No. ML18076A030), you submitted a corrected affidavit dated February 26, 2018, executed by Alan B. Meginnis of Framatome for document ANP-3108P, Revision 1, to correct a discrepancy with the document date as stated in the previous affidavit (ADAMS ML16257A412). Framatome was formerly called AREVA. This letter uses the company name AREVA to also include Framatome.

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

- (a) The information reveals details of AREVA's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (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.
- (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.

- (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.

By letter dated November 9, 2016 (ADAMS Accession No. ML16330A504), you provided a response to a request for supplemental information and submitted an affidavit dated November 2, 2016, executed by Lisa K. Schichlein of GEH requesting that the information contained in the following document be withheld from public disclosure pursuant to 10 CFR 2.390:

GEH-PGN-MPLUS-143, "GEH Response to the NRC MELLLA+ Request for Supplemental Information on the ATWS-I Analyses," dated November 2, 2016.

A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the NRC Library in ADAMS (ADAMS Accession No. ML16330A505).

The affidavit from GEH, provided in Enclosure 3 of the letter dated November 9, 2016 (ADAMS Accession No. ML16330A504), stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (a) Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without a license from GEH constitutes a competitive economic advantage over other companies.
- (b) Information that, if used by a competitor, would reduce its expenditure of resources or improve its competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.
- (c) Information that reveals aspects of past, present, or future GEH customer-funded development plans and programs, resulting in potential products to GEH.
- (d) Information that discloses trade secret or potentially patentable subject matter for which it may be desirable to obtain patent protection.

By letter dated November 2, 2017 (ADAMS Accession No. ML17325B599), you submitted revised pages for the following documents, which are covered by affidavits previously provided as described above:

DUKE-OB21-1104-000(P), "Safety Analysis Report for Brunswick Steam Electric Plant Units 1 and 2 Maximum Extended Load Line Limit Analysis Plus," dated July 2016.

GEH-PGN-MPLUS-143, "GEH Response to the NRC MELLLA+ Request for Supplemental Information on the ATWS-I Analyses," dated November 2, 2016.

A nonproprietary copy of revised pages to DUKE-OB21-1104-000(P) has been placed in the NRC's Public Document Room and added to the NRC Library in ADAMS (ADAMS Accession No. ML17325B599). As discussed in your November 2, 2017, letter (ADAMS Accession No. ML17325B599), a nonproprietary copy of revised pages to GEH-PGN-MPLUS-143 was not provided because the changes to the pages do not affect the nonproprietary version of the corresponding pages previously provided (ADAMS Accession No. ML16330A505).

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 affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

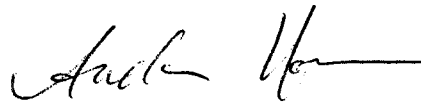
Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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 301-415-8480.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Hon", with a stylized flourish at the end.

Andrew Hon, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-325 and 50-324

cc: See next page

W. Gideon

- 6 -

cc: Ms. Lisa K. Schichlein
Senior Project Manager, NPP/Services Licensing
Regulatory Affairs
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