



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

October 24, 2019

Mr. Robert S. Bement  
Executive Vice President Nuclear/  
Chief Nuclear Officer  
Mail Station 7602  
Arizona Public Service Company  
P.O. Box 52034  
Phoenix, AZ 85072-2034

SUBJECT: PALO VERDE NUCLEAR GENERATING STATION, UNITS 1, 2, AND 3 -  
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
(EPID L-2018-LLA-0194)

Dear Mr. Bement:

By letter dated October 4, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19277J457), Arizona Public Service Company (the licensee) submitted an affidavit dated September 25, 2019, to the U.S. Nuclear Regulatory Commission (NRC), executed by Ms. Gayle Elliott, Deputy Director, Licensing and Regulatory Affairs, for Framatome Inc. (Framatome), requesting that the information contained in the following document (Attachments 12 and 13 of the letter dated October 4, 2019) be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- ANP-3639P, Revision 1Q1P, Revision 0, "Palo Verde Units 1, 2 and 3 Realistic Large Break LOCA Summary Report NRC RAI Responses," September 2019.
- ANP-3640Q1P, Revision 0, "Palo Verde Units 1, 2 and 3 Small Break LOCA Summary Report NRC RAI Responses," September 2019.

A non-proprietary copy of these documents, ANP-3639NP, Revision 1Q1NP, Revision 0, "Palo Verde Units 1, 2 and 3 Realistic Large Break LOCA Summary Report NRC RAI Responses," September 2019, and ANP-3640Q1NP, Revision 0, "Palo Verde Units 1, 2 and 3 Small Break LOCA Summary Report NRC RAI Responses," September 2019, contained in Attachments 8 and 9 of the enclosure to your letter dated October 4, 2019, respectively, has been placed in the NRC's Public Document Room and added to the NRC Library in ADAMS at the above-referenced Accession No. ML19277J457.

The affidavit dated September 25, 2019, stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatome in product optimization or marketability.

- (e) The information is vital to a competitive advantage held by Framatome, would be helpful to competitors to Framatome, and would likely cause substantial harm to the competitive position of Framatome.

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 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, please contact me at 301-415-1564 or via e-mail at [Siva.Lingam@nrc.gov](mailto:Siva.Lingam@nrc.gov).

Sincerely,

/RA/

Siva P. Lingam, Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-528, STN 50-529,  
and STN 50-530

cc: Ms. Gayle Elliott  
Deputy Director, Licensing and  
Regulatory Affairs  
Framatome Inc.  
3315 Old Forest Road  
Lynchburg, VA 24501

Listserv

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DATE	10/17/19	10/11/19	10/17/19
OFFICE	NRR/DSS/SNSB/BC(A)	NRR/DORL/LPL4/BC	NRR/DORL/LPL4/PM
NAME	JBorromeo (RBeaton for)	JDixon-Herrity (BSingal for)	SLingam
DATE	10/17/19	10/24/19	10/24/19

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