



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

July 6, 2020

Vice President, Operations  
Entergy Nuclear Operations, Inc.  
Indian Point Energy Center  
450 Broadway, GSB  
P.O. Box 249  
Buchanan, NY 10511-0249

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC  
DISCLOSURE FOR INDIAN POINT NUCLEAR GENERATING UNIT  
NO. 3 (EPID L-2020-LLA-0051)

Dear Sir or Madam:

By letter dated March 24, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20084U773), Entergy Operations, Inc. provided an affidavit dated March 5, 2020, executed by Kimberly Manzione, Licensing Manager, Holtec International, requesting that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

- Attachment 2, NL-20-021, Proprietary Holtec Report HI-2188549, HI-LIFT Design Specification for IPEC Unit 3
- Attachment 3, NL-20-021, Proprietary HI-LIFT Licensing Drawing, 11654R1
- Attachment 4, NL-20-021, Proprietary Holtec Report HI-2188625, Structural Evaluation of HI-LIFT Device and Fuel Storage Building Walls at Indian Point Unit 3

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 Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies;
- 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;

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed the submittal in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, has determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the

aforementioned documents 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 document. If the need arises, the NRC may send copies of this information to our consultants working in this area. The NRC will ensure that its 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, the NRC should be promptly notified. The NRC may revisit this determination in the future if, for example, the scope of a Freedom of Information Act request includes this information. The NRC will notify you in advance of any public disclosure if the NRC makes such a determination.

If you have any questions regarding this matter, please contact me at (301) 415-1030 or [Richard.Guzman@nrc.gov](mailto:Richard.Guzman@nrc.gov).

Sincerely,

*/RA/*

Richard V. Guzman, Senior Project Manager  
Plant Licensing Branch I  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-286

cc: Listserv

Ms. Kimberly Manzione  
Licensing Manager  
Holtec International  
2500 Broadway  
Camden, NJ 08104

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NO. 3 (EPID L-2020-LLA-0051) DATED JULY 6, 2020

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NAME	RGuzman		
DATE	07/06/2020		

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