



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

June 8, 2021

Mr. Mark D. Sartain
Vice President – Nuclear Engineering and
Fleet Support
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR NORTH ANNA POWER STATION, UNITS 1 AND 2, SURRY POWER STATION, UNITS 1 AND 2, AND MILLSTONE POWER STATION, UNITS 2 AND 3, REQUEST FOR WITHHOLDING, RESPONSE TO NRC REQUEST FOR ADDITIONAL INFORMATION, APPENDIX E OF FLEET REPORT DOM-NAF-2 (EPID: L-2021-LLT-0000)

Dear Mr. Sartain:

By letter dated May 13, 2021 (Agency Documents Access Management System (ADAMS) Accession No. ML21133A285), you submitted an affidavit dated May 4, 2021, executed by Gayle Elliott, Deputy Director, Licensing and Regulatory Affairs for Framatome Inc., requesting that the identified information contained in the following document be withheld from public disclosure pursuant to Section 2.390 of Title 10 of the *Code of Federal Regulations* (10 CFR):

Response to NRC Request for Additional Information, DOM-NAF-2, Appendix E,
“Qualification of the Framatome BWU-I CHF Correlation in the Dominion Energy
VIPRE-D Computer Code”

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission’s (NRC’s) Public Document Room and added to the NRC Library in ADAMS.

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

These Documents have been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in these Documents be withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) “Trade secrets and commercial or financial information.”

6. The following criteria are customarily applied by Framatome to determine whether information should be classified as proprietary:
 - (a) The information reveals details of Framatome’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 of 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 Framatome.
- (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.

The information in these Documents is considered proprietary for the reasons set forth in paragraphs 6(d) and 6(e) above.

7. In accordance with Framatome's policies governing the protection and control of information, proprietary information contained in these Documents has been made available, on a limited basis, to others outside of Framatome only as required and under suitable agreement providing for nondisclosure and limited use of the information.

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 version(s) 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, please contact me at (301) 415-2481, or via email at ed.miller@nrc.gov.

Sincerely,

/RA/

G. Edward Miller, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-280, 50-281, 50-338,
50-339, 50-336, and 50-423

cc: Listserv

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