



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

February 17, 2022

Mr. David P. Rhoades  
Senior Vice President  
Constellation Energy Generation, LLC  
President and Chief Nuclear Officer  
Constellation Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

SUBJECT: LASALLE COUNTY STATION, UNITS 1 AND 2 - REQUESTS FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE RE:  
LICENSE AMENDMENT REQUEST RELATED TO NEW FUEL STORAGE  
VAULT AND SPENT FUEL STORAGE POOL CRITICALITY  
METHODOLOGIES, WITH PROPOSED CHANGES TO TECHNICAL  
SPECIFICATIONS SECTIONS 4.3.1 AND 5.6.5 (EPID L-2021-LLA-0124)

Dear Mr. Rhoades:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated June 30, 2021 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML21183A169), Exelon Generation Company, LLC (Exelon)<sup>1</sup> submitted a license amendment request related to new fuel storage vault and spent fuel storage pool criticality methodologies. By letter dated November 4, 2021 (ADAMS Package Accession No. ML21312A456), Exelon provided a supplement which revised the original requests for withholding information from public disclosure. Specifically, the supplement provided the following:

- (1) A revised affidavit dated October 15, 2021, executed by Brian R. Moore, General Manager Core & Fuel Engineering, Global Nuclear Fuel - Americas, LLC (GNF-A),
- (2) A revised affidavit dated October 20, 2021, executed by Debabrata (Debu) Mitra Majumdar, Ph.D., Corporate Director – Engineering Analysis, Holtec International (Holtec), and
- (3) A revised affidavit dated October 20, 2021, executed by Matthew C. Harris, Segment Manager, NETCO, business segment of Scientech, Curtiss-Wright Corporation.

The revised affidavits requested that the marked information contained in NEDC-33931P, "LaSalle County Station Fuel Storage Criticality Safety Analysis," Revision 1, dated October 2021 (Attachment 2 to the November 4, 2021, letter), be withheld from public disclosure pursuant to Section 2.390 of Title 10 of the *Code of Federal Regulations* (10 CFR). The supplement also provided more information for the release to the public disclosure.

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<sup>1</sup> On February 1, 2022 (ADAMS Accession No. ML22032A333), Exelon Generation Company, LLC was renamed Constellation Energy Generation, LLC.

The letters, affidavits, and the nonproprietary version of Attachment 2 to the November 4, 2021, letter have been placed in the NRC's Public Document Room and added to the NRC Library in ADAMS.

The revised affidavit from GNF-A states that the marked information should be considered exempt from mandatory public disclosure for the following reasons:

- 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;
- 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. The information is part of GNF-A's comprehensive BWR [Boiling water reactor] safety and technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology and includes development of the expertise to determine and apply the appropriate evaluation process. In addition, the technology base includes the value derived from providing analyses done with NRC-approved methods.

The revised affidavit from Holtec states that the marked information should be considered exempt from mandatory public disclosure for the following reasons:

- 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;
- 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.
- Public disclosure of the information sought to be withheld is likely to cause substantial harm to Holtec International's competitive position and foreclose or reduce the availability of profit-making opportunities. The information is part of Holtec International's comprehensive spent fuel storage technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology, and includes development of the expertise to determine and apply the appropriate evaluation process.

The revised affidavit from NETCO, business segment of Scientech, Curtiss-Wright Corporation states that the marked information should be considered exempt from mandatory public disclosure for the following reasons:

- The information sought to be withheld contains developed, patented, product fabrication data and supporting information that could be used by a competitor as a competitive advantage, and would result in substantial harm to the competitive position of NETCO.
- The development of the methodology, data and supporting information was achieved at a significant cost to NETCO. Public disclosure of this information sought to be withheld is likely to cause substantial harm to NETCO's competitive position and reduce the availability of profit-making opportunities.

The NRC staff has reviewed the licensee's application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the revised affidavits, have determined that the marked information in Attachment 2 to the November 4, 2021, letter, that was requested to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, this information 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 staff position, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-3308.

Sincerely,

/RA/

Bhalchandra K. Vaidya, Project Manager  
Plant Licensing Branch III  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-373 and 50-374

cc:

Listserv

Brian R. Moore, General Manager Core & Fuel Engineering, GNF-A,

Debabrata (Debu) Mitra Majumdar, Ph.D., Corporate Director – Engineering Analysis, Holtec, and

Matthew C. Harris, Segment Manager, NETCO, business segment of Scientech, Curtiss-Wright

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DATED FEBRUARY 17, 2022

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K. Wood, NRR/SFNB

**ADAMS Accession No. ML22025A227**

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