



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

July 22, 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: DRESDEN NUCLEAR POWER STATION, UNITS 2 AND 3 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2022-LLA-0085)

Dear Mr. Rhoades:

By letter dated June 8, 2022, Constellation Energy Generation, LLC (CEG) submitted affidavit dated April 28, 2022, executed by Brian R. Moore, General Manager, Core and Fuel Engineering at Global Nuclear Fuel – Americas, LLC (GNF-A), that requested proprietary 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):

NEDC-33938P, "Dresden Nuclear Power Station Fuel Storage Criticality Safety Analysis," Revision 0, April 2022

A nonproprietary version has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library at Agencywide Documents Access and Management System Accession No. ML22159A310.

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

- (5) To address 10 CFR 2.390 (b) (4), the information sought to be withheld is being submitted to NRC in confidence. The information is of a sort customarily held in confidence by GNF-A, and is in fact so held. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by GNF-A, no public disclosure has been made, and it is not available in public sources. ...
- (9) 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. ...

We have reviewed the material requested to be withheld 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 the 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, please contact me at 301-415-1421 or via e-mail at Surinder.Arora@nrc.gov.

Sincerely,

/RA/

Surinder S. Arora, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-237 and 50-249

cc: Brian R. Moore,
General Manager, Core & Fuel Engineering
Global Nuclear Fuel – Americas, LLC
3901 Castle Hayne Road
Wilmington, NC 28401
Brian.Moore@ge.com

Listserv

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