



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

November 28, 2022

ANO Site Vice President
Arkansas Nuclear One
Entergy Operations, Inc.
1448 S.R. 333
Russellville, AR 72802

SUBJECT: ARKANSAS NUCLEAR ONE, UNIT 1 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (EPID L-2021-LLA-0181)

Dear Sir or Madam:

By letter dated October 13, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML22286A249), you submitted an affidavit dated September 29, 2022, executed by John W. Simons from MPR Associates, Inc. (MPR), requesting that the 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):

Enclosure 1 – 1CAN102201 Evaluation of the Proposed Change (Proprietary)

A nonproprietary version of enclosure 1, contained in enclosure 2 of the letter dated October 13, 2022, has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS at the above-referenced Accession No. ML22286A249

The MPR affidavit stated, in part, that the information should be considered exempt from mandatory public disclosure for the following reasons:

- (2) The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information sought to be withheld is contained in Enclosure [1] to Entergy Letter 1CAN102201 to be issued on October 13, 2022.

The document is to be treated as MPR proprietary information because it contains information which has a commercial value to MPR.

- The evaluation include details of an analysis methodology that MPR developed. The details of the analysis methodology were developed based on extensive research and deliberations among MPR personnel and reflect the combined technical expertise and insights of MPR. Public release of the information would concede intellectual property and a commercial advantage to others pursuing similar analysis methodology and/or technical services.

- The evaluation includes excerpts from the analysis that MPR performed using this methodology. Public release of the information would concede intellectual property and a commercial advantage to others engaged in evaluation of the flashing fraction calculation during a steam generator tube rupture event.
- (3) The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information."
- (4) The material for which exemption from disclosure is herein sought is considered proprietary for the following reasons:
 - a) 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 or service.
 - b) The information is vital to a competitive advantage, would be helpful to competitors, and would likely cause harm to the competitive position.
- (5) Public disclosure of the information sought to be withheld is likely to cause substantial harm to MPR.

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 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 regarding this matter, I may be reached at 301-415-4037 or by email at Thomas.Wengert@nrc.gov.

Sincerely,

/RA/

Thomas J. Wengert, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No.: 50-313

cc: Listserv

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DATED NOVEMBER 28, 2022

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***by email**

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