



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

January 26, 2009

Mr. Timothy J. O'Connor
Site Vice President
Monticello Nuclear Generating Plant
Northern States Power Company - Minnesota
2807 West County Road 75
Monticello, MN 55362-9637

SUBJECT: MONTICELLO NUCLEAR GENERATING PLANT - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. MD9990)

Dear Mr. O'Connor:

By letter dated November 5, 2008, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML083230111), you submitted an application for amendment, including Enclosure 11, "Steam Dryer Dynamic Stress Evaluation" (Proprietary)," and Enclosure 12, an affidavit executed by Mr. Alan J. Bilanin of Continuum Dynamics, Inc. (C.D.I.), on November 5, 2008, requesting that Enclosure 11 be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

The affidavit stated that the entire Enclosure 11 should be considered exempt from mandatory public disclosure for the following reasons:

- (a) [The information involves] a process or method, including supporting data and analysis, where prevention of its use by C.D.I.'s competitors without license from C.D.I. constitutes a competitive 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;
- (c) Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

We have reviewed C.D.I.'s affidavit in accordance with the requirements of 10 CFR 2.390, and on the basis of its statements, we have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the entire Enclosure 11, which is 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.

We have released to the public the non-proprietary version of the C.D.I. document that was submitted as Enclosure 13 of your November 5, 2008, application (Accession No. ML083230114).

T. J. O'Connor

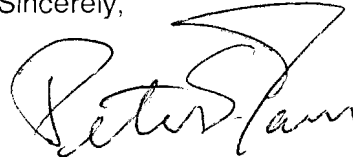
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Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, 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 301-415-1451.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter S. Tam". The signature is stylized with a large, sweeping initial "P" and a long, horizontal stroke extending to the right.

Peter S. Tam, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-263

cc: Mr. Alan J. Bilanin, President and Senior Associate
Continuum Dynamics, Inc.
34 Lexington Avenue
Ewing, NJ 08618-2302

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T. J. O'Connor

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Sincerely,

/RA/

Peter S. Tam, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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