



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

January 15, 2009

Vice President, Operations
Entergy Nuclear Operations, Inc.
Pilgrim Nuclear Power Station
600 Rocky Hill Road
Plymouth, MA 02360-5508

SUBJECT: PILGRIM NUCLEAR POWER STATION - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. ME0241)

Dear Sir or Madam:

By letter dated December 16, 2008, Entergy Nuclear Operations, Inc. (the licensee) submitted the affidavit executed by Mr. Jens G. M. Andersen, Consulting Engineer, Thermal Hydraulic Methods, Global Nuclear Fuel-Americas, LLC., (GNF-A), dated October 17, 2008.

The affidavit requested that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

Attachment 4 to the letter from Entergy Nuclear Operations, Inc. (Mr. Kevin R. Bronson, Site Vice President), 2.08.057, dated December 16, 2008, "GNF Additional Information Regarding the Requested Changes to the Technical Specifications SLMCPR, Pilgrim Cycle 18, Proprietary Version, eDRF Section 000-0090-6001, dated October 16, 2008."

The affidavit from Mr. Andersen of GNF-A stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (4)(a). 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;
- (4)(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.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the versions 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.

A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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 301-415-4125.

Sincerely,

A handwritten signature in black ink that reads "James Kim". The signature is written in a cursive style with a long horizontal stroke at the end.

James Kim, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-293

cc: Distribution via Listserv and

Mr. Jens G. M. Andersen
Consulting Engineer
Global Nuclear Fuel-Americas, L.L.C.
P. O. Box 780
Wilmington, NC 24501

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/RA/

James Kim, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
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