



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

February 8, 2011

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 OF PROPRIETARY INFORMATION FROM PUBLIC  
DISCLOSURE (TAC NO. ME3145)

Dear Mr. O'Connor:

By letter dated September 28, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML102790380), you submitted supplemental information to support your application for an amendment regarding Maximum Extended Load Line Limit Analysis Plus (MELLLA+). Among other things, the submittal includes:

Enclosure 1 of Attachment 1 - GE-MNGP-AEP-1913, R1, "GEH Responses to Reactor Systems RAIs [Requests for Additional Information] - Proprietary"

Enclosure 3 of Attachment 1 - GE-MNGP-AEP-1913, R1, "Compact Disc (CD) - Proprietary"

You included an affidavit executed by Mr. Edward D. Schrull of GE-Hitachi Nuclear Energy Americas LLC (GEH), requesting that the above listed documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. The affidavit states that the Enclosures listed above should be considered exempt from mandatory public disclosure because:

- (a) [The] information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH constitutes a competitive economic advantage over other companies;
- (b) Information that, 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 a similar product.

You have provided a non-proprietary version of Enclosure 1, identified as Enclosure 2 of Attachment 1, which the Nuclear Regulatory Commission (NRC) staff has disclosed to the public as ADAMS Accession No. ML102790373.

We have reviewed Mr. Schrull'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

T. J. O'Connor

- 2 -

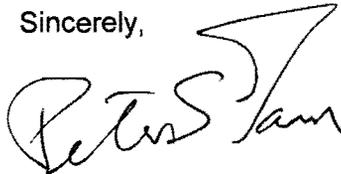
disclosure. Therefore, the above identified documents, which are marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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 301-415-1451.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter S. Tam". The signature is fluid and cursive, with a large, stylized initial "P" and "T".

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. Edward D. Schrull  
Vice President, Regulatory Affairs  
Services Licensing  
GE-Hitachi Nuclear Energy Americas LLC  
3901 Castle Hayne Road  
Wilmington, NC 28401

Additional Distribution via ListServ

T. J. O'Connor

- 2 -

disclosure. Therefore, the above identified documents, which are 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 301-415-1451.

Sincerely,

**/RA/**

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. Edward D. Schrull  
Vice President, Regulatory Affairs  
Services Licensing  
GE-Hitachi Nuclear Energy Americas LLC  
3901 Castle Hayne Road  
Wilmington, NC 28401

Additional Distribution via ListServ

**DISTRIBUTION:**

PUBLIC	RidsNrrDorlLpl3-1Resource	RidsNrrPMMonticello Resource
RidsNrrLABTullyResource	RidsOgcMailCenterResource	RidsAcrcAcnw_MailCTRResource
RidsNrrDirsltsb	RidsRgn3MailCenterResource	RidsNrrDorlDprResource
LPL 3-1 R/F	T. Huang, NRR	L. Ward, NRR

Accession No.: **ML110190204**

OFFICE	LPL3-1/PM	LPL3-1/LA	SRXB/BC	LPL3-1/BC
NAME	PTam	BTully	AMendiola	RPascarelli
DATE	02/04/11	02/01/11	02/04/11	02/08/11

**OFFICIAL RECORD COPY**