



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

March 31, 2011

Mr. Jon A. Franke, Vice President
Crystal River Nuclear Plant (NA2C)
ATTN: Supervisor, Licensing & Regulatory Programs
15760 W. Power Line Street
Crystal River, Florida 34428-6708

SUBJECT: CRYSTAL RIVER NUCLEAR PLANT, UNIT NO. 3 - REQUEST FOR WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE RELATED TO THE DEVELOPMENT OF CONFIRMATORY LOSS-OF-COOLANT (LOCA) AND NON-LOCA MODELS IN SUPPORT OF ITS UPCOMING EXTENDED POWER UPRATE (TAC NO. ME3949)

Dear Mr. Franke:

By letter dated March 15, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML110880399), Florida Power Corporation (the licensee), doing business as Progress Energy Florida, Inc., submitted the responses to requests for additional information related to the upcoming extended power uprate for Crystal River Nuclear Plant, Unit 3. In this letter, the licensee submitted the required information for the development of the confirmatory loss-of-coolant (LOCA) and non-LOCA models, and requested that AREVA NP Inc. proprietary information included in Attachment B and enclosure of this letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. An affidavit dated March 11, 2011, executed by Gayle F. Elliott of AREVA NP Inc., and included as Attachment A to your letter dated March 15, 2011, was provided requesting that information contained in the following documents be withheld from public disclosure pursuant to 10 CFR 2.390:

- Attachment B to a letter dated March 15, 2011 – Response to Request for Additional Information Required for the Development of the Confirmatory LOCA and Non-LOCA Models (Proprietary).
- Enclosure to Attachment B to a letter dated March 15, 2011 – Response to Request for Additional Information Required for the Development of the Confirmatory LOCA and Non-LOCA Models (Proprietary).--- CD-ROM

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

- “(b) 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.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA NP.”

J. Franke

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We have reviewed your letter dated March 15, 2011, and the enclosed material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the enclosure to Attachment B (CD-ROM) of the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. We also have determined that Attachment B of the submitted information sought to be withheld does not contain proprietary commercial information and therefore, should not be withheld from public disclosure. We have confirmed this with Mr. Kenneth R. Wilson of your staff on March 30, 2011 (ADAMS Accession No. ML110900598).

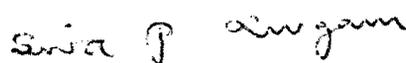
Therefore, the enclosure to Attachment B (CD-ROM) of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. However, Attachment B of the submitted information marked as proprietary will be made publicly-available.

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 301-415-1564.

Sincerely,



Siva P. Lingam, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-302

cc: Ms. Gayle F. Elliott, Manager
Product Licensing
AREVA NP Inc.
3315 Old Forge Road
Lynchburg, VA 24501

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/RA/

Siva P. Lingam, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-302

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Lynchburg, VA 24501

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ADAMS Accession No: ML110770132

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