

**PROPRIETARY INFORMATION – WITHHOLD UNDER 10 CFR 2.390**

April 18, 2011

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Peach Bottom Atomic Power Station, Units 2 and 3  
Renewed Facility Operating License Nos. DPR-44 and DPR-56  
NRC Docket Nos. 50-277 and 50-278

Subject: Spent Fuel Pool Criticality Documents

- Reference:
- 1) Letter from D. P. Helker (Exelon Generation Company, LLC) to U.S. Nuclear Regulatory Commission, "Spent Fuel Pool Criticality Documents," dated February 9, 2011
  - 2) Letter from D. P. Helker (Exelon Generation Company, LLC) to U.S. Nuclear Regulatory Commission, "Spent Fuel Pool Criticality Documents," dated February 23, 2011

In the Reference 1 letter, as requested by the U.S. Nuclear Regulatory Commission Senior Resident Inspector at Peach Bottom Atomic Power Station, Exelon Generation Company, LLC (Exelon) submitted several documents for NRC review. We note that there is no outstanding license amendment request associated with this issue.

Reference 2 provided additional information as requested.

In this submittal, attached are copies of NET-174-01, Revision 1 ("BADGER Test Campaign at Peach Bottom Unit 3") and NET-192-01, Revision 1 ("BADGER Test Campaign at Peach Bottom Unit 2"). Additionally, NET-264-01, Revision 4 ("BADGER Test Campaign at Peach Bottom Unit 2") and NET-350-01, Revision 1 ("2010 Badger Test Campaign at Peach Bottom Unit 2") have been updated and are being resubmitted.

**Attachments 1, 2, 3, 4 transmitted herewith contain Proprietary Information.  
When separated from attachments, this document is decontrolled.**

Attachments 1 through 4 contain information proprietary to Curtiss-Wright Flow Control Service Company (NETCO). NETCO requests that the information contained in these attachments be withheld from public disclosure in accordance with 10 CFR 2.390(a)(4). An Affidavit supporting this request is contained in Attachment 5.

If any additional information is needed, then please contact Tom Loomis at (610) 765-5510.

Respectfully,



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David P. Helker  
Manager, Licensing & Regulatory Affairs  
Exelon Generation Company, LLC

- Attachments:
- 1) "BADGER Test Campaign at Peach Bottom Unit 3," NET-174-01, Revision 1 (Proprietary)
  - 2) "BADGER Test Campaign at Peach Bottom Unit 2," NET-192-01, Revision 1 (Proprietary)
  - 3) "BADGER Test Campaign at Peach Bottom Unit 2," NET-264-01, Revision 4 (Proprietary)
  - 4) "2010 Badger Test Campaign at Peach Bottom Unit 2," NET-350-01, Revision 1 (Proprietary)
  - 5) Affidavit

cc: USNRC Region I, Regional Administrator  
USNRC Senior Resident Inspector, PBAPS  
USNRC Project Manager, PBAPS  
R. R. Janati, Bureau of Radiation Protection (w/o Attachments)  
S. T. Gray, State of Maryland (w/o Attachments)

**Attachment 5**

**Affidavit**



NETCO  
731 Grant Avenue  
Lake Katine, NY 12449  
Phone: 845.382.6912  
Fax: 845.382.6917

## AFFIDAVIT

I, Matthew L. Eyre, Director of NETCO, a business unit of Curtiss-Wright Flow Control Service Company, do hereby affirm and state:

1. I am the Director of NETCO, a business unit of Curtiss-Wright Flow Control Service Company (NETCO), authorized to execute this affidavit on its behalf. I am further authorized to review information submitted to the Nuclear Regulatory Commission (NRC) and apply to the NRC for the withholding of information from disclosure.
2. The information sought to be withheld is contained in the NETCO technical reports: "BADGER Test Campaign at Peach Bottom Unit 3," designated as NET-174-01, Rev 1; "BADGER Test Campaign at Peach Bottom Unit 2," designated as NET-192-01, Rev 1; "BADGER Test Campaign at Peach Bottom Unit 2," designated as NET-264-01, Rev 4 and "2010 BADGER Test Campaign at Peach Bottom Unit 2," designated as NET-350-01, Rev 1.
3. In making this application for withholding of proprietary information of which it is the owner, NETCO relies on provisions of NRC regulation 10 CFR 2.390(a) 4. The information for which exemption from disclosure is sought is confidential commercial information.
4. Some categories of information which fit into the definition of proprietary information are:
  - a) Information that discloses a process or a method including data and supporting analysis and use of such information by a competitor would constitute a competitive advantage over other companies;
  - b) Information if used by a competitor would reduce the competitor's expenditure of resources or improve his competitive position in the implementation of a similar product.
5. Initial approval of proprietary treatment of a document is made by the Director of NETCO, the person most likely to be familiar with the value and sensitivity of the information and its relation to industry knowledge. Access to such information within NETCO is on a "need to know" basis.

6. The information referred to in paragraph (2) above is classified as proprietary because it contains details of NETCO's spent fuel pool criticality analysis methodology. The development of methods used in these analyses was achieved at significant cost.
7. Public disclosure of the information sought to be withheld may cause harm to NETCO's competitive position and may reduce profit-making opportunities.

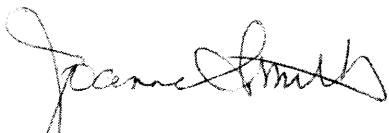
I declare under penalty of perjury that the foregoing affidavit and statements therein are true and correct to the best of my knowledge, information and belief.

Matthew L. Eyre  
Director  
NETCO, a business unit of  
Curtiss-Wright Flow Control Service Company

April 12, 2011

STATE OF NEW YORK  
COUNTY OF ULSTER

SWORN TO / AFFIRMED BEFORE ME MATTHEW EYRE  
THIS 12TH DAY OF APRIL 2011



JOANNE SMITH  
Notary Public, State of New York  
Registration# 01SM6043170  
Qualified in Ulster County  
Commission Expires 06/12/20 14