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Attachment 1 contains proprietary information.

GNRO-2011/00025

April 21, 2011

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

SUBJECT: Request for Additional Information Regarding
Extended Power Uprate
Grand Gulf Nuclear Station, Unit 1
Docket No. 50-416
License No. NPF-29

REFERENCES: 1. Email from A. Wang to F. Burford dated March 23, 2011, Grand Gulf
Extended Power Uprate Reactor Systems Branch Request for
Additional Information (ME4679) (ML110820227)
2. License Amendment Request, Extended Power Uprate, dated
September 8, 2010 (GNRO-2010/00056, Accession Number
ML102660403)

Dear Sir or Madam:

The Nuclear Regulatory Commission (NRC) requested additional information (Reference 1) regarding certain aspects of the Grand Gulf Nuclear Station, Unit 1 (GGNS) Extended Power Uprate (EPU) License Amendment Request (LAR) (Reference 2). Attachment 1 provides responses to the additional information requested by the Reactor Systems Branch.

In response to an NRC question, Entergy is proposing changes to the GGNS Technical Specifications in addition to those proposed in the GGNS EPU LAR (Reference 2). Since the changes provide additional restrictions regarding the operation of GGNS, the conclusions of the no significant hazards consideration provided in Attachment 1 of the GGNS EPU LAR remain valid. In addition, none of the other information provided in this response results in a need to change the no significant hazards consideration included in the GGNS EPU LAR. There are no new commitments identified in this letter.

GE-Hitachi Nuclear Energy Americas, LLC (GEH) consider portions of the information provided in support of the responses to the request for additional information (RAI) in Attachment 1 to be proprietary and therefore exempt from public disclosure pursuant to 10 CFR 2.390. An affidavit for withholding information, executed by GEH, is provided in Attachment 4. The proprietary

When Attachment 1 is removed, the entire letter is non-proprietary.

ADD
NRR

information was provided to Entergy in a GEH transmittal that is referenced in the affidavit. Therefore, on behalf of GEH, Entergy requests Attachment 1 to be withheld from public disclosure in accordance with 10 CFR 2.390(b)(1). A non-proprietary version of the RAI responses is provided in Attachment 3.

If you have any questions or require additional information, please contact Jerry Burford at 601-368-5755.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 21, 2011.

Sincerely,

Handwritten signature of L. A. Kapp in black ink.

MAK/FGB/dm

Attachments:

1. Response to Request for Additional Information, Reactor Systems Branch (Proprietary)
2. Proposed Technical Specification Changes (Mark-up)
3. Response to Request for Additional Information, Reactor Systems Branch (Non-Proprietary)
4. GEH Affidavit for Withholding Information from Public Disclosure

Enclosures:

1. BADGER Test Campaign at GGNS
2. Excerpts from the Blackness Testing of Boraflex in Selected Spent Fuel Storage Rack Cells (Seventh Measurement Campaign)

When Attachment 1 is removed, the entire letter is non-proprietary.

cc: Mr. Elmo E. Collins, Jr.
Regional Administrator, Region IV
U. S. Nuclear Regulatory Commission
612 East Lamar Blvd., Suite 400
Arlington, TX 76011-4005

U. S. Nuclear Regulatory Commission
ATTN: Mr. A. B. Wang, NRR/DORL (w/2)
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Mail Stop OWFN/8 B1
11555 Rockville Pike
Rockville, MD 20852-2378

State Health Officer
Mississippi Department of Health
P. O. Box 1700
Jackson, MS 39215-1700

NRC Senior Resident Inspector
Grand Gulf Nuclear Station
Port Gibson, MS 39150

Attachment 1

GNRO-2011/00025

Grand Gulf Nuclear Station Extended Power Uprate

Response to Request for Additional Information

Reactor Systems Branch

Proprietary

The GEH proprietary information is identified by double square brackets. [[This sentence is an example.⁽³⁾]] The superscript notation ⁽³⁾ refers to Paragraph (3) of the affidavit contained in Attachment 4, which provides the basis for the proprietary determination. Specific information that is not so marked is not GEH proprietary.

Enclosure 1 to

Attachment 1

GNRO-2011/00025

Grand Gulf Nuclear Station Extended Power Uprate

Response to Request for Additional Information

Reactor Systems Branch

BADGER Test Campaign at GGNS

Attachment 4

GNRO-2011/00025

Grand Gulf Nuclear Station Extended Power Uprate

Response to Request for Additional Information

Reactor Systems Branch

GEH Affidavit for Withholding Information from Public Disclosure

GE-Hitachi Nuclear Energy Americas LLC

AFFIDAVIT

I, **Edward D. Schrull, PE** state as follows:

- (1) I am the Vice President, Regulatory Affairs, Services Licensing, GE-Hitachi Nuclear Energy Americas LLC (GEH), and have been delegated the function of reviewing the information described in paragraph (2) which is sought to be withheld, and have been authorized to apply for its withholding.
- (2) The information sought to be withheld is contained in Enclosure 1 of GEH letter, GEH-GGNS-AEP-436, "NRC Reactor System Branch RAIs," dated April 21, 2011. The GEH proprietary information in Enclosure 1, which is entitled "GEH Responses to GGNS NRC RXSB RAIs" is identified by a dotted underline inside double square brackets. [[This sentence is an example.⁽³⁾]] Figures containing GEH proprietary information are identified with double square brackets before and after the object. In each case, the superscript notation ⁽³⁾ refers to Paragraph (3) of this affidavit, which provides the basis for the proprietary determination.
- (3) In making this application for withholding of proprietary information of which it is the owner or licensee, GEH relies upon the exemption from disclosure set forth in the Freedom of Information Act ("FOIA"), 5 USC Sec. 552(b)(4), and the Trade Secrets Act, 18 USC Sec. 1905, and NRC regulations 10 CFR 9.17(a)(4), and 2.390(a)(4) for trade secrets (Exemption 4). The material for which exemption from disclosure is here sought also qualifies under the narrower definition of trade secret, within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975 F2d 871 (DC Cir. 1992), and Public Citizen Health Research Group v. FDA, 704 F2d 1280 (DC Cir. 1983).
- (4) The information sought to be withheld is considered to be proprietary for the reasons set forth in paragraphs (4)a. and (4)b. Some examples of categories of information that fit into the definition of proprietary information are:
 - a. 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 their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;
 - c. Information that reveals aspects of past, present, or future GEH customer-funded development plans and programs, resulting in potential products to GEH;

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- d. Information that discloses trade secret and/or potentially patentable subject matter for which it may be desirable to obtain patent protection.
- (5) To address 10 CFR 2.390(b)(4), the information sought to be withheld is being submitted to NRC in confidence. The information is of a sort customarily held in confidence by GEH, and is in fact so held. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by GEH, not been disclosed publicly, and not been made available in public sources. All disclosures to third parties, including any required transmittals to the NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary and/or confidentiality agreements that provide for maintaining the information in confidence. The initial designation of this information as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are as set forth in the following paragraphs (6) and (7).
- (6) Initial approval of proprietary treatment of a document is made by the manager of the originating component, who is the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge, or who is the person most likely to be subject to the terms under which it was licensed to GEH. Access to such documents within GEH is limited to a "need to know" basis.
- (7) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal scientist, or other equivalent authority for technical content, competitive effect, and determination of the accuracy of the proprietary designation. Disclosures outside GEH are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary and/or confidentiality agreements.
- (8) The information identified in paragraph (2), above, is classified as proprietary because it contains detailed GEH design information of the methodology used in the design and analysis of the reactor systems for the GEH Boiling Water Reactor (BWR). Development of these methods, techniques, and information and their application for the design, modification, and analyses methodologies and processes was achieved at a significant cost to GEH.

The development of the evaluation processes along with the interpretation and application of the analytical results is derived from the extensive experience databases that constitute a major GEH asset.

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- (9) Public disclosure of the information sought to be withheld is likely to cause substantial harm to GEH's competitive position and foreclose or reduce the availability of profit-making opportunities. The information is part of GEH's comprehensive BWR safety and technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology and includes development of the expertise to determine and apply the appropriate evaluation process. In addition, the technology base includes the value derived from providing analyses done with NRC-approved methods.

The research, development, engineering, analytical and NRC review costs comprise a substantial investment of time and money by GEH. The precise value of the expertise to devise an evaluation process and apply the correct analytical methodology is difficult to quantify, but it clearly is substantial. GEH's competitive advantage will be lost if its competitors are able to use the results of the GEH experience to normalize or verify their own process or if they are able to claim an equivalent understanding by demonstrating that they can arrive at the same or similar conclusions.

The value of this information to GEH would be lost if the information were disclosed to the public. Making such information available to competitors without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive GEH of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment in developing and obtaining these very valuable analytical tools.

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

Executed on this 21st day of April 2011.



Edward D. Schrull, PE
Vice President, Regulatory Affairs
Services Licensing
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