



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

June 22, 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 3 - REQUEST FOR WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE RELATED TO THE DEVELOPMENT OF CONFIRMATORY LOSS-OF-COOLANT ACCIDENT (LOCA) AND NON-LOCA MODELS IN SUPPORT OF ITS UPCOMING EXTENDED POWER UPRATE (TAC NO. ME3949)**

Dear Mr. Franke:

By letter dated May 6, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML111671945 and ML11167A107), 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 accident (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*, Part 2, Section 2.390 (10 CFR 2.390). An affidavit dated May 4, 2011, executed by Gayle F. Elliott of AREVA NP Inc., and included as Attachment A to your letter dated May 6, 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 May 6, 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 May 6, 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 reasons specified in the following paragraphs:

- 6 (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.
- 6 (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.

We have reviewed your letter dated May 6, 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) (ADAMS Accession Nos. ML11167A140 and ML11167A141) 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 (ADAMS Accession No. ML11167A138) of the submitted information sought to be withheld does not contain proprietary commercial information and therefore, should not be withheld from public disclosure.

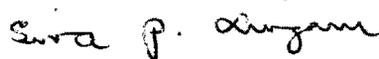
Therefore, the enclosure to Attachment B (CD-ROM) of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. However, Attachment B of the submitted information marked as proprietary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

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