



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

October 25, 2011

Mr. Mark A. Schimmel
Site Vice President
Prairie Island Nuclear Generating Plant
Northern States Power Company – Minnesota
1717 Wakonade Drive East
Welch, MN 55089-9642

SUBJECT: PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNITS 1 AND 2 –
REQUEST FOR WITHHOLDING OF PROPRIETARY INFORMATION FROM
PUBLIC DISCLOSURE (TAC NOS. ME6984 AND ME6985)

Dear Mr. Schimmel:

By letter dated August 19, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML112360231), Northern States Power Company, a Minnesota Corporation (NSPM) submitted a request to amend the renewed operating licenses for the Prairie Island Nuclear Generating Plant, Units 1 and 2. NSPM proposes to revise Technical Specification (TS) 3.7.17, "Spent Fuel Pool Storage," and TS 4.3.1, "Fuel Storage Criticality." Additionally, NSPM proposes to change the current licensing basis to change the regulatory basis for spent fuel pool criticality analysis from Title 10 of the *Code of Federal Regulations* (10 CFR), Section 70.24, to 10 CFR 50.68(b), and to change the evaluation methodology used for spent fuel pool criticality analysis to align with NRC Draft Interim Staff Guidance DSS-ISG-2010-01.

The submittal includes a Westinghouse Report, WCAP-17400-NP, Revision 0, entitled "Prairie Island Units 1 and 2 Spent Fuel Pool Criticality Analysis," dated July 2011. This Westinghouse report was included in the submittal as Enclosure 6 and designated as proprietary.

Enclosure 4 of the submittal is a non-proprietary version of Enclosure 6. This non-proprietary version of the Westinghouse report has been placed in the NRC's Public Document Room and entered into the Agencywide Documents Access and Management System Public Electronic Reading Room under ADAMS Accession No. ML11236A134.

An affidavit dated July 18, 2011, executed by Mr. J. A. Gresham of Westinghouse Electric Company Nuclear Services, requests that the above identified document be withheld from public disclosure pursuant to 10 CFR Section 2.390. The affidavit states that Enclosure 6 should be considered exempt from mandatory public disclosure for the following reasons:

The information reveals the distinguishing aspects of a methodology which was developed by Westinghouse and public disclosure of this information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar calculations and licensing defense services for commercial power reactors without commensurate expenses.

The development of the technology described in part by the information is the result of applying many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money. To duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended.

The NRC staff has reviewed Mr. Gresham'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 disclosure. Therefore, the above identified document, which is 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 301-415-3049.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry A. Beltz", with a long horizontal line extending to the right.

Terry A. Beltz, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-282 and 50-306

cc: Mr. J. A. Gresham, Manager
Westinghouse Electric Company LLC
Nuclear Services, Suite 428
1000 Westinghouse Drive
Cranberry Township, PA 16066

Additional Distribution via ListServ

October 25, 2011

The development of the technology described in part by the information is the result of applying many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money. To duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended.

The NRC staff has reviewed Mr. Gresham'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 disclosure. Therefore, the above identified document, which is 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 301-415-3049.

Sincerely,

/RA/

Terry A. Beltz, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-282 and 50-306

cc: Mr. J. A. Gresham, Manager
Westinghouse Electric Company LLC
Nuclear Services, Suite 428
1000 Westinghouse Drive
Cranberry Township, PA 16066

Additional Distribution via ListServ

DISTRIBUTION

PUBLIC	LPL3-1 r/f	RidsNrrDorLpl3-1 Resource
RidsNrrPMPrairieIsland Resource	RidsNrrLABTully Resource	RidsOgcRp Resource
RidsAcrcAcnw_MailCTR Resource	RidsNrrDssSrxb Resource	RidsNrrDorLDpr Resource
RidsRgn3MailCenter Resource		

ADAMS Accession No.: ML112560217

OFFICE	LPL3-1/PM	LPL3-1/LA	SRXB/BC	LPL3-1/BC
NAME	TBeltz	BTully	TUises	RPascarelli
DATE	9 / 19/11	9 / 19/11	10/11/11	10/25 /11

OFFICIAL RECORD COPY