

R. R. Sgarro
Director - Regulatory Affairs

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December 13, 2011

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

**BELL BEND NUCLEAR POWER PLANT
REQUEST FOR WITHHOLDING OF
INFORMATION FROM JOINT PERMIT
APPLICATION PURSUANT TO 10CFR2.390
BNP-2011-160 Docket No. 52-039**

References: R. R. Sgarro (PPL Bell Bend, LLC) to J. Buczynski (PADEP) and A. Elliott (USACE), "Joint Permit Application and Request for Water Quality Certification, Rev 1", dated November 21, 2011.

The referenced letter transmitted Revision 1 of the Joint Permit Application to the cognizant agencies for their review. The purpose of this letter is to transmit the enclosure to that letter under separate cover to the NRC with appropriate redactions pursuant to the provisions of 10 CFR 2.390. An appropriate affidavit supporting this request is attached.

Should you have any questions, please contact the undersigned at 610.774.7552.

Respectfully,


Rocco R. Sgarro

RRS/kw

Enclosures: 1) Affidavit

- 2) Joint Permit Application, Revision 1 (Hardcopy of Redacted JPA, Rev. 1, Redacted DVD, and Non-Redacted DVD)

D102
NRC

cc: (w/ Enclosures on DVD)

Ms. Patricia Vokoun, P.E.
Project Manager
U.S. Nuclear Regulatory Commission
11555 Rockville Pike, Mail Stop T-7 E30
Rockville, MD 20852

(w/o Enclosure)

Mr. William Dean
Regional Administrator
U.S. Nuclear Regulatory Commission
Region I
475 Allendale Road
King of Prussia, PA 19406-1415

Enclosure 1

Affidavit

AFFIDAVIT OF ROCCO R. SGARRO

COMMONWEALTH OF PENNSYLVANIA)

) ss

COUNTY OF LEHIGH)

I, Rocco R. Sgarro, Director - Regulatory Affairs, PPL Bell Bend, LLC, do hereby affirm and state:

- 1) I am authorized to execute this affidavit on behalf of PPL Bell Bend, LLC. I am further authorized to review information submitted to the Nuclear Regulatory Commission (NRC) and apply for the withholding of information from disclosure. I am making this affidavit in conformance with the provisions of the NRC's regulations at 10 CFR 2.390 and in support of PPL Bell Bend, LLC's request for withholding of certain proprietary environmental information.
- 2) I have knowledge of the criteria used by PPL Bell Bend, LLC for designating information as sensitive, proprietary, or confidential.
- 3) Pursuant to the provisions of paragraph (a)(3) of 10 CFR 2.390, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.

a. The Cultural Resources information sought to be withheld from public disclosure in Appendix A, Binder 4, Reports 5 and 6 of the Joint Permit Application Revision 1 is pursuant to mandates from the National Historic Preservation Act and the Archaeological Resources Protection Act which compel Federal agencies to only disclose site locations if no harm, theft, or destruction of cultural resources will result from such disclosure:

1. "The head of any Federal Agency, after consultation with the Secretary, shall withhold from disclosure to the public, information relating to the location or character of historic resources whenever the head of the agency or the Secretary determines that the disclosure of such information may create a substantial risk of harm, theft, or destruction to such resources or to the information may create a substantial risk of harm, theft, or destruction to such resources or to the area or place where such resources are located." - Section 304, National Historic Preservation Act of 1966, as amended
2. "Information concerning the nature and location of any archaeological resource for which the excavation or removal requires a permit or other permission under this Act or under any other provision of Federal law may not be made available to the public under subchapter II of chapter 5 of title 5 of the United States Code or under any other provision of law unless the Federal land manager concerned determined that such disclosure would— (1) further the purposes of this Act or the Act of June 17, 1960 (16 USC 469-469c), and (2) not create a risk of harm to such resources or to the site

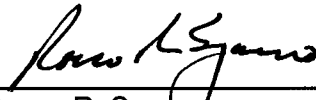
at which such resources are located." - Section 9, Archaeological Resources Protection Act of 1979

b. Pursuant to the provisions of paragraph (a)(4) of 10 CFR 2.390, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.

1. The information sought to be withheld from public disclosure in Appendix A, Binder 2, Item 7 of the Joint Permit Application Revision 1 is of the type that would customarily be held in confidence by PPL Bell Bend, LLC. The information that PPL Bell Bend, LLC is requesting to be withheld from public disclosure is PPL Bell Bend, LLC's commercial schedules for construction, fuel loading, and operation for the Bell Bend Nuclear Power Plant. PPL Bell Bend, LLC limits access to this information to those with a "need to know" subject to maintaining confidentiality. Public disclosure of these items is likely to harm PPL Bell Bend, LLC because it would allow other contractors, vendors, and competitors to understand PPL Bell Bend, LLC's competitive expectations and position prior to securing necessary contracts and services at competitive prices.

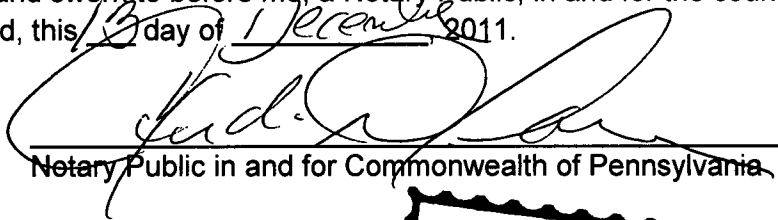
c. The information is transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390; it is to be received in confidence by the NRC.

Rocco R. Sgarro, being duly sworn, states that he is Director - Regulatory Affairs, PPL Bell Bend, LLC, that he is authorized on the part of said Company to sign and file with the U. S. Nuclear Regulatory Commission this revision to the combined license application for the Bell Bend Nuclear Power Plant, and that all the matter and facts set forth herein are true and correct to the best of his knowledge.



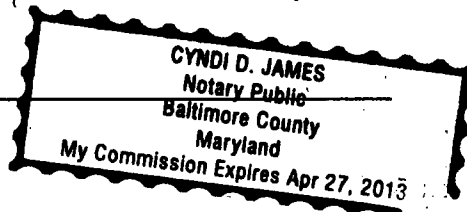
Rocco R. Sgarro
Director - Regulatory Affairs
PPL Bell Bend, LLC

Subscribed and sworn to before me, a Notary Public, in and for the county and Commonwealth above named, this 13 day of December, 2011.



Notary Public in and for Commonwealth of Pennsylvania

My Commission Expires: _____



Enclosure 2

Joint Permit Application, Revision 1 (Hardcopy of Redacted JPA, Rev. 1, Redacted DVD, and Non-Redacted DVD)