



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

July 19, 2012

Mr. Michael J. Pacilio
President and Chief Nuclear Officer
Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR PEACH BOTTOM ATOMIC POWER STATION, UNIT NOS. 2 AND 3
(TAC NOS. ME7538 AND ME7539)

Dear Mr. Pacilio:

By Exelon Generation Company, LLC (Exelon) letter to the Nuclear Regulatory Commission (NRC) dated June 21, 2012, and three Global Nuclear Fuel - Americas, LLC (GNF-A) affidavits each dated June 15, 2012, executed by Mr. Andrew A. Lingenfelter, Exelon requested that the information contained in Attachments 7, 8, and 9 to its letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390. Specifically, Exelon requested that the following documents be withheld:

Enclosure 7 of GNF-A letter CFL-EXN-HE0-12-080 to Exelon, "GNF Response to NRC RAIs 19-22" and Enclosure 9 of GNF-A letter CFL-EXN-HE0-12-080 to Exelon, "Supporting Information for RAI-23 Response" (Attachment 7 to Exelon's letter)

GNF-A proprietary report NEDC-33672P, "Peach Bottom Atomic Power Station: Fuel Storage Criticality Safety Analysis of Spent Fuel Storage Racks with Rack Inserts," Revision 1, dated June 2012 (Attachment 8 to Exelon's letter)

GNF-A proprietary report NEDC-33686P, "Peach Bottom Atomic Power Station: Fuel Storage Criticality Safety Analysis of Spent Fuel Storage Racks with Boraflex," Revision 1 dated, June 2012 (Attachment 9 to Exelon's letter)

A non-proprietary copy of the documents (Attachments 10, 11, and 12 to Exelon's letter) has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

The affidavits stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (4)a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GNF-A's competitors without license from GNF-A constitutes a competitive economic advantage over other companies; and
- (4)b. Information which, if used by a competitor, would reduce [its] expenditure of resources or improve [its] competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the version 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.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. 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 301-415-1420.

Sincerely,



Richard B. Ennis, Senior Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-277 and 50-278

cc: Mr. Andrew A. Lingenfelter
Vice President, Fuel Engineering
Global Nuclear Fuel - Americas, LLC
3901 Castle Hayne Road
Wilmington, NC 28401

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Richard B. Ennis, Senior Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
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cc: Mr. Andrew A. Lingenfelter
Vice President, Fuel Engineering
Global Nuclear Fuel - Americas, LLC
3901 Castle Hayne Road
Wilmington, NC 28401

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