



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

September 17, 2012

Mr. Jerald G. Head  
Senior Vice President  
GE Hitachi Nuclear Energy  
Regulatory Affairs  
P.O. Box 780  
3901 Castle Hayne Road  
MC A18  
Wilmington, NC 28402

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
FOR PEACH BOTTOM ATOMIC POWER STATION, UNIT NO. 3.  
(TAC NOS. ME2360, ME2369, ME2370 AND ME2371)

Dear Mr. Head:

In response to an NRC request for information regarding a Denial of Request for Withholding Information, GE Hitachi Nuclear Energy (GEH) submitted a letter to the Nuclear Regulatory Commission (NRC) dated March 23, 2010, and affidavit dated March 23, 2010, executed by Mr. James F. Harrison. GEH requested that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Enclosure 1, MFN 10-124, *Information Regarding Treatment of Fuel Parameters*,  
GEH Proprietary Information, March 23, 2010.

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

- (4)c Information that reveals aspects of past, present, or future GEH customer-funded development plans and programs, that may include potential products of GEH.

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 affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, 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.

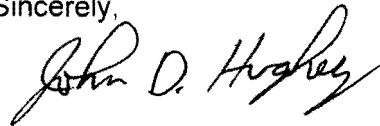
J. Head

- 2 -

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 301-415-3204.

Sincerely,



John D. Hughey, Project Manager  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-278

cc: Mr. James F. Harrison  
Vice President, Fuel Licensing, Regulatory Affairs  
GE-Hitachi Nuclear Energy Americas, LLC  
3901 Castle Hayne Road  
Wilmington, NC 28402

Mr. Michael Jesse  
Director – Licensing and Regulatory Affairs  
Exelon Generation Company LLC  
Correspondence Control  
PO Box 160  
Kennett Square, PA 19348

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*/ra/*

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Vice President, Fuel Licensing, Regulatory Affairs  
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3901 Castle Hayne Road  
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Director – Licensing and Regulatory Affairs  
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DATE	09/14/2012	09/13/2012	09/17/2012

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