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

October 2, 2012

Mr. Kevin Walsh
Vice President, Seabrook Nuclear Plant
c/o Michael O'Keefe
NextEra Energy Seabrook, LLC
P.O. Box 300
Seabrook, NH 03874

SUBJECT: SEABROOK STATION, UNIT NO. 1 – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE REGARDING LICENSE AMENDMENT REQUEST 11-04, CHANGES TO TECHNICAL SPECIFICATIONS FOR NEW AND SPENT FUEL STORAGE (TAC NO. ME8688)

Dear Mr. Walsh:

By letter dated September 20, 2012 (Agencywide Documents Access and Management System Accession No. ML1271A276), NextEra Energy Seabrook, LLC (NextEra) submitted a response to a request for additional information (RAI) regarding license amendment request (LAR) 11-04 for Seabrook Station, Unit No. 1 (Seabrook). The proposed change revises the Technical Specifications (TSs) for new and spent fuel storage as a result of a new criticality analyses for the new fuel vault (NFV) and the spent fuel pool (SFP).

The proposed amendment would revise the TSs to (1) reflect elimination of the need to credit Boraflex neutron absorbing material for reactivity control in the SFP, (2) credit soluble boron, burnup, cooling time, peripheral leakage, and rod cluster control assemblies within the storage racks to maintain SFP reactivity within the effective neutron multiplication factor (k_{eff}) limits of Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.68(b)(4), and (3) revise the requirements for fuel storage within the NFV.

By letter dated September 20, 2012, NextEra submitted an affidavit dated September 14, 2012, executed by Mr. Thomas V. Fitzpatrick of Holtec International requesting that the information contained in the following document be withheld from public disclosure pursuant to 10 CFR 2.390:

> Attachment 1 of the letter from NextEra to the U.S. Nuclear Regulatory Commission (NRC) Document Control Desk dated September 20, 2012: "Holtec Document RRTI-2064-002, Response to Request for Technical Information (RRTI)."

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

- Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

The NRC staff has 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, has determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the above listed document 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, the NRC staff may send copies of this information to our consultants working in this area. The NRC staff 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, please contact me at (301) 415-3100.

Sincerely,

John G. Lamb, Senior Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-443

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John G. Lamb, Senior Project Manager
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