



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

February 14, 2013

Mr. Jon A. Franke, Vice President
Crystal River Nuclear Plant (NA2C)
ATTN: Supervisor, Licensing & Regulatory Programs
15760 W. Power Line Street
Crystal River, FL 34428-6708

SUBJECT: CRYSTAL RIVER NUCLEAR PLANT, UNIT NO. 3 - REQUEST FOR
WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE
RELATED TO EXTENDED POWER UPRATE TECHNICAL REPORT
(TAC NO. ME6527)

Dear Mr. Franke:

By letter dated June 15, 2011, as supplemented by letters dated July 5, 2011; August 11, 2011 (two letters); August 18 and 25, 2011; October 11 and 25, 2011; December 15, 2011 (two letters); December 21, 2011; January 5, 2012 (two letters); January 19, 2012 (two letters); January 31, 2012; March 19, 2012; March 22, 2012; April 4, 2012 (two letters); April 12, 2012; April 16, 2012; April 26, 2012; June 18, 2012; June 29, 2012; July 17, 2012 (two letters); July 31, 2012 (two letters); August 21, 2012 (two letters); August 30, 2012; September 6, 2012; September 17, 2012; September 27, 2012, October 4, 2012, October 11, 2012, November 7, 2012, December 18, 2012 (two letters), and January 31, 2013, Florida Power Corporation, doing business as Progress Energy Florida, Inc., submitted a license amendment request for an extended power uprate (EPU) to increase thermal power level from 2609 megawatts thermal (MWt) to 3014 MWt for Crystal River Unit 3 Nuclear Generating Plant. In your letter dated January 31, 2013, providing supplemental information, you requested that the AREVA NP Incorporated (AREVA NP) proprietary information included in Attachment B of this letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations*, Part 2, Section 2.390 (10 CFR 2.390). An affidavit dated January 30, 2013, executed by Gayle F. Elliott of AREVA NP, and included as Attachment C to your letter dated January 31, 2013, was provided requesting that information contained in the following document be withheld from public disclosure pursuant to 10 CFR 2.390:

Attachment B of a letter dated January 31, 2013 – "AREVA Document ANP-3195(P), Revision 0 – Responses for Crystal River Unit 3 EPU Licensing Amendment Report NRC [U.S. Nuclear Regulatory Commission] Reactor Systems Branch Requests for Additional Information, January 2013" (Proprietary).

A nonproprietary copy of the document entitled "AREVA Document ANP-3195(NP), Revision 0 – Responses for Crystal River Unit 3 EPU Licensing Amendment Report NRC Reactor Systems Branch Requests for Additional Information, January 2013" (Non-Proprietary), contained in Attachment D of your letter dated January 31, 2013, has been placed in the NRC's Public Document Room and added to the NRC Library in the Agencywide Documents Access and Management System.

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

- 6 (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- 6 (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA NP.

We have reviewed your application and material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, 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 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 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.

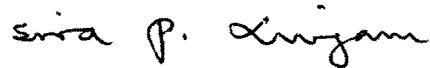
If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the 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.

J. Franke

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If you have any questions regarding this matter, I may be reached at 301-415-1564.

Sincerely,

Handwritten signature of Siva P. Lingam in black ink.

Siva P. Lingam, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-302

cc: Ms. Gayle F. Elliott, Manager
Product Licensing
AREVA NP Inc.
3315 Old Forest Road
Lynchburg, VA 24501

Additional Distribution via Listserv

J. Franke

- 3 -

If you have any questions regarding this matter, I may be reached at 301-415-1564.

Sincerely,

/RA/

Siva P. Lingam, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
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