



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I**
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

June 4, 2013

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

**SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
[SEABROOK NUCLEAR POWER STATION – RESPONSE TO
CONFIRMATORY ACTION LETTER – CAL NO. 2012-002]**

Dear Mr. Walsh:

By letter dated May 1, 2013, you submitted an affidavit of the same date, and you requested that the information contained in Enclosures 3 and 5 of 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:

Seabrook Station Response to Confirmatory Action Letter (SBK-L-13080), dated May 1, 2013.

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in the Agencywide Documents Access and Management System (ADAMS) (ML13151A328).

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

The information sought to be withheld is considered to be proprietary and confidential commercial information because alkali-silica reaction (ASR) is a newly-identified phenomenon at domestic nuclear plants. The information requested to be withheld is the result of several years of intensive NextEra Energy Seabrook effort and the expenditure of a considerable sum of money. This information may be marketable in the event nuclear facilities or other regulated facilities identify the presence of ASR. In order for potential customers to duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended. The extent to which this information is available to potential customers diminishes NextEra Energy Seabrook's ability to sell products and services involving the use of the information. Thus, public disclosure of the information sought to be withheld is likely to cause substantial harm to NextEra Energy Seabrook's competitive position and NextEra Energy Seabrook has a rational basis for considering this information to be confidential commercial information.

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 version(s) 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 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.

If you have any questions regarding this matter, I may be reached at 610-337-5186.

Sincerely,

/RA/

James M. Trapp, Branch Chief
Engineering Branch1
Division of Reactor Safety

Docket No. 05000443
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