



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

September 30, 2013

Mrs. Karen D. Fili
Site Vice President
Monticello Nuclear Generating Plant
Northern States Power Company - Minnesota
2807 West County Road 75
Monticello, MN 55362-9637

SUBJECT: MONTICELLO NUCLEAR GENERATING PLANT (MNGP) – REQUEST FOR
WITHHOLDING OF PROPRIETARY INFORMATION FROM PUBLIC
DISCLOSURE (TAC NO. MD9990)

Dear Mrs. Fili:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated November 5, 2008 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML083230111), Northern States Power Company – Minnesota (NSPM, the licensee), doing business as Xcel Energy, submitted an extended power uprate (EPU) license amendment request to revise the MNGP Renewed Operating License and technical specifications to increase the maximum authorized licenses thermal power level from 1775 megawatts thermal (MWt) to 2004 MWt. In a letter dated June 30, 2010 (ADAMS Accession No. ML102010462), NSPM provided a supplement to the November 5, 2008, application. The supplement provided detailed design and analysis results for a replacement steam dryer (RSD) for the MNGP.

In a letter dated March 29, 2013 (ADAMS Accession No. ML13092A348), the licensee submitted detailed analysis documentation in its response to NRC staff requests for additional information associated with the RSD review. The submittal included, as Enclosure 8, seven affidavits (CAW-13-3646, CAW-13-3665, CAW-13-3666, CAW-13-3667, CAW-13-3668, CAW-13-3671, and CAW-13-3679) executed on March 19, 20 (2 affidavits), 21 (2 affidavits), 25, 27, 2013, by Bradley F. Maurer of Westinghouse Electric Company, LLC (Westinghouse). The affidavits were executed to support withholding Enclosures 1 through 7 from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. The affidavits stated that Enclosures 1 through 7 should be considered exempt because they contain:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Westinghouse competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- b. Supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures competitive economic advantage, e.g., by optimization or improved marketability.
- c. Information that, if used by a competitor, would reduce their expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed the Westinghouse affidavits in accordance with the requirements of 10 CFR 2.390 and, on the basis of its statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, Enclosures 1 through 7, which are 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.

Enclosures 9 through 15 of the March 29, 2013, submittal were provided as a non-proprietary versions of Enclosures 1 through 7, and were released to the public (ADAMS Accession Nos. ML13092A348, ML13092A349, ML13092A350, ML13092A351, ML13092A352, ML13092A353).

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 301-415-3049.

Sincerely,



Terry A. Beltz, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-263

cc: J. A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company, LLC
Suite 428
1000 Westinghouse Drive
Cranberry Township, PA 16066

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/RA/

Terry A. Beltz, Senior Project Manager
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Division of Operating Reactor Licensing
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ADAMS Accession No.: ML13239A082

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