



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

July 8, 2014

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

SUBJECT: MONTICELLO NUCLEAR GENERATING PLANT (MNGP) – REQUEST FOR
WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. MF2479)

Dear Mrs. Fili:

By letter to the U.S. Nuclear Regulatory Commission dated July 15, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13200A185), Northern States Power Company, a Minnesota corporation (NSPM), doing business as Xcel Energy, submitted a license amendment request application to allow operation using AREVA Atrium 10XM fuel.

In a letter dated January 31, 2014 (ADAMS Package Accession No. ML14035A297), NSPM submitted a response to NRC staff requests for additional information (RAI) pertaining to its review of the application. The letter included, as Enclosure 4, an affidavit dated January 23, 2014, executed by Alan B. Meginnis, Manager, Product Licensing, for AREVA NP Inc., requesting that information designated proprietary 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 of the January 31, 2014, letter provides AREVA Report, ANP-3286, Revision 0, "Responses to RAI from SRXB on MNGP Transition to AREVA Fuel." The affidavit stated that information submitted in Enclosure 1 should be considered exempt from mandatory public disclosure for the following reasons:

- a. 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.
- b. The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.
- c. The information is vital to a competitive advantage held by AREVA NP, would be helpful to competitors to AREVA NP, and would likely cause substantial harm to the competitive position of AREVA NP.

We have reviewed the AREVA NP affidavit in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the information sought to be withheld in the submittal, contains proprietary commercial information and should be withheld from public disclosure. Therefore, Enclosure 1, which is 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.

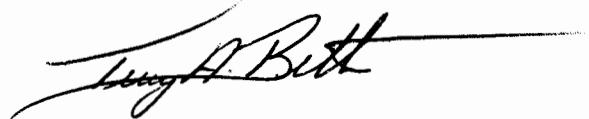
Enclosure 2 of the January 31, 2014, letter, is a non-proprietary version of Enclosure 1, and has been placed in the NRC's Public Document Room and added to the NRC Library at ADAMS Accession No. ML14035A299.

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: Mr. Alan Meginnis, Manager
Product Licensing
AREVA NP, Inc.
2101 Horn Rapids Road
Richland, WA 99354

Additional Distribution via Listserv

We have reviewed the AREVA NP affidavit in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the information sought to be withheld in the submittal, contains proprietary commercial information and should be withheld from public disclosure. Therefore, Enclosure 1, which is 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.

Enclosure 2 of the January 31, 2014, letter, is a non-proprietary version of Enclosure 1, and has been placed in the NRC's Public Document Room and added to the NRC Library at ADAMS Accession No. ML14035A299.

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,

/RA/

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: Mr. Alan Meginnis, Manager
Product Licensing
AREVA NP, Inc.
2101 Horn Rapids Road
Richland, WA 99354

Additional Distribution via Listserv

DISTRIBUTION:

PUBLIC	RidsNrrLAMHenderson Resource	RidsRgn3MailCenter Resource
LPL3-1 Reading	RidsNrrDssSrxB Resource	BParks, NRR/DSS/SRXB
RidsAcrsAcnw_MailCTR Resource	RidsNrrDssSnpb Resource	MPanicker, NRR/DSS/SNPB
RidsNrrDorlLpl3-1 Resource	RidsNrrPMMonticello Resource	

ADAMS Accession No.: ML14155A167

OFFICE	LPL3-1/PM	LPL3-1/LA	SRXB/BC	SNPB/BC (A)	LPL3-1/BC	LPL3-1/PM
NAME	TBeltz	MHenderson	CJackson	JDean	RCarlson	TBeltz
DATE	06/5/14	06/12/14	06/24/14	06/27/14	07/3/14	07/ 8/14

OFFICIAL RECORD COPY