



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

March 16, 2015

Mr. Peter M. Orphanos
Site Vice President- Nine Mile Point Nuclear Station
Exelon Generation Company, LLC
348 Lake Road
Oswego, New York 13126

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NO. 2 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE RE: SUBMISSION DATED FEBRUARY 18, 2015, FOR LICENSE AMENDMENT REQUEST PURSUANT TO 10 CFR 50.90: MAXIMUM EXTENDED LOAD LINE LIMIT ANALYSIS PLUS (TAC NO. MF3056)

Dear Mr. Orphanos:

By letter dated February 18, 2015 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML15051A479), Exelon Generation Company, LLC (Exelon, the licensee) submitted the affidavit executed by Lisa K. Schichlein, Senior Project Manager, NPP/Services Licensing, Regulatory Affairs, GE-Hitachi Nuclear Energy Americas, LLC (GEH), 3901 Castle Hayne Road, M/C A-65, Wilmington, NC 28401, on February 13, 2015.

The affidavit requested that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390(a)(4):

The information sought to be withheld is contained in Enclosure 1 of GEH letter, GE-PPO-IGYEF-KG1-744, "GEH Responses to the NRC SRXB – Fluence – RAI 1 in Support of the NMP2 MELLLA+ LAR," dated February 13, 2015. (Your letter dated February 18, 2015, Attachment 3, ADAMS Accession No. ML15051A465).

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

- (4) The information sought to be withheld is considered to be proprietary for the reasons set forth in paragraphs (4)a. and (4)b. Some examples of categories of information that fit into the definition of proprietary information are:
 - a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH constitutes a competitive economic advantage over other companies;

- b. Information that, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;
- (8) The information identified in paragraph (2) [of the affidavit], above, is classified as proprietary because it contains detailed results and conclusions regarding supporting evaluation of the safety-significant changes necessary to demonstrate the regulatory acceptability of the Maximum Extended Load Line Limit Analysis Plus analysis for a GEH Boiling Water Reactor ("BWR"). The analysis utilized analytical models, including computer codes, which GEH has developed, obtained NRC approval of, and applied to perform evaluations of Maximum Extended Load Line Limit Analysis Plus for a GEH BWR.

The development of the evaluation processes along with the interpretation and application of the analytical results is derived from the extensive experience and information databases that constitute a major GEH asset.

The information identified in the affidavit is contained in Attachment 3 (ADAMS Accession No. ML15051A465) of the Exelon Letter to NRC, dated February 18, 2015, Nine Mile Point Nuclear Station, Unit No. 2; Renewed Facility Operating License No. NPF-69, Docket No. 50-410, "Response to Fifth Request for Additional Information Concerning Nine Mile Point Nuclear Station License Amendment Request for Maximum Extended Load Line Limit Analysis Plus," [Responses to Fluence related RAI from SRXB (TAC No. MF3056)].

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 submitted information in Attachment 3 of the submission, 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 Nuclear Regulatory Commission (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.

P.M. Orphansos

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The nonproprietary versions of Attachment 3 of the licensee submittal (Attachment 1 of the licensee's submittal, part of ADAMS Accession No. ML15051A464) has been placed in the NRC's Public Document Room and added to the ADAMS Public Electronic Reading Room.

If you have any questions regarding this matter, I may be reached at 301-415-3308.

Sincerely,

A handwritten signature in black ink that reads "B.K. Vaidya". The signature is written in a cursive style and is underlined.

Bhalchandra K. Vaidya, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-410

cc:

Lisa K. Schichlein,
Senior Project Manager, NPP/Services Licensing, Regulatory Affairs
GE-Hitachi Nuclear Energy Americas, LLC,
3901 Castle Hayne Road, M/C A-65
Wilmington, NC28401

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P. M. Orphanos

- 3 -

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Sincerely,

/RA/

Bhalchandra K. Vaidya, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-410

cc:

Lisa K. Schichlein,
Senior Project Manager, NPP/Services Licensing, Regulatory Affairs
GE-Hitachi Nuclear Energy Americas, LLC,
3901 Castle Hayne Road, M/C A-65
Wilmington, NC28401

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NAME	BVaidya	KGGoldstein	CJackson	BBeasley	BVaidya
DATE	3/02/2015	03/02/2015	3/03/2015	3/16/2015	3/16/2015

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