



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

January 6, 2016

Mr. Dean Curtland, Site Vice President  
Seabrook Station  
NextEra Energy Seabrook, LLC  
P.O. Box 300  
Seabrook, NH 03874

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
(TAC NO. ME4028)

Dear Mr. Curtland:

By letter dated December 3, 2015, Agencywide Documents Access and Management System (ADAMS) under Accession Nos. ML15343A470 and ML15343A471, you submitted an affidavit dated December 3, 2015, requesting that the information contained 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 to SBK-L-15202: "MPR-4153, Seabrook Station License Renewal Application Requests for Additional Information – Set 25, Response to RAIs Relating to the Alkali-Silica Reaction (ASR) Monitoring Program for the Seabrook Station License Renewal Application (Proprietary)."

A nonproprietary version of this document is located in the letter (Enclosure 2 of this letter, ADAMS Accession No. ML15343A470).

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.
- The information sought to be withheld is being submitted to the NRC in confidence.

- The information sought to be withheld has, to the best of NextEra Energy Seabrook knowledge and belief, consistently been held in confidence by NextEra Energy Seabrook; has not been disclosed publicly; and has not been made available in public sources.
- The information is of a sort customarily held in confidence by NextEra Energy Seabrook, and is in fact so held.
- All disclosures to third parties, including any required transmittals to the NRC, have been or will be pursuant to regulatory provisions or confidentiality agreements or both that provide for maintaining the information in confidence.

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, Enclosure 1 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 U.S. 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.

If you have any questions regarding this matter, I may be reached at 301-415-3617 or e-mail [Tam.Tran@nrc.gov](mailto:Tam.Tran@nrc.gov).

Sincerely,

*/RA/*

Tam Tran, Project Manager  
Projects Branch 1  
Division of License Renewal  
Office of Nuclear Reactor Regulation

Docket No. 50-443

cc: Listserv

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- The information is of a sort customarily held in confidence by NextEra Energy Seabrook, and is in fact so held.
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Sincerely,

*/RA/*  
 Tam Tran, Project Manager  
 Projects Branch 1  
 Division of License Renewal  
 Office of Nuclear Reactor Regulation

Docket No. 50-443

cc: Listserv

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See next page

Accession No. **ML15349A918**

\* Concurred via e-mail

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Letter to D. Curtland from T. Tran date January 6, 2016

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