



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

March 7, 2016

Mr. Bryan C. Hanson
President and Chief Nuclear Officer
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT 2 - RELEASE OF INFORMATION
PURSUANT TO A FREEDOM OF INFORMATION ACT REQUEST (CAC
NO. ZF0000)

Dear Mr. Hanson:

In telephone conversations held on February 26 and March 4, 2016, the U.S. Nuclear Regulatory Commission (NRC) staff informed your staff that a photograph of an electrical breaker that was provided by your staff to NRC inspection staff during routine inspection activities was used in an NRC internal document. That document was subsequently requested to be released in a Freedom of Information Act (FOIA) request.

During the telephone conversations, Exelon staff expressed uncertainty as to whether the photograph contained proprietary information that should be withheld from public disclosure. Title 10 of the *Code of Federal Regulations*, Section 2.390, "Public inspections, exemptions, requests for withholding," requires the owner of the information to submit an affidavit requesting that proprietary information be withheld. The affidavit must identify the document or part sought to be withheld and must address the factors set out in 10 CFR 2.390, including the owner's specific reasons as to why the document is considered to contain proprietary information. If you intend to submit a request for withholding, please submit the required affidavit no later than Friday, March 11, 2016. If you intend to submit a request to withhold but will not be able to do so by that date, please notify me prior to March 11, 2016. Absent a submittal of a request to withhold as described above, the NRC intends to release the photograph to the public in response to the FOIA request.

Sincerely,

A handwritten signature in black ink that reads "Brenda L. Mozafari".

Brenda L. Mozafari, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-410

cc: Distribution via ListServ

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Sincerely,

/RA/

Brenda L. Mozafari, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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