



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

April 19, 2016

Vice President, Operations
Entergy Nuclear Operations, Inc.
Palisades Nuclear Plant
27780 Blue Star Memorial Highway
Covert, MI 49043-9530

SUBJECT: PALISADES NUCLEAR PLANT – REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (CAC NO. MF7435)

Dear Sir or Madam:

By letter dated March 3, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16075A103), Entergy Nuclear Operations, Inc. (ENO), submitted an affidavit dated November 17, 2010, executed by B. F. Maurer of Westinghouse Electric Company LLC (Westinghouse), and an affidavit dated February 23, 2016, executed by Henry A. Sepp, of Westinghouse. You 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:

- SG-SGMP-10-4-P, Revision 1, "Palisades Cold Leg Tubesheet Inspection Depth, C*"
- LTR-SGMP-15-88, Revision 1, P-Attachment "Discussion of Applicability of H* Lessons Learned, If Applicable to the Palisades Nuclear Plant Cold Leg C* Analysis"

A nonproprietary copy of these documents has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS at Accession No. ML16075A103.

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

There are sound policy reasons behind the Westinghouse system which include the following:

- (a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
- (b) It is information that is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.

- (c) Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.
- (d) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving Westinghouse of a competitive advantage.
- (e) Unrestricted disclosure would jeopardize the position of prominence of Westinghouse in the world market, and thereby give a market advantage to the competition of those countries.
- (f) The Westinghouse capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.

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, Attachments 4 and 7 to Letter PNP 2016-001 from Mr. Anthony J. Vitale, Site Vice President dated March 3, 2016, "License Amendment Request – Revision to the Requirements for Steam Generator Tube inspections and Repair Criteria in the Cold Leg Tube Sheet Region," 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 document. 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, please contact me at Jennivine.Rankin@nrc.gov or (301) 415-1530.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Rankin', with a long horizontal flourish extending to the right.

Jennivine K. Rankin, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-255

cc: Mr. James A. Gresham
Manager, Regulatory Compliance
Westinghouse Electric Company
1000 Westinghouse Drive
Building 3 Suite 310
Cranberry Township, PA 16066

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If you have any questions, please contact me at Jennivine.Rankin@nrc.gov or (301) 415-1530.

Sincerely,

/RA/

Jennivine K. Rankin, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-255

cc: Mr. James A. Gresham
Manager, Regulatory Compliance
Westinghouse Electric Company
1000 Westinghouse Drive
Building 3 Suite 310
Cranberry Township, PA 16066

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