



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

September 19, 2016

Mr. Justin T. Wheat
Nuclear Licensing Manager
Southern Nuclear Operating Company, Inc.
P.O. Box 1295
40 Inverness Center Parkway
Birmingham, AL 35242

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR HATCH NUCLEAR PLANT, UNIT NO. 2 (CAC NO. MF8039)

Dear Mr. Wheat:

By letter dated August 29, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16245A257), you submitted an affidavit dated July 26, 2016, executed by Lukas Trosman on behalf of Global Nuclear Fuel – Americas, LLC, and requested that the information contained in the letter's Enclosure 1, as described below, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

Southern Nuclear Operating Company letter NL-16-1328, "License Amendment Request Concerning Safety Limit Minimum Critical Power Ratio," Enclosure 1, "GNF Affidavit and Proprietary Report GNF-003N7688-R1-P" (Proprietary)

A nonproprietary version of Enclosure 1 was provided as Enclosure 2 and can be found at ADAMS Accession No. ML16245A258.

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

- (4) a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GNF-A's competitors without license from GNF-A constitutes a competitive economic advantage over other companies;
- b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

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.

J. Wheat

-2-

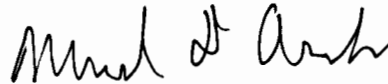
Therefore, the version(s) of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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, please contact me at (301) 415-3229 or by e-mail at Michael.Orenak@nrc.gov.

Sincerely,



Michael D. Orenak, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-366

cc: Mr. Lukas Trosman
Engineering Manager
Core and Fuel Advanced Design
Global Nuclear Fuel – Americas, LLC
3901 Castle Hayne Road
Wilmington, NC 28401

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Sincerely,

/RA/

Michael D. Orenak, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-366

cc: Mr. Lukas Trosman
Engineering Manager
Core and Fuel Advanced Design
Global Nuclear Fuel – Americas, LLC
3901 Castle Hayne Road
Wilmington, NC 28401

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