



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

April 11, 2018

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

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT 1 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2018-LLA-0039)

Dear Mr. Hanson:

By letter dated February 9, 2018 (Agencywide Documents Access and Management System (ADAMS) under Accession No. ML180404636), Exelon Generation Company, LLC submitted an affidavit dated December 22, 2017, executed by Ms. Kimberly Manzione, Licensing Manager, Holtec International, 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:

Holtec International Report No. HI-2178001, Revision 0, "Proprietary LAR for the Criticality Analysis for the Nine Mile Point Unit 1 Boraflex Racks without Boraflex Credit and with Cell Blockers for Exelon," December 20, 2017.

A nonproprietary copy of this document designated as Attachment 4 of the letter dated February 9, 2018, has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) public Document Room and added to the NRC Library in ADAMS under Accession No. ML18040A636.

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 being submitted to the NRC in confidence.
- The information (including that compiled from many sources) is of a sort customarily held in confidence by Holtec International, and is in fact so held.
- The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by Holtec International.
- No public disclosure has been made, and it is not available in public sources.

- Release of this information would improve a competitor's position because it would enable Holtec [International's] competitor to copy our technology and offer it for sale in competition with our company, causing us financial injury.

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 version 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 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 (301) 415-2871 or Michael.Marshall@nrc.gov.

Sincerely,



Michael L. Marshall, Jr., Senior Project Manager
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-220

cc: Listserv

Ms. Kimberly Manzione
Licensing Manager
Holtec International
One Holtec Boulevard
Camden, NJ 08104

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT 1 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (EPID L-2018-LLA-0039) DATED APRIL 11, 2018

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