



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

May 18, 2018

Ms. Tanya Hamilton
Site Vice President
Shearon Harris Nuclear Power Plant
Duke Energy
5413 Shearon Harris Road
New Hill, NC 27562-0165

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1 FOR HOLTEC
INTERNATIONAL REPORT NO. HI-2177590 (CAC NO. MF9996;
EPID L-2017-LLA-0303)

Dear Ms. Hamilton:

By letter dated June 28, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17193B165), Duke Energy Progress, LLC (Duke Energy) submitted a license amendment request for Shearon Harris Nuclear Power Plant, Unit 1, regarding the spent fuel storage pool criticality analyses. This letter included an affidavit dated June 5, 2017, executed by Debabrata (Debu) Mitra Majumdar of Holtec International, requesting that some of the information contained in the following document, provided as Attachment 4 of the June 28, 2017 letter, 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-2177590, "Licensing Report for Use of DREAM Neutron Absorber Inserts in the Spent Fuel Pools 'A' and 'B' at Shearon Harris NPP," Revision 1

A nonproprietary copy of this document, provided as Attachment 5 of the letter, has been placed in the U. S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library under ADAMS Accession No. ML17193B165.

By letter dated April 13, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18108A106), you submitted an affidavit dated April 10, 2018, executed by Debabrata (Debu) Mitra Majumdar of Holtec International, requesting that the information contained in the following document, provided as Attachment 3 of the letter, 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-2177590, "Licensing Report for Use of DREAM Neutron Absorber Inserts in the Spent Fuel Pools 'A' and 'B' at Shearon Harris NPP," Revision 2.

A nonproprietary copy of this document, provided as Attachment 4 in the letter, has been placed in the NRC's Public Document Room and added to the NRC Library under ADAMS Accession No. ML18108A106.

In the letter dated April 13, 2018, Duke Energy stated that Revision 2 supersedes Revision 1 of this report in its entirety. Duke Energy provided a description of the changes from Revision 1 to Revision 2, which included releasing information previously redacted that has since been determined to be nonproprietary.

Each of the similar affidavits stated, in part, that the information should be considered exempt from mandatory public disclosure for the following reason:

- (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.

Therefore, the Holtec International Report No. HI-2177590, Revision 1 and Revision 2, 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.

T. Hamilton

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If you have any questions regarding this matter, I may be reached at 301-415-2760.

Sincerely,

A handwritten signature in black ink, appearing to be 'MB', written in a cursive style.

Martha Barillas, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-400

cc: Debabrata Mitra Majumdar
Holtec International
Holtec Center
555 Lincoln Drive West
Marlton, NJ 08053

Listserv

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