



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

June 18, 2019

Mr. Mano Nazar
President and Chief
Nuclear Officer
Nuclear Division
Florida Power & Light Company
Mail Stop: EX/JB
700 Universe Blvd
Juno Beach, FL 33408

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE ASSOCIATED WITH THE SUBMITTAL OF SUPPLEMENTS TO TURKEY POINT NUCLEAR GENERATING, UNIT NOS. 3 AND 4 SUBSEQUENT LICENSE RENEWAL APPLICATION (EPID NO. L-2018-RNW-0002)

Dear Mr. Nazar:

By letters dated January 30, 2018 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML18037A812), February 9, 2018 (ADAMS Accession No. ML18044A653), February 16, 2018 (ADAMS Package Accession No. ML18053A123), and March 1, 2018 (ADAMS Package Accession No. ML18072A224, respectively), to the U.S. Nuclear Regulatory Commission (NRC), Florida Power & Light Company (FPL) submitted and supplemented an application for subsequent license renewal (SLR) of Renewed Operating License Nos. DPR-31 and DPR-41 for the Turkey Point Nuclear Generating, Unit Nos. 3 and 4.

Subsequently, FPL submitted three interrelated supplements:

- "Safety Review Requests for Additional Information (RAI) Set 4 Responses" by letter dated October 24, 2018 (ADAMS Accession No. ML18299A214);
- "Safety Review Requests for Additional Information (RAI) Set 6 Responses", by letter dated November 2, 2018 (ADAMS Accession No. ML18311A307); and
- "NUREG/CR/-6909 Revision 1 Methodology Update SLRA Revisions," by letter dated November 19, 2018 (ADAMS Accession No. ML18330A060).

A total of eight affidavits requesting withholding of proprietary information were submitted among these three letters. Affidavits in one submittal would, at times, refer to information in another submittal; therefore, the proprietary withholding reviews were done simultaneously. The results of that review are being communicated by letter on an affidavit-by-affidavit basis.

An affidavit on behalf of Westinghouse was executed on December 13, 2017, by James A. Gresham, Manager, Regulatory Compliance, and included in the November 19, 2018, submittal. The affidavit requested that the information contained in the related documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

The affidavit from Westinghouse stated that the submitted information is proprietary and should be considered exempt from mandatory public disclosure. Listed below are some of the reasons in the affidavit:

- 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.
- 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.
- Use by our [Westinghouse's] competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure at our expense.
- 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.
- 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.
- 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 9.17 and 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 trade secrets or confidential or privileged commercial or financial 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.

The documents stated in the enclosure to this letter will be withheld from public disclosure.

The nonproprietary copy of your documents and the letter have been placed in the NRC's Public Document Room and added to the NRC Library as described in the enclosure.

If you have any questions regarding this matter, I may be reached at 301-415-1056, or by email at Lauren.Gibson@nrc.gov

Sincerely,

/RA/

Lauren K. Gibson, Project Manager
License Renewal Projects Branch
Division of Materials and License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-250 and 50-251

Enclosure:
As Stated

cc w/encl: list serv

James A. Gresham
Manager, Regulatory Affairs
Westinghouse Electric Company
1000 Westinghouse Drive
Cranberry Township, PA 16066

Enclosure

Documents Withheld under the December 13, 2017, Affidavit on behalf of Westinghouse

(ADAMS Accession No. ML18330A029)

Table 1: Documents to be Withheld that are Explicitly Listed in the Affidavit

Title	Date	Attachment	Enclosure	Package #	Public ML
LTR-SGMP-II-66-P, Rev 3. "Turkey Point Units 3 & 4 Data Package for Pressurizer Spray and Surge Nozzle Analysis." Dated December 13, 2017	Note: A document of this name was not submitted.				

Table 2: Documents to be withheld that contain information originating from Documents in Table 1 (Not listed in the affidavit)

Title	Date	Attachment	Enclosure	Package #	Public ML
L-2018-212- Revision 1 Methodology Update SLRA Revisions Attachment 1- General Summary ML18330A038	11/19/18	1	summary	ML18330A060	ML18330A029
Structural Integrity Associates EAF Calculation 1700804.315P, "Pressurizer Spray Nozzle Fatigue Analysis"	August 22, 2018	1	10	ML18330A060 (11/19/18)	ML18330A035

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Steve.Franzone@fpl.com;
William.Maher@fpl.com;

ADAMS Accession Nos.: Pkg ML19155A147; Letter ML19162A353 * via e-mail

OFFICE	PM:MRPB:DMLR	LA:MRPB:DMLR*	BC:MRPB:DMLR	PM:MRPB:DMLR
NAME	LKGibson	SLent	EOesterle	LKGibson
DATE	6/13/2019	6/12/2019	6/13/2019	6/18/2019

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