

October 8, 2019

Mr. Richard W. Libra
Site Vice President
Limerick Generating Station
3146 Sanatoga Rd.
Pottstown, PA 19464

SUBJECT: TN AMERICAS LLC REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE IN SUPPLEMENTAL INFORMATION SUBMITTAL FOR ALTERNATIVE REQUEST PERTAINING TO DRY SHIELDED CANISTERS EQUIPPED WITH BORAL® NEUTRON ABSORBER PLATES (EPID NO. L-2018-LLA-0071)

Dear Mr. Libra:

By letter dated August 27, 2019, Exelon Generation Company, LLC (EGC) submitted an affidavit, executed by Prakash Narayanan, 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:

- AAR Cargo Systems Procedure, BORAL® In-Process and Final Inspection, AAR-10012 QAP, Revision 24

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

- (1) The information sought to be withheld from public disclosure is information out of a fabrication document related to the design of the NUHOMS® System.
- (2) The information is of a type customarily held in confidence by TN Americas LLC and not customarily disclosed to the public. TN Americas LLC has a rational basis for determining the types of information customarily held in confidence by it.
- (3) Public disclosure of the information is likely to cause substantial harm to the competitive position of TN Americas LLC because the information consists of descriptions of the design and fabrication of dry spent fuel storage systems, the application of which provide a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with TN Americas LLC, take marketing or other actions to improve their product's position or impair the position of TN Americas LLC's product, and avoid developing similar data.

We have reviewed the application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, 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, I may be reached at 301-415-6877.

Sincerely,

/RA/

Chris Allen, Project Manager
Spent Fuel Licensing Branch
Division of Spent Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket Nos. 50-352, 50-353, 72-65, and 72-1004
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