



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

October 28, 2021

ANO Site Vice President
Arkansas Nuclear One
Entergy Operations, Inc.
N-TSB-58
1448 S.R. 333
Russellville, AR 72802

SUBJECT: ARKANSAS NUCLEAR ONE, UNITS 1 AND 2 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2021-LLR-0082)

Dear Sir or Madam:

By letter dated October 10, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21283A001), you submitted an affidavit executed by Camille T. Zozula from Westinghouse Electric Company, LLC (Westinghouse) dated October 8, 2021, which requested that the information from the following document (contained in Enclosure 1 of your letter dated October 10, 2021) be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

Enclosure 1, "Relief Request ANO2-R&R-012 Proprietary"

A nonproprietary version of Enclosure 1, contained in Enclosure 2 of the letter dated October 10, 2021, has been placed in the U.S. Nuclear Regulatory Commission's (NRC) Public Document Room and added to the NRC Library in ADAMS at the above-referenced Accession No. ML21283A001.

The Westinghouse affidavit stated, in part, that the information should be considered exempt from mandatory public disclosure for the following reasons:

- (5) Westinghouse has policies in place to identify proprietary information. Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
 - (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
 - (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage (e.g., by optimization or improved marketability).

- (c) Its use 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 a similar product.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
- (e) It reveals aspects of past, present, and future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
- (f) It contains patentable ideas, for which patent protection may be desirable.

We have reviewed the application and material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavits, 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) 415-4037 or by e-mail at Thomas.Wengert@nrc.gov.

Sincerely,

/RA/

Thomas J. Wengert, Senior Project
Manager Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-368

cc: Camille T. Zozula

Manager, Regulatory Compliance &
Corporate Licensing
Ref: CAW-21-5232
Westinghouse Electric Company
1000 Westinghouse Drive
Cranberry Township, PA 16066

Listserv

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*by e-mail

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OFFICE	NRR/DEX/EMIB/BC(A)*	NRR/DORL/LPL4/BC*	NRR/DORL/LPL4/PM*
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