



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

November 9, 2022

Mr. Kevin Cimorelli
Site Vice President
Susquehanna Nuclear, LLC
769 Salem Boulevard
NUCSB3
Berwick, PA 18603-0467

SUBJECT: SUSQUEHANNA STEAM ELECTRIC STATION, UNITS 1 AND 2 – REQUEST
FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2019-PMP-0064)

Dear Mr. Cimorelli:

By letter PLA-8026 dated October 19, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML22292A009), Susquehanna Nuclear, LLC (the licensee) submitted an affidavit dated September 16, 2022, which was executed by Ms. Kimberly Manzione for Holtec International (Holtec), requesting that the U.S. Nuclear Regulatory Commission (NRC) withhold the portions of Enclosure 3 to letter PLA-8026 from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- Enclosure 3, “Description of Changes, Tests, and Experiments under 10 CFR 72.48 – [Proprietary Information – Withhold from Public Disclosure under 10 CFR 2.390]” (Enclosure 4, “Description of Changes, Tests, and Experiments under 10 CFR 72.48 – [Non-Proprietary Information],” is a nonproprietary version Enclosure 3 and is available in ADAMS at Accession No. ML22292A009.)

The affidavit dated September 16, 2022, stated that the submitted information in Enclosure 3 of letter PLA-8026 should be considered exempt from mandatory public disclosure for the following reasons:

- 4.a The information discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Holtec’s competitors without license from Holtec International constitutes a competitive economic advantage over other companies;
- 4.b The 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.
- 5 The information sought to be withheld is being submitted to the NRC in confidence.

- 8 Release of this information would improve a competitor's position because it would enable Holtec's competitor to copy Holtec's technology and offer it for sale in competition with Holtec's company, causing Holtec financial injury.
- 9 Public disclosure of the information sought to be withheld is likely to cause substantial harm to Holtec International's competitive position and foreclose or reduce the availability of profit-making opportunities.

The NRC staff has reviewed the submittals in accordance with the requirements of 10 CFR 2.390 and, based on the statements in the declarations, has determined that the submitted information sought to be withheld contains proprietary information and should be withheld from public disclosure. Therefore, the NRC will withhold the aforementioned document marked as proprietary 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, the NRC may send copies of this information to its consultants. The NRC will ensure that its 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, the licensee should promptly notify the NRC. The NRC may revisit this determination in the future if, for example, the scope of a Freedom of Information Act request includes this information. The NRC will notify the licensee in advance of any public disclosure if the NRC makes such a determination.

Any questions about this matter can be directed to me at 301-415-0489 or Audrey.Klett@nrc.gov.

Sincerely,

/RA/

Audrey Klett, Senior Project Manager
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-387, 50-388, and 72-28

cc: Kimberly Manzione
Director of Licensing
Holtec International
1 Holtec Blvd.
Camden, NJ 08104

Listserv

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