



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

March 1, 2023

Mr. James E. Holloway  
Vice President – Nuclear Engineering and  
Fleet Support  
Innsbrook Technical Center  
5000 Dominion Boulevard  
Glen Allen, VA 23060-6711

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR NORTH ANNA POWER STATION, UNITS 1 AND 2, SURRY POWER STATION, UNITS 1 AND 2, AND MILLSTONE POWER STATION, UNITS 2 AND 3, REQUEST FOR WITHHOLDING, APPENDIX F OF FLEET REPORT DOM-NAF-2 (EPID: L-2022-LLT-0003)

Dear Mr. Holloway:

By letter dated December 19, 2022 (Agencywide Documents Access Management System (ADAMS) Accession No. ML22353A619, Proprietary, Non-Public), you submitted an affidavit dated November 29, 2022, executed by Gayle Elliott, Deputy Director, Licensing & Regulatory Affairs for Framatome Inc., 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:

DOM-NAF-2-P, Appendix F, "Qualification of the Framatome ORFEO-GAIA and ORFEO-NMGRID CHF Correlation in the Dominion Energy VIPRE-D Computer Code"

A nonproprietary version of this document can be found as Attachment 2 to your letter referenced above (ML22353A620).

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

5. This Document has been made available to the U.S. Nuclear Regulatory Commission in confidence with the request that the information contained in this Document be withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information."
6. The following criteria are customarily applied by Framatome Inc. to determine whether information should be classified as proprietary:
  - (a) The information reveals details of Framatome Inc.'s research and development plans and programs or their results.

- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for Framatome Inc.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for Framatome Inc. in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by Framatome Inc., would be helpful to competitors to Framatome Inc., and would likely cause substantial harm to the competitive position of Framatome Inc.

The information in this Document is considered proprietary for the reasons set forth in paragraphs 6(c) and 6(d) above.

7. In accordance with Framatome Inc.'s policies governing the protection and control of information, proprietary information contained in this Document has been made available, on a limited basis, to others outside Framatome Inc. only as required and under suitable agreement providing for nondisclosure and limited use of the information.

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 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) 415-2481, or via email at [ed.miller@nrc.gov](mailto:ed.miller@nrc.gov).

Sincerely,

*/RA/*

G. Edward Miller, Project Manager  
Plant Licensing Branch II-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-280, 50-281, 50-338,  
50-339, 50-336, and 50.423

cc: Listserv

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| DATE   | 1/30/2023      | 12/22/2022     | 2/15/2023   | 3/1/2023       |

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