



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

December 20, 2023

Mr. Ken J. Peters
Senior Vice President and
Chief Nuclear Officer
Attention: Regulatory Affairs
Vistra Operations Company LLC
Comanche Peak Nuclear Power Plant
6322 N FM 56
P.O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2 -
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2022-LLA-0171)

Dear Mr. Peters:

By letter dated June 1, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML23152A266), Jay J. Lloyd of your staff submitted an affidavit dated May 31, 2023, executed by Zachary Harper, Senior Manager, Licensing Engineering, for Westinghouse Electric Company LLC, requesting that the information contained in the following document (enclosure 1 of the letter dated June 1, 2023) be withheld from public disclosure pursuant to Section 2.390 of Title 10 of the *Code of Federal Regulations* (10 CFR):

Responses to RAIs – Proprietary, NF-TB-23-041, Revision 1

A nonproprietary copy of this document, contained in enclosure 2 of the letter dated June 1, 2023, has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS at Accession No. ML23152A266.

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

- (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.
- (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.

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 regarding this matter, I may be reached at 301-415-6256 or by email at Dennis.Galvin@nrc.gov.

Sincerely,

/RA/

Dennis J. Galvin, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

cc: Listserv

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2 -
 REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
 (EPID L-2022-LLA-0171) DATED DECEMBER 20, 2023

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***via e-mail**

OFFICE	NRR/DORL/LPL4/PM	NRR/DORL/LPL4/LA*	NRR/DSS/SNSB/BC*
NAME	DGalvin	PBlechman	PSahd
DATE	6/8/2023	6/8/2023	12/20/2023
OFFICE	NRR/DORL/LPL4/BC*	NRR/DORL/LPL4/PM	
NAME	JRankin (JDixon-Herrity for)	DGalvin	
DATE	12/20/2023	12/20/2023	

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