

When separated from Attachment 1, this cover letter is decontrolled.



Constellation<sup>SM</sup>

200 Energy Way  
Kennett Square, PA 19348  
www.exeloncorp.com

10 CFR 50.90

June 28, 2024

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Limerick Generating Station, Units 1 and 2  
Renewed Facility Operating License Nos. NPF-39 and NPF-85  
NRC Docket Nos. 50-352 and 50-353

Subject: Request to Return and Replace WEC Documents (EQ-EV-386-GLIM, EQ-QR-433-GLIM, and APP-GW-GLR-611), to meet 10CFR2.390 Request to Withdraw from Public Disclosure Requirements

- References:
1. Constellation Energy Generation, LLC (CEG) letter to the U.S. Nuclear Regulatory Commission (NRC), "License Amendment Request to Revise the Licensing and Design Basis to Incorporate the Replacement of Existing Safety-Related Analog Control Systems with a Single Digital Plant Protection System (PPS)," dated September 26, 2022 (NRC Agencywide Documents Access and Management System (ADAMS) Accession No. ML22269A569).
  2. Constellation Energy Generation, LLC (CEG) letter to the U.S. Nuclear Regulatory Commission (NRC), "Resubmittal of License Amendment Request to Revise the Licensing and Design Basis to Incorporate the Replacement of Existing Safety-Related Analog Control Systems with a Single Digital Plant Protection System (PPS) – To Address Proprietary Issues with INL HFE Reports," dated September 12, 2023 (ADAMS Accession No. ML23255A095)
  3. Notice for Public closed meeting for May 22, 2024 between U.S. Nuclear Regulatory Commission and Constellation Energy Generation, LLC, Regarding Limerick Digital Instrumentation and Controls License Amendment Request (EPID L-2022-LLA-0140), dated May 7, 2024 (ML24129A010)
  4. Summary of May 22, 2024, Closed Meeting with Constellation Energy Generation, LLC, related to the License Amendment Request to support Replacement of Existing Safety-Related Analog Control Systems with a single Digital Plant Protection System (EPID L-2022-LLA-0140), dated June 3, 2024 (ML24151A259)

When separated from Attachment 1, this cover letter is decontrolled.

In accordance with 10 CFR 50.90, Constellation Energy Generation, LLC (CEG) requested a License Amendment Request (LAR) to replace the Limerick Generating Station, Units 1 and 2 existing safety-related analog control systems with a single digital Plant Protection System (PPS) (Reference 1).

In Reference 2, CEG submitted a LAR supplement that replaced in its entirety the original license amendment request, dated September 26, 2022. CEG replaced the original submittal to address issues associated with proprietary/non-proprietary information.

In Reference 3, the NRC notified CEG that there were issues with several of the 10CFR2.390 requests to withhold from public disclosure associated with the Reference 2 submittal and additional post LAR submittal documents, and noticed a closed meeting on May 22, 2024. The purpose of the meeting was to discuss the proprietary determination of certain documents related to the LAR to support a digital modernization project being considered for Limerick Generating Station, Units 1 and 2.

Per Reference 4, in a closed meeting, NRC and CEG reviewed outstanding issues identified per Reference 3 and aligned on the need to request a return of three WEC documents (EQ-EV-386-GLIM, EQ-QR-433-GLIM, and APP-GW-GLR-611) and to replace them with revised proprietary and non-proprietary versions to address NRC proprietary review concerns.

Specifically, the NRC concluded that some of the information that WEC sought to redact from the documents did not meet the requirements for withholding provided in 10 CFR 2.390. WEC/CEG respectfully requests the NRC return both the redacted and unredacted previous revisions and replace with the below documents.

This letter addresses the issues identified during the meeting by providing the following modified non-proprietary redacted and proprietary documents, which are included in Attachments 1 and 2 to this letter. The proprietary versions (Items 1, 3 and 5 below) are contained in Attachment 1. The non-proprietary versions (Items 2, 4 and 6 below) are contained in Attachment 2.

1. EQ-EV-386-GLIM-P, Revision 2, "Comparison of Equipment Qualification Hardware Testing for Common Q Applications to Limerick Requirements" (Proprietary)
2. EQ-EV-386-GLIM-NP, Revision 2, "Comparison of Equipment Qualification Hardware Testing for Common Q Applications to Limerick Requirements" (Non-Proprietary)
3. EQ-QR-433-GLIM-P, Revision 4, "Qualification Summary Report for the Plant Protection System Upgrade for Limerick Units 1 & 2" (Proprietary)
4. EQ-QR-433-GLIM-NP, Revision 4, "Qualification Summary Report for the Plant Protection System Upgrade for Limerick Units 1 & 2" (Non-Proprietary)
5. APP-GW-GLR-611-P, Revision 3, "ITAAC 2.5.02.14: Component Interface Module Design Process Technical Report" (Proprietary)
6. APP-GW-GLR-611-NP, Revision 3, "ITAAC 2.5.02.14: Component Interface Module Design Process Technical Report" (Non-Proprietary)

The documents do not contain any technical changes from the versions that were previously submitted; only the proprietary redactions were updated. Please note, during the preparation of EQ-QR-433-GLIM, it was discovered that Figure 2.2-1 was erroneously deleted from

Revision 2 to Revision 3. Therefore, Revision 4 was created to add the figure back, and it is provided in this submittal. The modified updated EQ-EV-386-GLIM and APP-GW-GLR-611 retained the same revision numbers.

Attachment 1 to this letter contains the proprietary Westinghouse Electric Company (WEC) LIM-24-090, Revision 0, "Limerick Units 1 and 2 Digital Modernization Project, Submittal of Limerick PPS LAR Proprietary and Non-Proprietary Documents."

Attachment 2 to this letter contains the non-proprietary WEC LIM-24-090, Revision 0, "Limerick Units 1 and 2 Digital Modernization Project, Submittal of Limerick PPS LAR Proprietary and Non-Proprietary Documents."

Attachment 3 to this letter contains the WEC affidavit, CAW-24-035, Revision 0, for Attachment 1.

Attachment 3 contains the affidavit signed by WEC, the owner of the proprietary information. The affidavit sets forth the basis upon which the information may be withheld from public disclosure by the NRC, and it addresses with specificity the considerations listed in paragraph (b)(4) of 10 CFR 2.390 of the NRC's regulations. WEC requests that the WEC proprietary information contained in Attachment 1 be withheld from public disclosure in accordance with 10 CFR 2.390. Future correspondence with respect to the proprietary aspects of the application for withholding related to WEC proprietary information or the WEC affidavit provided in the applicable Attachment should reference this request letter.

CEG has reviewed the information supporting a finding of no significant hazards consideration, and the environmental consideration, which was previously provided to the NRC in the Reference 2 letter. CEG has concluded that the information provided in this supplemental letter does not affect the bases for concluding that the proposed license amendments do not involve a significant hazards consideration under the standards set forth in 10 CFR 50.92. In addition, CEG has concluded that the information in this supplemental letter does not affect the bases for concluding that neither an environmental impact statement nor an environmental assessment needs to be prepared in connection with the proposed amendments.

This supplemental letter contains no regulatory commitments.

In accordance with 10 CFR 50.91, "Notice for public comment; State consultation," paragraph (b), CEG is notifying the Commonwealth of Pennsylvania of this supplemental letter by transmitting a copy of this letter to the designated State Official.

If you have any questions regarding this submittal, then please contact Frank Mascitelli at [Francis.Mascitelli@constellation.com](mailto:Francis.Mascitelli@constellation.com).

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 28<sup>th</sup> day of June 2024.

Respectfully,



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David P. Helker  
Sr. Manager - Licensing  
Constellation Energy Generation, LLC

- Attachments:
1. LIM-24-090, Revision 0, "Limerick Units 1 and 2 Digital Modernization Project, Submittal of Limerick PPS LAR Proprietary and Non-Proprietary Documents." (Proprietary)
  2. LIM-24-090, Revision 0, "Limerick Units 1 and 2 Digital Modernization Project, Submittal of Limerick PPS LAR Proprietary and Non-Proprietary Documents." (Non-Proprietary)
  3. WEC Affidavit, CAW-24-035, Revision 0, for Attachment 1

cc: USNRC Region I, Regional Administrator w/ attachments  
USNRC Project Manager, LGS "  
USNRC Senior Resident Inspector, LGS "  
Director, Bureau of Radiation Protection - Pennsylvania w/o attachment 1  
Department of Environmental Protection

**Attachment 3**

**License Amendment Request Supplement**

**Limerick Generating Station, Units 1 and 2  
Docket Nos. 50-352 and 50-353**

**WEC Affidavit, CAW-24-035, Revision 0, for Attachment 1**

Commonwealth of Pennsylvania:

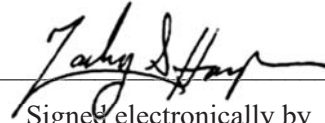
County of Butler:

- (1) I, Zachary Harper, Senior Manager, Licensing, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting the proprietary portions of LIM-24-090, Revision 0 be withheld from public disclosure under 10 CFR 2.390.
- (3) I have personal knowledge of the criteria and procedures utilized by Westinghouse in designating information as a trade secret, privileged, or as confidential commercial or financial information.
- (4) Pursuant to 10 CFR 2.390, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
  - (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse and is not customarily disclosed to the public.
  - (ii) The information sought to be withheld is being transmitted to the Commission in confidence and, to Westinghouse's knowledge, is not available in public sources.
  - (iii) Westinghouse notes that a showing of substantial harm is no longer an applicable criterion for analyzing whether a document should be withheld from public disclosure. Nevertheless, public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar technical evaluation justifications and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

- (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, or 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.
- (6) The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding is indicated in both versions by means of lower-case letters (a) through (f) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These lower-case letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (5)(a) through (f) of this Affidavit.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 6/19/2024

A handwritten signature in black ink, appearing to read "Zachary Harper", is written over a horizontal line.

Signed electronically by

Zachary Harper



\*\*This page was added to the quality record by the PRIME system upon its validation and shall not be considered in the page numbering of this document.\*\*

## Approval Information

Manager Approval Harper Zachary S Jun-19-2024 16:24:58

Files approved on Jun-19-2024

\*\*\* This record was final approved on 06/19/2024 16:24:58. (This statement was added by the PRIME system upon its validation)