

May 20, 2013

Mr. Rocco R. Sgarro, Director  
Regulatory Affairs  
PPL Nuclear Development, LLC  
Two North Ninth Street (GENPL4)  
Allentown, PA 18101-1179

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
FOR THE BELL BEND NUCLEAR POWER PLANT RESPONSE TO REQUEST  
FOR ADDITIONAL INFORMATION ENV-19 WATER AVAILABILITY

Dear Mr. Sgarro:

By letter to the U. S. Nuclear Regulatory Commission (NRC) dated December 4, 2012, you submitted an affidavit dated December 4, 2012, executed by Mr. Rocco Sgarro, as Director, Regulatory Affairs, PPL Bell Bend, LLC (PPL), requesting that information 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:

“RAI ENV-19 addresses water-related impacts as discussed in the Environmental Report (ER)”

Also, PPL provides a revised redacted version of BNP-2012-281 to NRC on March 1, 2013. A nonproprietary copy of these documents has been placed in the NRC’s Public Document Room and added to the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under ADAMS Accession No. ML123490007 and ML13073A149.

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

- (a) The information sought to be withheld from public disclosure is owned by PPL Bell Bend, LLC, its affiliates or third parties to whom PPL Bell Bend has an obligation to maintain its confidentiality and has been held in confidence by PPL Bell Bend, LLC.
- (b) The information sought to be protected is not available to the public to the best of your knowledge and belief.
- (c) The information is of the type that would customarily be held in confidence by PPL Bell Bend, LLC. The information that PPL Bell Bend, LLC is requesting to be withheld from public disclosure is in its response to NRC Request for Additional Information (RAI) ENV-19 regarding the Combined License Application (COLA) for the Bell Bend Nuclear Power Plant. That response discusses certain

commercial negotiations that PPL Bell Bend expects to enter into in the future regarding agreement(s) with third parties. PPL Bell Bend, LLC limits access to this information to those with a "need to know" subject to maintaining confidentiality. Public disclosure of this information at this time is premature and could significantly affect the ability of PPL Bell Bend, LLC to negotiate necessary agreements and compromises its negotiating position.

- (d) The proprietary information sought to be withheld from public disclosure is identified in the redacted version supplied with the response to RAI ENV-19.
- (e) The information is transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390; it is to be received in confidence by the NRC.

The NRC has reviewed the revised letter dated March 1, 2013, and the affidavit in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, has 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 these documents 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 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.

R. R. Sgarro

- 3 -

If you have any questions regarding this matter, I may be reached at 301-415-2220 or via e-mail [Laura.Quinn-Willingham@nrc.gov](mailto:Laura.Quinn-Willingham@nrc.gov). In my absence, please contact Ms. Tomeka Terry, at 301-415-1488 or via e-mail at [Tomeka.Terry@nrc.gov](mailto:Tomeka.Terry@nrc.gov).

Sincerely,

**/RA/**

Laura Quinn-Willingham, Project Manager  
Environmental Project Branch 2  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-039

cc: See next page

R. R. Sgarro

If you have any questions regarding this matter, I may be reached at 301-415-2220 or [Laura.Quinn-Willingham@nrc.gov](mailto:Laura.Quinn-Willingham@nrc.gov). In my absence, please contact Ms. Tomeka Terry, at 301-415-1488 or via e-mail at [Tomeka.Terry@nrc.gov](mailto:Tomeka.Terry@nrc.gov)

Sincerely,

**/RA/**

Laura Quinn-Willingham, Project Manager  
Environmental Project Branch 2  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-039

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KLeigh, PNNL ([Kimberly.Leigh@pnnl.gov](mailto:Kimberly.Leigh@pnnl.gov) )

TGrant, Numark ([TGrant@numarkassoc.com](mailto:TGrant@numarkassoc.com))

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**ADAMS Accession No: ML13112A383    \*see previous concurrence    \*\*concurred via e-mail    NRO-002**

OFFICE	DNRL/EPB2/PM	DNRL/EPB2/LA	DSEA/RENV	DNRL/EPB2/PM	OGC	DNRL/EPB2/PM
NAME	TTerry*	MBrown**	MHaque*	LQuinn-Willingham	MWright*	PKallan
DATE	05/03/2013	04/25 /2013	04/30/2013	05/03/2013	05/15/2013	05/20/2013

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COL - Bell Bend Mailing List

(Revised 03/25/2013)

cc:

Mr. Richard L. Baker  
Bechtel Power Corporation  
5275 Westview Drive  
Frederick, MD 21703-8306

Mr. William F. Fields  
Maryland People's Counsel  
6 St. Paul Centre  
Suite 2102  
Baltimore, MD 21202-1631

Mr. Roy Hickok  
NRC Technical Training Center  
5700 Brainerd Road  
Chattanooga, TN 37411-4017

Mr. Norris McDonald  
President  
AAEA  
9903 Caltor Lane  
Ft. Washington, MD 20744

Regional Administrator  
Region I  
U. S. Nuclear Regulatory Commission  
2100 Renaissance Boulevard, Suite 100  
King of Prussia, PA 19406-2713

Resident Inspector  
U. S. Nuclear Regulatory Commission  
P. O. Box 35  
Berwick, PA 18603

## COL - Bell Bend Mailing List

### Email

APH@NEI.org (Adrian Heymer)  
awc@nei.org (Anne W. Cottingham)  
cwaltman@roe.com (C. Waltman)  
david.lewis@pillsburylaw.com (David Lewis)  
ecullington@earthlink.net (E. Cullington)  
ed.burns@earthlink.net (Ed Burns)  
gzinke@entergy.com (George Alan Zinke)  
jerald.head@ge.com (Jerald G. Head)  
Joseph\_Hegner@dom.com (Joseph Hegner)  
KSutton@morganlewis.com (Kathryn M. Sutton)  
kscopelliti@pplweb.com (Karen Scopelliti)  
kwaugh@impact-net.org (Kenneth O. Waugh)  
lchandler@morganlewis.com (Lawrence J. Chandler)  
lois@ieer.org (Lois Chalmers)  
maria.webb@pillsburylaw.com (Maria Webb)  
mark.beaumont@wsms.com (Mark Beaumont)  
Mark.T.Finley@unistarnuclear.com (Mark T. Finley)  
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)  
media@nei.org (Scott Peterson)  
mjcaverly@pplweb.com (Michael J. Caverly)  
MSF@nei.org (Marvin Fertel)  
nirsnet@nirs.org (Michael Mariotte)  
Nuclaw@mindspring.com (Robert Temple)  
patriciaL.campbell@ge.com (Patricia L. Campbell)  
Paul@beyondnuclear.org (Paul Gunter)  
pbessette@morganlewis.com (Paul Bessette)  
RJB@NEI.org (Russell Bell)  
rrsgarro@pplweb.com (Rocco Sgarro)  
sabinski@suddenlink.net (Steve A. Bennett)  
sfrantz@morganlewis.com (Stephen P. Frantz)  
SRubin@numarkassoc.com (Stuart Rubin)  
stephan.moen@ge.com (Stephan Moen)  
tkkibler@scana.com (Tria Kibler)  
Tony.Robinson@areva.com (Tony Robinson)  
trsmith@winston.com (Tyson Smith)  
Vanessa.quinn@dhs.gov (Vanessa Quinn)  
Wanda.K.Marshall@dom.com (Wanda K. Marshall)

Bell Bend Mailing List

cc:

Ms. Carla Alber  
7844 Blue Ridge Trail  
Mountaintop, PA 18707

Mr. David J. Allard  
Director and State Liaison Officer  
Department of Environmental Protection  
Bureau of Radiation Protection  
Rachel Carson State Office Building  
400 Market Street  
Harrisburg, PA 17101

Mr. Ted Baird  
Society for Pennsylvania Archaeology  
1123 Drinker Turnpike  
Covington Township, PA 18444

Mr. George Blanchard, Governor  
Absentee-Shawntee Tribe of Oklahoma  
2025 S. Gordon Cooper  
Shawnee, OK 74801

Mr. Anthony T.P. Brooks  
Director of Development and Public  
Relations Luzerne County  
Historical Society  
49 South Franklin Street  
Wilkes-Barre, PA 18701

Mr. Robert Cartica  
State of New Jersey Department of  
Environmental Protection  
The New Jersey Natural Heritage Program  
DEP- Office of Natural Lands Management  
Mail Code 501-04  
P.O. Box 420  
501 E. State Street  
Station Plaza #5, 4<sup>th</sup> Floor  
Trenton, NJ 08625-0420

Mr. Robert Chicks Tribal, Chairman  
Stockbridge-Munsee Band of the Mohican  
Nation, Wisconsin  
Route 1  
Bowler, WI 54416

Ms. Carol R. Collier  
Executive Director  
Delaware River Basin Commission  
25 State Police Drive  
P.O. Box 7360  
West Trenton, NJ 08628-0360

Mr. Eric Davis, Project Leader  
U.S. Fish and Wildlife Service  
New Jersey Field Office  
927 N. Main Street  
Heritage Square, Building D  
Pleasantville, NJ 08232

The Honorable Ed Delgado, Chairman  
Oneida Nation of Wisconsin  
P.O. Box 365  
Oneida, WI 54155-0365

Mr. David Densmore Supervisor  
U.S. Fish and Wildlife Service  
Pennsylvania Field Office  
315 South Allen Street  
Suite 322  
State College, PA 16801-4850

Ms. Amy Elliott  
U.S. Army Corps of Engineers  
Baltimore District  
1631 South Atherton Street  
Suite 102  
State College, PA 16801

Mr. Clifford Farides  
Mill Memorial Public Library  
495 E. Main Street  
Nanticoke, PA 17101

Dr. Katherine Faull, Ph.D.  
Humanities Department  
Bucknell University  
One Dent Drive  
Lewisburg, PA 17837\_

Bell Bend Mailing List  
cc:

Mr. Max Furek  
57 Jeanette Street  
Mocanaqua, PA 18655

Mr. Ray Ganthner  
Senior Vice President  
AREVA, NP, Inc.  
3315 Old Forest Road  
P. O. Box 10935  
Lynchburg, VA 24506

The Honorable Mark Garrow, Chief  
St. Regis Mohawk Tribe  
412 State Route 37  
Akwasasne, NY 13655

Mr. Tony Gonyea, Faithkeeper  
Onodaga Nation  
Road 11 A, Box 245  
Nedrow, NY 13120

The Honorable Raymond Halbritter  
Nation Representative  
Oneida Indian Nation  
5218 Patrick Road  
Verona, NY 13478

Mr. Clinton Halftown Heron  
Clan Representative  
Cayuga Nation  
P.O. Box 8043  
Seneca Falls, NY 13148

Mr. Herbert Harmon  
320 Stone Church Road  
Berwick, PA 18603

Mr. Chuck Henry  
1051 Scotch Valley Drive  
Bloomsburg, PA 17815

The Honorable Leo Henry, Chief  
Tuscarora Nation  
2006 Mt. Hope Road  
Lewistown, NY 14092

Mr. Leroy Hess  
124 Hess Road  
Wapwallopen, PA 18660

The Honorable Roger Hill, Chief  
Tonawanda Seneca Nation  
7027 Meadville Road  
Basom, NY 14013

Mr. Kerry Holton, Tribal President  
Delaware Nation  
P.O. Box 825  
Anadarko, OK 73005

The Honorable Leroy Howard, Chief  
Seneca-Cayuga Tribe of Oklahoma  
23701 S. 655 Road  
Grove, OK 74344-6317

Mr. Rich Janati, M.S., Chief  
Division of Nuclear Safety Administrator  
Appalachian Compact Commission  
Rachel Carson State Office Building  
400 Market Street  
Harrisburg, PA 17101

Ms. Karen J. Karchner  
Building Code Official - No. 000624  
Zoning/Planning Administrator  
Floodplain Administrator  
Salem Township  
38 Bomboy Lane  
Berwick, PA 18603

Ms. Patricia A. Kurkul  
Northeast Regional Administrator  
NOAA National Marine Fisheries Service  
Northeast Regional Office  
55 Great Republic Drive  
Gloucester, MA 01930-2298

Mr. James R. Leigey  
Pennsylvania Game Commission  
2001 Elmerton Avenue  
Harrisburg, PA 17110-9797



Bell Bend Mailing List  
cc:

Ms. Emily McBracken  
494 Mingle Inn Road  
Berwick, PA 18603

Mr. Douglas C. McLearen, Chief  
Division of Archaeology and Protection  
Bureau for Historic Preservation  
Pennsylvania Historical and  
Museum Commission  
Common Wealth Keystone Building  
400 North Street, 2nd Floor  
Harrisburg, PA 17120-0093

Mr. Adrian Merolli, Director  
Luzerne County Planning Commission  
Penn Place  
20 N. Pennsylvania Avenue  
Wilkes-Barre, PA 18711

Mr. Reid Nelson, Director  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
Old Post Office Building  
1100 Pennsylvania Avenue, NW  
Suite 809  
Washington, DC 20004

Mr. Justin Newell  
Bureau of Forestry  
Pennsylvania Department of Conservation  
and Natural Resources  
6<sup>th</sup> Floor Rachel Carson State Office Bldg  
P.O. Box 8552  
Harrisburg, PA 17105-8552

Ms. Lisette Ormsbee  
McBride Memorial Library  
500 N. Market Street  
Berwick, PA 18603

Mr. Malcom S. Plevyak  
1446 Salem Boulevard  
Berwick, PA 18603

Mr. Robert Odawi Porter, President  
Seneca Nation of Indians  
P.O. Box 231  
Salamanca, NY 14779

Mr. James L. Richenderfer, Ph.D., P.G.  
Director, Technical Programs  
Susquehanna River Basin Commission  
1721 North Front Street  
Harrisburg, PA 17102-2391

The Honorable Ron Sparkman  
Chairman  
Shawnee Tribe  
29 South 69A Highway  
Miami, OK 74354

Mr. Jim Stout, President  
Berwick Historical Society  
102 East Second Street  
Berwick, PA 18603-4827

Mr. Chris Urban  
Pennsylvania Fish  
and Boat Commission  
450 Robinson Lane  
Bellefonte, PA 16823

The Honorable Glenna Wallace, Chief  
Eastern Shawnee Tribe of Oklahoma  
P.O. Box 350  
Seneca, MO 64865

Ms. Karen Walsh  
614 N. Front Street  
Harrisburg, PA 17101

Mr. Jack Wirbicki  
212 Deer Run Drive  
Mountaintop, PA 18707

Mr. John Zadigaka  
205 Magtzville Road  
Berwick, PA 18603

Bell Bend Mailing List

cc:

Email:

djallard@pa.gov (Dave Allard)  
pballaron@srbc.net (Paula Ballaron)  
sbeeler@pa.gov (Shawn Beeler)  
hbiggs@pa.gov (Heidi Biggs)  
bob.brown@ge.com (Robert E. Brown)  
bbusher@pa.gov (Brian Busher)  
kcarey960@gmail.com (Kyle Carey)  
mjcaverly@pplweb.com (Mike Caverly)  
carole\_copeyon@fws.gov (Carole Copeyon)  
davis.jamie@epamail.epa.gov (Jamie Davis)  
psychndesign@verison.net (Barbara DeRonde)  
derddafdl@verizon.net (Robert DeRonde)  
wilburdennisjr@hotmail.com (Wilbur Dennis, Jr.)  
Amy.H.Elliott@usace.army.mil (Amy Elliott)  
lechambon@comcast.net (Eric Epstein)  
greshaja@westinghouse.com (James Gresham)  
egocek@pa.gov (Erin Gocek)  
chebrink@localnet.com (Rev. Chad A. Hebrink)  
jh14ferrari@aol.com (John Heim)  
wholtsmast@pa.gov (Walter Holtsmaster)  
ecology3@gmail.com (Ted Jacobsen)  
rjanati@pa.gov (Rich Janati)  
jennifer\_kagel@fws.gov (Jennifer Kagel)  
vincekelly@gmail.com (Vince Kelly)  
knutson.lingard@epa.gov (Lingard Knutson)  
tolewis@pa.gov (Tonda Lewis)  
clombard@pa.metrocast.net (Cynthia Lombard)  
Magerr.Kevin@epamail.epa.gov (Kevin Magerr)  
steve\_mars@fws.gov (Steve Mars)  
smcdougal@pa.gov (Steve McDougal)  
terrimeighan@msn.com (James E. Meighan)  
kaysm@verizon.net (Catherin Stuccio Mentrinkoski)  
smonatesti@verizonl.net (Sabatini Monatesti)  
omowery@pa.gov (Olivia Mowery)  
pnaugle@srbc.net (Pat Naugle)  
john.nichols@noaa.gov (John Nichols)  
rmpaley@pplweb.com (Robert M. Paley)  
ajlaquin@verizon.net (Patricia Perluk)  
kpetock@curtisswright.com (Kelly Petock)  
TomPopko@hotmail.com (Tom Popko)  
ruppert125@aol.com (Greg Ruppert)  
eschloyer@yahoo.com (Erin Schloyer)  
signs@bellessigns.com (Ryan Search)  
rrsgarro@pplweb.com (Rocco R. Sgarro)  
tshervinsk@pa.gov (Tom Shervinsk)  
dsimpson@bloomu.edu (David Simpson)

Bell Bend Mailing List

cc:

nate@nathansnavely.com (Nate Snavely)  
dasuper@verizon.net (Dave Superdock)  
RKTemple@cpsenergy.com (R.K. Temple)  
Doug.Tift@nrc.gov (Doug Tift)  
etrowbridg@pa.gov (Gene Trowbridge)  
kevwhite@pa.gov (Kevin White)  
lwinker@pa.gov (Larry Winker)  
Lora\_Zimmerman@fws.gov (Lora Zimmerman)