



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

November 6, 2013

Mr. Michael J. Pacilio  
President and Chief Nuclear Officer  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
FOR PEACH BOTTOM ATOMIC POWER STATION, UNIT NOS. 2 AND 3  
(TAC NOS. ME9631 AND ME9632)

Dear Mr. Pacilio:

By letter to the Nuclear Regulatory Commission (NRC) dated October 11, 2013, Exelon Generation Company, LLC (Exelon) submitted a GE-Hitachi Nuclear Energy Americas LLC (GEH) affidavit dated October 7, 2013, executed by Mr. Peter M. Yandow (Attachment 3 to Exelon's letter). Exelon requested that the information contained in Attachment 1 to its letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390. Specifically, Exelon requested that the following document be withheld:

Response to Request for Additional Information – EMCB [Mechanical and Civil Engineering Branch] - Proprietary

A non-proprietary copy of the document (Attachment 2 to Exelon's letter) has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

- (4)a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH constitutes a competitive economic advantage over GEH or other companies; and
- (4)b. Information that, if used by a competitor, would reduce their expenditure of resources or improve their competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of 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.

M. Pacilio

- 2 -

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. 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 301-415-1420.

Sincerely,

A handwritten signature in black ink, appearing to read "R B Ennis". The signature is written in a cursive, somewhat stylized font.

Richard B. Ennis, Senior Project Manager  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-277 and 50-278

cc: Mr. Peter M. Yandow  
Vice President, Nuclear Plant Projects/Services Licensing  
GE-Hitachi Nuclear Energy Americas LLC  
3901 Castle Hayne Road  
Wilmington, NC 28401

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*/ra/*

Richard B. Ennis, Senior Project Manager  
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