



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

January 8, 2014

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 December 6, 2013, Exelon Generation Company, LLC (Exelon) submitted two affidavits in Attachment 3 to its letter as follows:

- Westinghouse Electric Company LLC (Westinghouse) affidavit dated December 3, 2013, executed by Mr. Bradley F. Maurer; and
- Continuum Dynamics, Inc. (C.D.I.) affidavit dated December 4, 2013, executed by Dr. Alan J. Bilanin.

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-SD [Mechanical and Civil Engineering Branch - Steam Dryer] - 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 Westinghouse affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (4)(ii)(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.
- (4)(ii)(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.

- (4)(ii)(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 of a similar product.
- (4)(ii)(d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.

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

- 3(a) The information summarizes a process or method, including supporting data and analysis, where prevention of its use by C.D.I.'s competitors without license from C.D.I. constitutes a competitive economic advantage over other companies.
- 3(b) Information which, if used 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 of a similar product.
- 3(c) Information which discloses a patentable subject matter for which it may be desirable to obtain patent protection.

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 affidavits, 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 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.

M. Pacilio

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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 fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

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. Bradley F. Maurer
Principal Engineer
Westinghouse Electric Company
1000 Westinghouse Drive
Cranberry Township, PA 16066

Dr. Alan J. Bilanin
President & Senior Associate
Continuum Dynamics, Inc.
34 Lexington Avenue
Ewing, NJ 08618-2302

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M. Pacilio

- 3 -

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Sincerely,

/ra/

Richard B. Ennis, Senior Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
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Principal Engineer
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