

November 3, 2000

Mr. Mark Reddemann
Site Vice President
Kewaunee and Point Beach Nuclear Plants
Nuclear Management Company, LLC
6610 Nuclear Road
Two Rivers, WI 54241

SUBJECT: KEWAUNEE NUCLEAR POWER PLANT - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. MA7278)

Dear Mr. Sellman:

By your application dated November 18, 1999, and Holtec International's affidavit executed by Evan Rosenbaum dated November 4, 1999, you submitted a proprietary document entitled, "Licensing Report For Storage Capacity Expansion Of The Kewaunee Nuclear Power Plant," Holtec Report Number HI-992208, Revision 1, and you requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. Also, a non-proprietary version of this document has been placed in the Nuclear Regulatory Commission (NRC) Public Document Room (PDR) and added to the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room (PERR) located on the NRC internet website at www.nrc.gov.

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

- (4)(a) The information discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies.
- (4)(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.
- (4)(d) Information which reveals aspects of past, present, or future Holtec International customer-funded development plans and programs of potential commercial value to Holtec International.
- (4)(e) Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

The Nuclear Regulatory Commission (NRC) staff has reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of Holtec

International's statements, has determined that the submitted information sought to be withheld contains privileged commercial information and should be withheld from public disclosure.

Therefore, we have determined that the document entitled, "Licensing Report For Storage Capacity Expansion Of The Kewaunee Nuclear Power Plant," Holtec Report Number HI-992208, Revision 1, marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(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. Also, you 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 (FOIA) 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.

Sincerely,

/RA/

John G. Lamb, Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-305

cc: See next page

International's statements, has determined that the submitted information sought to be withheld contains privileged commercial information and should be withheld from public disclosure.

Therefore, we have determined that the document entitled, "Licensing Report For Storage Capacity Expansion Of The Kewaunee Nuclear Power Plant," Holtec Report Number HI-992208, Revision 1, marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(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. Also, you 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 (FOIA) 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.

Sincerely,

/RA/

John G. Lamb, Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-305

cc: See next page

DISTRIBUTION:

PUBLIC PD31 R/F
GGrant, RIII ACRS
OGC

OFFICE	PDIII-1/PM	PDIII-1/LA	OGC	PDIII-1/SC
NAME	JLamb	THarris	RAB for MPS	CCraig
DATE	11/3/00	11/3/00	11/3/00	11/3/00

Accession No. ML003766722

OFFICIAL RECORD COPY

Kewaunee Nuclear Power Plant

cc:

Foley & Lardner
ATTN: Bradley D. Jackson
One South Pinckney Street
P.O. Box 1497
Madison, WI 53701-1497

Chairman
Town of Carlton
Route 1
Kewaunee, WI 54216

Harold Reckelberg, Chairman
Kewaunee County Board
Kewaunee County Courthouse
Kewaunee, WI 54216

Attorney General
114 East, State Capitol
Madison, WI 53702

U.S. Nuclear Regulatory Commission
Resident Inspectors Office
Route #1, Box 999
Kewaunee, WI 54216

Regional Administrator - Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4531

James D. Loock, Chief Engineer
Public Service Commission
of Wisconsin
610 N. Whitney Way
Madison, WI 53707-7854

Michael D. Wadley
Chief Nuclear Officer
Nuclear Management Company, LLC
700 First Street
Hudson, WI 54016

David Molzahn
Nuclear Asset Manager
Wisconsin Public Service Corporation
600 N. Adams Street
Green Bay, WI 54307-9002

Plant Manager
Kewaunee Nuclear Power Plant
Nuclear Management Company, LLC
North 490, Highway 42
Kewaunee, WI 54216-9511