

Mr. Guy G. Campbell, Vice President - Nuclear June 29, 2001
FirstEnergy Nuclear Operating Company
5501 North State Route 2
Oak Harbor, OH 43449-9760

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. MB2107)

Dear Mr. Campbell:

By your application dated May 22, 2001, and Framatome's ANP, Inc. affidavit executed by Raymond W. Ganthner dated May 15, 2001, you submitted a proprietary document entitled, "OTSG Repair Roll Qualification Report," and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. Also, a nonproprietary version of this document has been placed in the Nuclear Regulatory Commission (NRC) public document room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room located on the NRC internet website at www.nrc.gov.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure in accordance with criteria b, c, d and e of the licensee's application.

- b. The information reveals data or material concerning FRA-ANP research or development plans or programs of present or potential competitive advantage to FRA-ANP.
- c. The use of the information by a competitor would decrease his expenditures, in time or resources, in designing, producing or marketing a similar product.
- d. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a competitive advantage to FRA-ANP.
- e. The information reveals special aspects of a process, method, component or the like, the exclusive use of which results in a competitive advantage to FRA-ANP.

The NRC staff has reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the versions of the submitted information 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.

Mr. Guy G. Campbell

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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. 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 301-415-3154.

Sincerely,

/RA/

Stephen P. Sands, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-346

cc: See next page

Mr. Guy G. Campbell
FirstEnergy Nuclear Operating Company

cc:

Mary E. O'Reilly
FirstEnergy
76 South Main Street
Akron, OH 44308

Manager - Regulatory Affairs
FirstEnergy Nuclear Operating Company
Davis-Besse Nuclear Power Station
5501 North State - Route 2
Oak Harbor, OH 43449-9760

Jay E. Silberg, Esq.
Shaw, Pittman, Potts
and Trowbridge
2300 N Street, NW.
Washington, DC 20037

Regional Administrator
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60523-4351

Michael A. Schoppman
Framatome ANP
1700 Rockville Pike, Suite 525
Rockville, MD 20852

Resident Inspector
U.S. Nuclear Regulatory Commission
5503 North State Route 2
Oak Harbor, OH 43449-9760

Plant Manager
FirstEnergy Nuclear Operating Company
Davis-Besse Nuclear Power Station
5501 North State - Route 2
Oak Harbor, OH 43449-9760

Davis-Besse Nuclear Power Station, Unit 1

Harvey B. Brugger, Supervisor
Radiological Assistance Section
Bureau of Radiation Protection
Ohio Department of Health
P.O. Box 118
Columbus, OH 43266-0118

Carol O'Claire, Chief, Radiological Branch
Ohio Emergency Management Agency
2855 West Dublin Granville Road
Columbus, OH 43235-2206

Director
Ohio Department of Commerce
Division of Industrial Compliance
Bureau of Operations & Maintenance
6606 Tussing Road
P.O. Box 4009
Reynoldsburg, OH 43068-9009

Ohio Environmental Protection Agency
DERR--Compliance Unit
ATTN: Zack A. Clayton
P.O. Box 1049
Columbus, OH 43266-0149

State of Ohio
Public Utilities Commission
180 East Broad Street
Columbus, OH 43266-0573

Attorney General
Department of Attorney
30 East Broad Street
Columbus, OH 43216

President, Board of County
Commissioners of Ottawa County
Port Clinton, OH 43252

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