August 21, 2001

Gary Van Middlesworth
Site Vice President
Duane Arnold Energy Center
Nuclear Management Company, LLC
3277 DAEC Road
Palo, IA 52324-0351

SUBJECT: DUANE ARNOLD ENERGY CENTER - REQUEST FOR WITHHOLDING (TAC NO. MB0543)

Dear Mr. Van Middlesworth:

By your letter dated August 1, 2001, and General Electric's affidavit dated July 31, 2001, executed by George B. Stramback, you submitted "DAEC Response to NRC Mechanical and Civil Engineering Branch Request for Additional Information Regarding Proposed Amendment for Power Uprate," and requested that it be withheld from public disclosure pursuant to 10 CFR 9.17(a)(4), 2.790(a)(4) and 2.790(d)(1). 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.

a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies;

b. Information which, if used by a competitor, would reduce is expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

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 version(s) 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.

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 301-415-2020.

Sincerely,

/RA/

Brenda L. Mozafari, Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-331

cc: See next page

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Sincerely,

/RA/

Brenda L. Mozafari, Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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Duane Arnold Energy Center

cc:

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