

September 26, 2001

Mr. Raymond W. Ganthner, Vice President
Engineering and Licensing
Framatome ANP, Inc.
P.O. Box 10935
Lynchburg, VA 24506-0935

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
- ARKANSAS NUCLEAR ONE, UNIT 1

Dear Mr. Ganthner:

In response to a request by the Nuclear Regulatory Commission (NRC) staff, Entergy Operations, Inc., provided in a letter dated July 11, 2001, a copy of Framatome ANP, Inc. (FRA-ANP), Report 51-5012019-00, "Methodology for Establishing OTSG [once-through steam generator] Repair Roll Exclusion Zones," Revision 00. The submittal included an affidavit signed by you, dated June 21, 2001, and requested that the report be withheld from public disclosure pursuant to 10 CFR 2.790.

The NRC staff requested the report to clarify the information provided in proprietary topical report BAW-2303P, "OTSG Repair Roll Qualification Report," which the staff had reviewed in support of license amendments issued for Arkansas Nuclear One, Unit 1, and the Oconee Nuclear Station. A nonproprietary version of the topical report (BAW-2303NP, Revision 04, August 2000) was submitted by letter dated October 26, 2000, for placement in the Nuclear Regulatory Commission's (NRC's) public document room located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland and added to the Agency-wide Documents Access and Management Systems Publically Available Records System (ADAMS PARS Library).

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

- The information reveals data or material concerning FRA-ANP research or development plans or programs of present or potential competitive advantage to FRA-ANP. [FRA-ANP Criterion b]
- The use of the information by a competitor would decrease his expenditures, in time or resources, in designing, producing or marketing a similar product. [FRA-ANP Criterion c]
- 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. [FRA-ANP Criterion d]

- 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. [FRA-ANP Criterion e]

We have 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, FRA-ANP Report 51-5012019-00, "Methodology for Establishing OTSG Repair Roll Exclusion Zones," Revision 00, 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.

Sincerely,

/RA/

William Reckley, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-313

cc: See next page

DATE TIME

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Accession Number: 50-813

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advantage information

Office of the Director, Project Manager, Section 1

PDIV-1 Records Section (MRS) Clerk

Russell, J. (1998). *Journal of Business Ethics*, 17(1), 1-15. doi:10.1023/A:1022610000000

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