

Contains Proprietary Information  
Pursuant to 10 CFR 2.790

Serial Number 2787

May 1, 2002

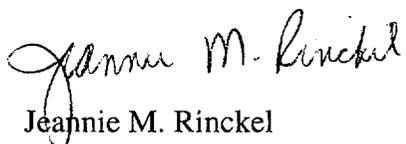
United States Nuclear Regulatory Commission  
ATTN: Doug V. Pickett, NRR/DLPM/LPD3  
Mail Stop 4 H6  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852-2738

Subject: Davis-Besse Nuclear Power Station Cycle 14 Fuel and Core Description

During a telephone conference call on April 22, 2002, between members of the FirstEnergy Nuclear Operating Company (FENOC) and the NRC staffs, the NRC staff requested data regarding the upcoming Davis-Besse Nuclear Power Station (DBNPS) cycle 14 reactor core design to support a confirmatory analysis. The enclosed compact disc (CD) contains the requested information. Please note that this CD contains information which is proprietary both to FENOC and Framatome ANP, Inc. FENOC requests that this information be withheld from public disclosure in accordance with 10 CFR 2.790. Affidavits executed on behalf of FENOC and Framatome ANP, Inc., supporting withholding this information from public disclosure are enclosed.

Should you have any questions or require additional information, please contact Mr. David H. Lockwood, Manager - Regulatory Affairs, at (419) 321-8450.

Very truly yours,



Jeannie M. Rinckel  
Director - Nuclear Fuel  
FirstEnergy Nuclear Operating Company

Enclosures

*Rec'd from PM  
w/out encl.*

*A001*

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Enclosure 1

**COMMITMENT LIST**

THE FOLLOWING LIST IDENTIFIES THOSE ACTIONS COMMITTED TO BY THE DAVIS-BESSE NUCLEAR POWER STATION (DBNPS) IN THIS DOCUMENT. ANY OTHER ACTIONS DISCUSSED IN THE SUBMITTAL REPRESENT INTENDED OR PLANNED ACTIONS BY THE DBNPS. THEY ARE DESCRIBED ONLY FOR INFORMATION AND ARE NOT REGULATORY COMMITMENTS. PLEASE NOTIFY THE MANAGER – REGULATORY AFFAIRS (419-321-8450) AT THE DBNPS OF ANY QUESTIONS REGARDING THIS DOCUMENT OR ANY ASSOCIATED REGULATORY COMMITMENTS.

**COMMITMENTS**

**DUE DATE**

None

N/A

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Enclosure 2

Framatome ANP Proprietary Affidavit  
(3 pages follow)



6. The following criteria are customarily applied by FRA-ANP to determine whether information should be classified as proprietary:

- (a) The information reveals details of FRA-ANP's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for FRA-ANP.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for FRA-ANP in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by FRA-ANP, would be helpful to competitors to FRA-ANP, and would likely cause substantial harm to the competitive position of FRA-ANP.

7. In accordance with FRA-ANP's policies governing the protection and control of information, proprietary information contained in this Document has been made available, on a limited basis, to others outside FRA-ANP only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. FRA-ANP policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

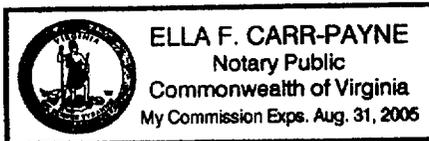
9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

James F. Smalley

SUBSCRIBED before me this 30<sup>th</sup>  
day of April, 2002.

Ella F. Carr-Payne

Ella F. Carr-Payne  
NOTARY PUBLIC, STATE OF VIRGINIA  
MY COMMISSION EXPIRES: 8/31/05



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Enclosure 3

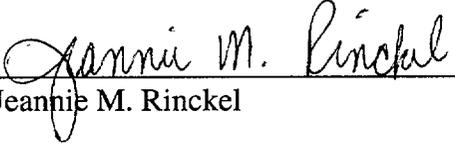
FENOC Proprietary Affidavit  
(2 pages follow)

AFFIDAVIT OF JEANNIE M. RINCKEL

- A. My name is Jeannie M. Rinckel. I am Director - Nuclear Fuels for FirstEnergy Nuclear Operating Company ("FENOC"), and as such, I am authorized to execute this Affidavit.
- B. I am familiar with the criteria applied by FENOC to determine whether certain FENOC information is proprietary and I am familiar with the procedures established with FENOC to ensure the proper application of these criteria.
- C. I am familiar with the FENOC information included in the Davis-Besse Nuclear Power Station (DBNPS) Cycle 14 Fuel and Core Description electronic files, hereto referred to as the "Files". Information contained in these Files has been classified by FENOC as Restricted in accordance with the policies established by FENOC for the control and protection of confidential and proprietary information.
- D. These Files are being made available to the U.S. Nuclear Regulatory Commission in confidence with a statement that it is Restricted information and a request that the information contained in these Files be withheld from public disclosure.
- E. The following information is provided to demonstrate that the provisions of the Code of Federal Regulations, Title 10 - Energy, Part 2, Section 790 have been considered in the confidential and commercial classification of these Files as Restricted:
  - (i) These Files have been held in confidence by FENOC.
  - (ii) These Files contain information of a proprietary and confidential nature and is of the type customarily held in confidence by FENOC and not made available to the public.
  - (iii) These Files are being transmitted to the U.S. Nuclear Regulatory Commission in confidence.
  - (iv) These Files are not available in public sources.
  - (v) These Files contain confidential and commercial information regarding the nuclear fuel of the DBNPS. The information provided on these Files is of a nature that cannot be acquired or duplicated by others.
- F. In accordance with FENOC's policies governing the protection and control of information, Restricted information contained in these Files has been made available, on a limited basis, outside FENOC only as required and under suitable non-disclosure agreement providing limited use of the information.
- G. FENOC requires that Restricted information contained in these Files be kept in a secured file or area and distributed only on a need-to-know basis.

H. The foregoing statements are true and correct to the best of my knowledge,  
information, and belief.

I declare under penalty of perjury that the foregoing is true and correct. Executed on  
May 1, 2002.

  
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Jeannie M. Rinckel