

Lew W. Myers  
Chief Operating Officer

419-321-7599  
Fax: 419-321-7582

Docket Number 50-346

10 CFR 2.790

License Number NPF-3

Serial Number 2955

July 23, 2003

United States Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, D.C. 20555-0001

Subject: Reactor Vessel Closure Head Welding Data Sheets

Ladies and Gentlemen:

The purpose of this letter is to provide five welding data sheets requested by the Nuclear Regulatory Commission (NRC) staff for the Davis-Besse Nuclear Power Station, Unit 1 (DBNPS) Reactor Vessel Closure Head that has been permanently removed from use.

Enclosure 1 contains an affidavit from BWX Technologies, Inc. that requests the NRC withhold these welding data sheets as Proprietary Information in accordance with the provisions of 10 CFR 2.790. Enclosure 2 contains copies of the requested welding data sheets marked as "Proprietary".

If you have any questions or require additional information, please contact Mr. Kevin L. Ostrowski, Manager-Regulatory Affairs, at (419) 321-8450.

Very truly yours,



DRW/  
Enclosures

cc: Regional Administrator, NRC Region III (w/o enclosures)  
J. B. Hopkins, DB-1 NRC/NRR Senior Project Manager  
C. S. Thomas, DB-1 Senior Resident Inspector (w/o enclosures)  
Utility Radiological Safety Board (w/o enclosures)

APD

Docket Number 50-346  
License Number NPF-3  
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Enclosure 1

AFFIDAVIT  
FOR  
REACTOR VESSEL CLOSURE HEAD  
WELDING DATA SHEETS  
(2 pages follow)

AFFIDAVIT OF: Douglas L. Garlock

STATE OF Ohio )  
 )  
COUNTY OF Summit )

I, Douglas L. Garlock, do hereby state:

1. I am a citizen of the United States of America. I am a resident of Clinton, Ohio. My birth date is May 4, 1947.

2. I am presently employed by BWX Technologies, Inc. (BWXT) in Barberton, Ohio. I am the Vice President & General Manager of the Nuclear Equipment Division (NED). I have held this position since October, 1997. I have personal knowledge of the facts set forth in this affidavit, and if called and sworn as a witness in a deposition or before any court, I could and would testify competently under oath to the following facts.

3. BWXT & NED requests that the NRC withhold the Davis Besse RPV Head Weld Data Sheets (Proprietary Information) in accordance with the provisions of 10 CFR 2.790. The Proprietary Information constitutes trade secrets and business sensitive information. Use of the technology embodied in the Proprietary Information has been licensed to Framatome ANP Inc. and Babcock & Wilcox Canada Ltd. Revealing the Proprietary Information to the public would likely cause harm to the competitive position of the licensees when bidding for contracts that implicate aforesaid Proprietary Information.

4. BWXT & NED have consistently held the Proprietary Information in confidence. To my knowledge, absent a non-disclosure agreement or equivalent, neither BWXT nor NED has revealed said Proprietary Information to non-BWXT employees.

5. To my knowledge, the Proprietary Information is of a type customarily held in confidence by BWXT, NED and competitors.

6. To my knowledge, the Proprietary Information is not available from public sources.

7. The Proprietary Information is made available to the Nuclear Regulatory Commission in confidence.

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

*Douglas L. Gabel*

Subscribed and sworn to before me this 5<sup>th</sup> day of June 2003.

*Doris B. Krempel*  
Notary Public

My commission expires: \_\_\_\_\_

**DORIS B. KREMPEL**  
**Notary Public, State of Ohio**  
**My Commission Expires 12/23/2006**

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Enclosure 3

**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 associated regulatory commitments.

**COMMITMENTS**

**DUE DATE**

None

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Enclosure 2

**DAVIS-BESSE NUCLEAR POWER STATION UNIT NUMBER 1  
WELDING DATA SHEETS  
FOR  
REACTOR VESSEL CLOSURE HEAD  
PERMANENTLY REMOVED FROM USE**

**- PROPRIETARY INFORMATION-  
WITHHOLD IN ACCORDANCE WITH 10 CFR 2.790**

**5 sheets follow – best available quality**

**Weld Data Sheet No. WH-13, Revision No. 1  
Weld Data Sheet No. WH-25, Revision No. 1  
Weld Data Sheet No. WH-8, Alt. 1, Revision No. 3  
Weld Data Sheet No. WH-8, Revision No. 0  
Weld Data Sheet No. WH-1, Revision No. 0**