

August 25, 2003

Mr. David J. Robare, Technical Projects Manager  
General Electric Company  
175 Curtner Avenue  
San Jose, CA 95125

SUBJECT: GENERAL ELECTRIC COMPANY, REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE FOR VERMONT YANKEE  
NUCLEAR POWER STATION (TAC NO. MB8119)

Dear Mr. Robare:

By letter dated July 24, 2003, Entergy Nuclear Vermont Yankee, LLC submitted an affidavit dated July 17, 2003, executed by David J. Robare to the U.S. Nuclear Regulatory Commission (NRC), requesting that the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790:

Final Report - Entergy Northeast Vermont Yankee Neutron Flux Evaluation,  
GE-NE-0000-0007-2342-R1-P, Revision 1, dated July 2003

A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

- (4) 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 his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

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, 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.

D. Robare

- 2 -

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 301-415-3016.

Sincerely,

*/RA/*

Robert M. Pulsifer, Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: See next page

D. Robare

- 2 -

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 301-415-3016.

Sincerely,

*/RA/*

Robert M. Pulsifer, Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: See next page

DISTRIBUTION:

- PUBLIC
- PDI-2 R/F
- J. Clifford
- R. Pulsifer
- OGC
- C. Raynor
- G. Hill (2)
- J. Bobiak, RI
- F. Arner, RI
- C. Anderson, RI

ADAMS Accession Number: ML032270236

OFFICE	PDI-2/PM	PDI-2/LA	OGC	PDI-2/SC	
NAME	RPulsifer	CRaynor	DHassoll	JClifford	
DATE	8/19/03	8/18/03	8/22/03	8/25/03	

**OFFICIAL RECORD COPY**

Vermont Yankee Nuclear Power Station

cc:

Regional Administrator, Region I  
U. S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406-1415

Mr. David R. Lewis  
Shaw, Pittman, Potts & Trowbridge  
2300 N Street, N.W.  
Washington, DC 20037-1128

Ms. Christine S. Salembier, Commissioner  
Vermont Department of Public Service  
112 State Street  
Montpelier, VT 05620-2601

Mr. Michael H. Dworkin, Chairman  
Public Service Board  
State of Vermont  
112 State Street  
Montpelier, VT 05620-2701

Chairman, Board of Selectmen  
Town of Vernon  
P.O. Box 116  
Vernon, VT 05354-0116

Mr. Michael Hamer  
Operating Experience Coordinator  
Vermont Yankee Nuclear Power Station  
320 Governor Hunt Road  
Vernon, VT 05354

G. Dana Bisbee, Esq.  
Deputy Attorney General  
33 Capitol Street  
Concord, NH 03301-6937

Chief, Safety Unit  
Office of the Attorney General  
One Ashburton Place, 19th Floor  
Boston, MA 02108

Ms. Deborah B. Katz  
Box 83  
Shelburne Falls, MA 01370

Mr. Raymond N. McCandless  
Vermont Department of Health  
Division of Occupational  
and Radiological Health  
108 Cherry Street  
Burlington, VT 05402

Manager, Licensing  
Entergy Nuclear Vermont Yankee, LLC  
P.O. Box 0500  
185 Old Ferry Road  
Brattleboro, VT 05302-0500

Resident Inspector  
Vermont Yankee Nuclear Power Station  
U. S. Nuclear Regulatory Commission  
P.O. Box 176  
Vernon, VT 05354

Director, Massachusetts Emergency  
Management Agency  
ATTN: James Muckerheide  
400 Worcester Rd.  
Framingham, MA 01702-5399

Jonathan M. Block, Esq.  
Main Street  
P.O. Box 566  
Putney, VT 05346-0566

Mr. John Kelly  
Director, Nuclear Safety Assurance  
Entergy Nuclear Operations, Inc.  
440 Hamilton Avenue  
White Plains, NY 10601

Mr. Gary Taylor  
Chief Executive Officer  
Entergy Operations  
1340 Echelon Parkway  
Jackson, MS 39213

Vermont Yankee Nuclear Power Station

cc:

Mr. John Herron  
Sr. VP and Chief Operating Officer  
Entergy Nuclear Operations, Inc.  
440 Hamilton Avenue  
White Plains, NY 10601

Mr. Dan Pace  
Vice President, Engineering Entergy  
Nuclear Operations, Inc.  
440 Hamilton Avenue  
White Plains, NY 10601

Mr. Randall Edington  
Vice President, Operations Support  
Entergy Nuclear Operations, Inc.  
440 Hamilton Avenue  
White Plains, NY 10601

Director of Oversight  
Entergy Nuclear Operations, Inc.  
440 Hamilton Avenue  
White Plains, NY 10601

Mr. John M. Fulton  
Assistant General Counsel  
Entergy Nuclear Operations, Inc.  
440 Hamilton Avenue  
White Plains, NY 10601

Mr. Jay K. Thayer  
Site Vice President  
Entergy Nuclear Operations, Inc.  
Vermont Yankee Nuclear Power Station  
P.O. Box 0500  
185 Old Ferry Road  
Brattleboro, VT 05302-0500

Mr. Ken L. Graesser  
BWR SRC Consultant  
38832 N. Ashley Drive  
Lake Villa, IL 60046

Mr. Jim Sniezek  
BWR SRC Consultant  
14601 Layhill Road  
Silver Spring, MD 20906

Mr. Ron Toole  
BWR SRC Consultant  
605 West Horner Street  
Ebensburg, PA 15931

Ms. Stacey Lousteau  
Treasury Department  
Entergy Services, Inc.  
639 Loyola Avenue, Mail Stop L-ENT-15E  
New Orleans, LA 70113

Mr. Michael Kansler  
President  
Entergy Nuclear Operations, Inc.  
440 Hamilton Avenue  
White Plains, NY 10601