

October 24, 2005

Mr. Robert E. Gamble  
Manager, ESBWR  
General Electric Company  
1989 Little Orchard Street, M/C 365  
San Jose, CA 95125

Mr. George B. Stramback  
Manager, Regulatory Services  
General Electric Company  
175 Curtner Avenue  
San Jose, CA 95125

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC  
DISCLOSURE, VERMONT YANKEE NUCLEAR POWER STATION  
(TAC NO. MC0761)

Dear Messrs. Gamble and Stramback:

By letter BVY 05-074 dated August 4, 2005, Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (Entergy) submitted two General Electric Company (GE) affidavits dated August 2 and August 4, 2005 (Attachment 9 to Entergy letter BVY 05-074) to the Nuclear Regulatory Commission (NRC). These affidavits requested that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

“Response to Request for Additional Information [RAI], GE Scale Model Test (SMT) Benchmark Adequacy” (Attachment 2 to Entergy letter BVY 05-074)

“Response to Request for Additional Information, Other Mechanical and Civil Engineering Branch RAIs” (Attachment 4 to Entergy letter BVY 05-074)

“Exhibit EMEB-B-143-1, Revised FIV [flow-induced vibration] Stress Summary” (part of Attachment 10 to Entergy letter BVY 05-074)

Nonproprietary copies of these documents (Attachments 6, 7, and part of Attachment 10, respectively, to Entergy letter BVY 05-074), have been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

Each 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;

- (4) 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 2.390 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 of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(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 301-415-1420.

Sincerely,

*/RA/*

Richard B. Ennis, Senior 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

- (4) 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.

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Sincerely,  
 /RA/  
 Richard B. Ennis, Senior Project Manager, Section 2  
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 Division of Licensing Project Management  
 Office of Nuclear Reactor Regulation

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Vermont Yankee Nuclear Power Station

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