

March 29, 2006

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

SUBJECT: GENERAL ELECTRIC COMPANY, REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR JAMES A. FITZPATRICK
NUCLEAR POWER PLANT (TAC NO. MC9681)

Dear Mr. Stramback:

By letter dated January 26, 2006, Entergy Nuclear Operations, Inc. (ENO or the licensee) submitted an affidavit dated October 24, 2005, executed by yourself. You requested that the information contained in Attachment 5 of the licensee's January 26, 2006, letter, NEDC-33087P, Revision 1, September 2005, "J.A. FitzPatrick Nuclear Power Plant APRM [Average Power Range Monitor]/RBM [Rod Block Monitor]/Technical Specifications/Maximum Extended Operation Domain (ARTS/MEOD)," be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390.

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (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:

- 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 2.390 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 301-415-2901.

Sincerely,

/RA/

John P. Boska, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-333

cc: see next page

G. Stramback

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John Boska, Project Manager
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FitzPatrick Nuclear Power Plant

cc:

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

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

Mr. Theodore A. Sullivan
Site Vice President
Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
P.O. Box 110
Lycoming, NY 13093

Mr. Kevin J. Mulligan
General Manager, Plant Operations
Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
P.O. Box 110
Lycoming, NY 13093

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

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

Mr. John F. McCann
Director, Licensing
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Resident Inspector's Office
James A. FitzPatrick Nuclear Power Plant
U. S. Nuclear Regulatory Commission
P.O. Box 136
Lycoming, NY 13093

Ms. Charlene D. Faison
Manager, Licensing
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

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

Mr. David Wallace
Director, Nuclear Safety Assurance
Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
P.O. Box 110
Lycoming, NY 13093

Mr. James Costedio
Manager, Regulatory Compliance
Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
P.O. Box 110
Lycoming, NY 13093

Mr. Travis C. McCullough
Assistant General Counsel
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, NY 10271

FitzPatrick Nuclear Power Plant

cc:

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

Oswego County Administrator
Mr. Steven Lyman
46 East Bridge Street
Oswego, NY 13126

Mr. Peter R. Smith, President
New York State Energy, Research,
and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

Mr. Paul Eddy
New York State Dept. of Public Service
3 Empire State Plaza
Albany, NY 12223-1350

Supervisor
Town of Scriba
Route 8, Box 382
Oswego, NY 13126

Mr. James H. Sniezek
BWR SRC Consultant
5486 Nithsdale Drive
Salisbury, MD 21801-2490

Mr. Michael D. Lyster
BWR SRC Consultant
5931 Barclay Lane
Naples, FL 34110-7306

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