

April 7, 2006

Mr. Dean B. Jones
President
TransWare Enterprises Inc.
5450 Thornwood Drive, Suite M
San Jose, California 95123-1222

SUBJECT: TRANSWARE REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR FLUENCE EVALUATION FOR OYSTER CREEK REACTOR PRESSURE VESSEL FOR THE OYSTER CREEK NUCLEAR GENERATING STATION, LICENSE RENEWAL APPLICATION (TAC NO. MC7624)

Dear Mr. Jones:

By letter dated March 21, 2006, AmerGen Energy Company, LLC submitted an affidavit executed by you on March 18, 2006, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390"

Fluence Evaluation for Oyster Creek Reactor Pressure Vessel
TransWare Proprietary Information Package EXL-FLU-001-R-002 for Oyster Creek
Nuclear Generating Station.

The March 21, 2006, letter identified the information contained in the named package as supportive to the Oyster Creek Generating Station License Renewal Application and a request by NRC staff for additional information. A non-proprietary copy of this document was provided by you and will be available 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:

- (1) This information is of the type typically held in confidence by TransWare, and is in fact so held.
- (2) The information is being transmitted to the NRC in confidence.
- (3) The information has not been publicly disclosed, nor is it available in public sources.
- (4) Public disclosure of the information would be likely to cause substantial harm to the competitive position of TransWare because it would enhance the ability of competitors to provide similar fluence information commercial power reactors without commensurate expenses.

D. B. Jones

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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 document 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 should also 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 301-415-3191.

Sincerely,

/RA/

Donnie J. Ashley, Project Manager
License Renewal Branch A
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-219

cc: See next page

D. B. Jones

-2-

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Donnie J. Ashley, Project Manager
License Renewal Branch A
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-219

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ADAMS Accession No.: **ML060970463**

DOCUMENT NAME: E:\Filenet\ML060970463.wpd

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OFFICIAL RECORD COPY

Letter to: Dean B. Jones, from Donnie J. Ashley, dated: April 07, 2006

SUBJECT: TRANSWARE REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE FOR FLUENCE EVALUATION FOR OYSTER CREEK REACTOR
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