

December 6, 2007

Mr. Timothy G. Mitchell
Vice President, Operations
Arkansas Nuclear One
Entergy Operations, Inc.
1448 S. R. 333
Russellville, AR 72802

SUBJECT: ARKANSAS NUCLEAR ONE, UNIT 2 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. MD4994)

Dear Mr. Mitchell:

By your letter dated March 30, 2007, Entergy Operations, Inc. (Entergy), submitted an affidavit dated March 23, 2007, executed by B. F. Maurer, Westinghouse Electric Company LLC (Westinghouse), and an affidavit dated March 21, 2007, executed by Debabrata Mitra-Majumdar, Holtec International (Holtec), requesting that information in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

Holtec Report No. HI-2063601, "Holtec Licensing Report for ANO Unit 2 Partial Rerack"

The information was contained in Attachment 8 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML071000262) of Entergy's letter dated March 30, 2007. A nonproprietary copy of the document was provided in Attachment 5 (ADAMS Accession No. ML071000257) of the letter. This nonproprietary document is placed in the Nuclear Regulatory Commission (NRC)'s Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

The Westinghouse affidavit stated that the proprietary information sought to be withheld in this submittal is that which is marked in Table 4.5.1, "PWR [Pressurized Water Reactor] Fuel Assembly Specifications," contained in Holtec Report No. HI-2063601. The information submitted in Table 4.5.1, marked as "a, c" in the table, should be considered exempt from mandatory public disclosure for the following reasons:

- a. The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies; and
- c. Its use 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 a similar product.

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

- a. The information discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies; and
- b. The 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 Energy's 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 information in the document entitled, "Holtec Licensing Report for ANO Unit 2 Partial Rerack," 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 301-415-1445.

Sincerely,

/RA/

Alan B. Wang, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-368

cc: See next page

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

- a. The information discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies; and
- b. The 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 Energy's 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 information in the document entitled, "Holtec Licensing Report for ANO Unit 2 Partial Rerack," 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.

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Sincerely,
 /RA/
 Alan B. Wang, Project Manager
 Plant Licensing Branch IV
 Division of Operating Reactor Licensing
 Office of Nuclear Reactor Regulation

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