



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

November 23, 2009

Site Vice President  
Entergy Nuclear Operations, Inc.  
Vermont Yankee Nuclear Power Station  
P.O. Box 250  
Governor Hunt Road  
Vernon, VT 05354

SUBJECT: VERMONT YANKEE NUCLEAR POWER STATION - REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (TAC NO.  
ME2462)

Dear Sir or Madam:

By letter dated October 27, 2009, Entergy Nuclear Operations, Inc. (the licensee) submitted the affidavit executed by Mr. Anthony P. Reese, Manager, Reload Design & Analysis, Global Nuclear Fuel-Americas, LLC., (GNF-A), dated September 18, 2009.

The affidavit requested 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) Section 2.390:

Attachment 5 to the letter from Entergy Nuclear Operations, Inc, (Mr. Michael J. Colomb, Site Vice President), BVY 09-063, dated October 27, 2009, "GNF Additional Information Regarding the Requested Changes to the Technical Specifications SLMCPR [Safety Limit Minimum Critical Power Ratio], Vermont Yankee Cycle 28, Proprietary Version, GNF-0000-0100-8106-P, eDRF Section 000-0100-8106-R0, dated September 21, 2009."

The affidavit from Mr. Reese of GNF-A 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 GNF-A's competitors without license from GNF-A 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 versions 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.

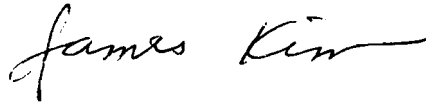
A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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 301-415-4125.

Sincerely,

A handwritten signature in cursive script that reads "James Kim".

James Kim, Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: Distribution via Listserv and

Mr. Anthony P. Reese  
Manager, Reload Design & Analysis  
Global Nuclear Fuel-Americas, L.L.C.  
P. O. Box 780  
Wilmington, NC 24501

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.

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 301-415-4125.

Sincerely,

*/RA/*

James Kim, Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: Distribution via Listserve and

Mr. Anthony P. Reese  
Manager, Reload Design & Analysis  
Global Nuclear Fuel-Americas, L.L.C.  
P. O. Box 780  
Wilmington, NC 24501

DISTRIBUTION

PUBLIC PDI-1 R/F	RidsNrrDorLPL1-1	RidsNrrPMVermontYankee (hard copy)
RidsNrrLASLittle (hard copy)	RidsOGCRp	RidsNrrDssSrxb
RidsAcrsAcnw&mMailCenter	RidsRg1MailCenter	

ADAMS Accession No.: ML093210350

OFFICE	LPL1-1/PM	LPL1-1/LA	NRR/SRXB/BC	LPL1-1/BC
NAME	JKim	SLittle	GCranston	NSalgado
DATE	11/18/09	11/18/09	11/20/09	11/23/09

OFFICIAL RECORD COPY