



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

March 12, 2010

Mr. Joseph N. Jensen  
Senior Vice President and  
Chief Nuclear Officer  
Indiana Michigan Power Company  
Nuclear Generation Group  
One Cook Place  
Bridgman, MI 49106

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
FOR THE DONALD C. COOK NUCLEAR PLANT, UNIT 1 (TAC NO. ME2304)

Dear Mr. Jensen:

By letter (AEP-NRC-2010-20) dated February 16, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML100500973), to the U.S. Nuclear Regulatory Commission (NRC), Indiana Michigan Power Company submitted a response to a request for additional information related to a relief request ISIR-32.

The submittal contained an affidavit addressing the need for withholding specified information from public disclosure. The affidavit dated February 16, 2010, was executed by Mr. Jeffrey Millman of Babcock & Wilcox (B&W) Canada, Ltd., requesting 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), Part 2, Section 2.390:

1. AEP-NRC-2010-20, Enclosure 1, Attachment 1, "Drawing 1-AEP-BAWI-7803E040, Primary Head Manway Assembly Connection Configuration, (PROPRIETARY)."
2. AEP-NRC-2010-20, Enclosure 1, Attachment 2, "Drawing 1-BAWI-7803D324, Stud and Elongation Rod Detail, (PROPRIETARY)."

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

- (i) The information reveals the distinguishing aspects of a process, component, structure, tool, method, etc., where prevention of its use by any of B&W's competitors without license from B&W constitutes a competitive economic advantage over other companies.
- (ii) Its use by a competitor would reduce its expenditure of resources or improve its competitive position in the design, manufacture, shipment, installation, quality assurance, or licensing of a similar product.
- (iii) It contains patentable ideas, for which patent protection may be desirable.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the

submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, Attachments 1 and 2 to Enclosure 1 of AEP-NRC-2010-20, which are 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) 415-3049.

Sincerely,

A handwritten signature in black ink, appearing to read "Terry A. Beltz", with a long horizontal flourish extending to the right.

Terry A. Beltz, Senior Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-315

cc: Mr. Jeffrey Millman, Manager  
Nuclear Engineering  
Babcock & Wilcox Canada Ltd.  
581 Coronation Boulevard  
Cambridge, ON N1R 5V3, Canada

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**/RA/**

Terry A. Beltz, Senior Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-315

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Nuclear Engineering  
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**ADAMS Accession No.: ML100570028**

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