



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

May 17, 2011

Mr. David J. Bannister
Vice President and CNO
Omaha Public Power District
Fort Calhoun Station
444 South 16th St. Mall
Omaha, NE 68102-2247

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR FORT CALHOUN STATION, UNIT NO. 1 (TAC NO. ME4541)

Dear Mr. Bannister:

By letter dated August 16, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML102300641), Omaha Public Power District (the licensee) submitted an affidavit dated July 30, 2010, executed by J. A. Gresham, Westinghouse Electric Company LLC (Westinghouse), 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:

LTR-PAFM-10-123-P, Revision 0, "Technical Justification to Support Alternative Visual Examination Intervals for Fort Calhoun Reactor Vessel Outlet Nozzle to Safe End Dissimilar Metal Welds," July 2010

A nonproprietary copy of this document, designated as LTR-PAFM-10-123-NP, has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the ADAMS Public Electronic Reading Room under ADAMS Accession No. ML102300642.

The licensee stated in its affidavit and submittal that the submitted information 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.
- (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.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

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, LTR-PAFM-10-123-P, Revision 0, "Technical Justification to Support Alternative Visual Examination Intervals for Fort Calhoun Reactor Vessel Outlet Nozzle to Safe End Dissimilar Metal Welds," July 2010, 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, please contact me at 301-415-1377 or via e-mail at lynnea.wilkins@nrc.gov.

Sincerely,



Lynnea E. Wilkins, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-285

cc: J. A. Gresham, Manager
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company LLC
Nuclear Services
P.O. Box 355
Pittsburgh, PA 15230-0355

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Sincerely,
/RA/

Lynnea E. Wilkins, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-285

cc: J. A. Gresham, Manager
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company LLC
Nuclear Services
P.O. Box 355
Pittsburgh, PA 15230-0355

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