



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

April 12, 2011

Mr. Lawrence J. Weber
Senior Vice President and
Chief Nuclear Officer
Indiana Michigan Power Company
Nuclear Generation Group
One Cook Place
Bridgman, MI 49106

SUBJECT: D. C. COOK NUCLEAR PLANT, UNIT 2 – REQUEST FOR WITHHOLDING OF
PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. ME1017)

Dear Mr. Weber:

By letter dated February 24, 2011, Mr. Joel P. Gebbie of Indiana Michigan Power submitted supplemental information to support an application for amendment regarding a large-break loss-of-coolant accident (LOCA) analysis. Among other things, the submittal included:

Enclosure 3 – Westinghouse Report, "D.C. Cook Unit 2 (AMP) Post-LOCA Responses to Request for Additional Information (RAI)," Proprietary Version

Enclosure 4 – Westinghouse Report, "Supplemental Information to Support Informal NRC Audit of 12 Downcomer Channel Model Validation," Proprietary Version

Mr. Gebbie included affidavits dated November 24 and December 17, 2010, executed by Mr. J. A. Gresham of Westinghouse Electric Company Nuclear Services, requesting that the above-listed documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. The affidavits stated that the enclosures listed above 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 competitors.;
- (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.

Mr. Gebbie has provided nonproprietary versions of Enclosures 3 and 4, identified as Enclosures 7 and 8, respectively. The nonproprietary versions have been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

Mr. L. J. Weber

- 2 -

We have reviewed Mr. Gresham's affidavit in accordance with the requirements of 10 CFR 2.390, and on the basis of its statements, we have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the above identified documents, 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 301-415-1451.

Sincerely,



Peter S. Tam, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-316

cc: Mr. J. A. Gresham, Manager
Westinghouse Electric Company
Nuclear Services
1000 Westinghouse Drive
Cranberry Township, PA 16066

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/RA/

Peter S. Tam, Senior Project Manager
Plant Licensing Branch III-1
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Docket No. 50-316

cc: Mr. J. A. Gresham, Manager
Westinghouse Electric Company
Nuclear Services
1000 Westinghouse Drive
Cranberry Township, PA 16066

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