



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

December 11, 2015

Mr. Brian D. Boles, Vice President  
Davis Besse Nuclear Power Station  
FirstEnergy Nuclear Operating Company  
5501 N. State Route 2  
Oak Harbor, OH 43449

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
(TAC NO. ME4640)

Dear Mr. Boles:

By letter dated October 19, 2015, Agencywide Documents Access and Management System (ADAMS) Accession No. ML15299A143, you submitted an affidavit dated October 5, 2015, executed by Stephen D. Routh of Bechtel Power Corporation (Bechtel), 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:

- Enclosure C, Bechtel Report No. 25593-000-G83-GEG-00016-000, "Effect of Laminar Cracks on Splice Capacity of No. 11 Bars based on Testing Conducted at Purdue University and University of Kansas for Davis-Besse Shield Building." Part 1 of 8 (Proprietary) ADAMS Accession No. ML15299A152, Part 2 of 8 (Proprietary) ADAMS Accession No. ML15299A153, Part 3 of 8 (Proprietary) ADAMS Accession No. ML15299A155, Part 4 of 8 (Proprietary) ADAMS Accession No. ML15299A156, Part 5 of 8 (Proprietary) ADAMS Accession No. ML15299A157, Part 6 of 8 (Proprietary) ADAMS Accession No. ML15299A158, Part 7 of 8 (Proprietary) ADAMS Accession No. ML15299A159, and Part 8 of 8 (Proprietary) ADAMS Accession No. ML15299A160

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

- The information is owned and has been held in confidence by Bechtel.
- The information is of a type customarily held in confidence by Bechtel and not customarily disclosed to the public. The release of the information might result in the loss of an existing or potential competitive advantage.
- Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Bechtel because it would enhance the ability of competitors to perform similar evaluations and related services for commercial power reactors without commensurate expenses.

B. Boles

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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, Enclosure C 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 U.S. Nuclear Regulatory Commission (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 301-415-1427 or e-mail [Richard.Plasse@nrc.gov](mailto:Richard.Plasse@nrc.gov).

Sincerely,

***/RA Jeff Mitchell for/***

Richard Plasse, Project Manager  
Projects Branch 1  
Division of License Renewal  
Office of Nuclear Reactor Regulation

Docket No. 50-346

cc: Listserv

B. Boles

- 2 -

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Sincerely,

**/RA Jeff Mitchell for/**

Richard Plasse, Project Manager  
Projects Branch 1  
Division of License Renewal  
Office of Nuclear Reactor Regulation

Docket No. 50-346

cc: Listserv

**Accession No. ML15328A150**

\* Concurred via e-mail

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DATE	12/09/15	12/11/15	12/11/15	12/11/15	12/11/15

**OFFICIAL RECORD COPY**

Letter to B. Boles from R. Plasse dated December 11, 2015

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