



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

June 22, 2017

Mr. Brian D. Boles
Site Vice President
FirstEnergy Nuclear Operating Company
Mail Stop A-DB-3080
5501 N. State Route 2
Oak Harbor, OH 43449-9760

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1 – REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(CAC NO. MF9126)

Dear Mr. Boles:

By letter dated January 23, 2017 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML17026A004), as supplemented by letters dated March 23 and June 8, 2017 (ADAMS Package Accession Nos. ML17086A019 and ML17163A418, respectively), FirstEnergy Nuclear Operating Company (the licensee) submitted an evaluation to the U.S. Nuclear Regulatory Commission (NRC) in response to Davis-Besse Nuclear Power Station, Unit No. 1 (DB-1), License Renewal Commitment No. 54. The letters with their nonproprietary enclosures have been made publicly available.

The June 8, 2017, letter included an affidavit dated May 31, 2017, executed by Tom Ryan of AREVA Inc. (AREVA) requesting that information contained in the following document included with the letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

- ANP-3542Q1P, Revision 0, "Response to NRC Request for Additional Information on Time-Limited Aging Analysis for the DB-1 Reactor Vessel Internals."

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

- a. The information reveals details of AREVA's research and development plans and programs or their results.
- b. The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA.
- c. The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA in product optimization or marketability.

The NRC staff has reviewed the June 8, 2017, submittal, in accordance with the requirements of 10 CFR 2.390. On the basis of the statements in the affidavit, the staff has determined that the information in the June 8, 2017, submittal sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the information marked as proprietary in the June 8, 2017, submittal 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 301-415-1380.

Sincerely,



Blake Purnell, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-346

cc:
Ms. Beverly Watson
Project Manager
AREVA Inc.
3315 Old Forest Road OF-49
Lynchburg, VA 24501

Distribution via Listserv

SUBJECT: DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1 – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (CAC NO. MF9126) DATED JUNE 22, 2017

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