



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

October 8, 1997

Mr. Alan I. Soler
Executive Vice President
Holtec International
555 Lincoln Drive West
Marlton, NJ 08053

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE -
WATERFORD STEAM ELECTRIC STATION, UNIT 3 (TAC NO. M98325)

Dear Mr. Soler:

By Entergy's application dated March 27, 1997, as supplemented by letter dated April 3, 1997, and Holtec International's affidavit executed by you on March 13, 1997, Entergy submitted an application to amend its license, increasing Spent Fuel Pool storage capacity and increasing maximum fuel enrichment from 4.9 weight percent to 5.0 weight percent uranium-235 and requested that part of the document entitled Licensing Report for retracking of Waterford 3 Spent Fuel Pools (Attachment III) be withheld from public disclosure pursuant to 10 CFR 2.790. A non-proprietary version has been submitted for placement in the Nuclear Regulatory Commission's (NRC's) Public Document Room.

Holtec stated that the submitted information marked as proprietary should be considered exempt from mandatory public disclosure for the following reasons:

- a. The information discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies.
- b. The information which, if used 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 of a similar product.
- d. The information which reveals aspects of past, present, or future Holtec International customer-funded development plans and programs of potential commercial value of Holtec International.
- e. The information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

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We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information.

Therefore, part of Attachment III to the enclosure, marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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PDR ADOCK 05000382
P PDR



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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.

Sincerely,

Chandu P. Patel

Chandu P. Patel, Project Manager
Project Directorate IV-1
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-382

cc: See next page

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Sincerely,

ORIGINAL SIGNED BY:

Chandu P. Patel, Project Manager
Project Directorate IV-1
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-382

cc: See next page

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Document Name: WAT98325.PL *See previous concurrence

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NAME	CPatel/sp 10/8/97	CHawes cat H	MPSiemien
DATE	10/3/97	10/7/97	10/02/97
COPY	YES/NO	YES/NO	YES/NO

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