

October 2, 2003

Mr. E. Stephen Hunt
Principal Officer
Dominion Engineering, Inc.
11730 Plaza America Dr. #310
Reston, VA 20190

SUBJECT: DOMINION ENGINEERING, INC. (DEI), REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR ARKANSAS NUCLEAR
ONE, UNIT 2 (TAC MB9542)

Dear Mr. Hunt:

By letter dated August 27, 2003, Entergy Operations, Inc., submitted an affidavit dated August 25, 2003, executed by you, 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) Section 2.790:

Material Properties and Modeling Methods Used in ANO [Arkansas Nuclear One] Unit 2
Welding Residual Stress Analyses, dated August 25, 2003.

A nonproprietary copy of this document was not provided because DEI determined that a nonproprietary version of the document would remove information to the point of it not making sense.

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

- (A) The subject information has substantial commercial value to DEI as significant portions of DEI's future business of providing engineering consulting to nuclear utilities in this area is substantially based upon the information sought to be withheld.
- (B) The expertise represented by the subject information is a substantial part of DEI's current position as a competitor in the market of assisting nuclear utilities in the management of stress corrosion cracking material degradation. Development of this expertise by DEI required the recruitment, training, and employment of skilled engineers working in the nuclear power industry for over 10 years. The information was developed at considerable expense, including attendance at dozens of industry conferences and meetings, over more than a 10 year period of actively working in the technical engineering fields addressed by the report.
- (C) Similar products and services are provided by DEI's major competitors. Acquiring of the information sought to be withheld would allow the competitors to take some share of the market for providing engineering consulting services in this area.

- (D) A large effort over a sustained time period would be required by DEI's competitors and others to properly acquire or duplicate the information sought to be withheld by developing the basic methodologies, selecting and justifying the many detailed assumptions, integrating the many technical issues and concerns into a defensible technical presentation, and presenting the results in an easily comprehended manner. In some cases the subject information could only be acquired through a licensing or business agreement.
- (E) There is expected to remain a marketplace for services in the areas related to the subject information and currently provided by DEI for many years into the future.

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 and should be withheld from public disclosure.

Therefore, the Material Properties and Modeling Methods Used in ANO Unit 2 Welding Residual Stress Analyses, dated August 25, 2003, 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.

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 301-415-1326.

Sincerely,

/RA/

Thomas W. Alexion, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-368

cc: See next page

- (D) A large effort over a sustained time period would be required by DEI's competitors and others to properly acquire or duplicate the information sought to be withheld by developing the basic methodologies, selecting and justifying the many detailed assumptions, integrating the many technical issues and concerns into a defensible technical presentation, and presenting the results in an easily comprehended manner. In some cases the subject information could only be acquired through a licensing or business agreement.
- (E) There is expected to remain a marketplace for services in the areas related to the subject information and currently provided by DEI for many years into the future.

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 and should be withheld from public disclosure.

Therefore, the Material Properties and Modeling Methods Used in ANO Unit 2 Welding Residual Stress Analyses, dated August 25, 2003, 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.

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 301-415-1326.

Sincerely,
/RA/

Docket No. 50-368

cc: See next page

Thomas W. Alexion, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

DISTRIBUTION:

PUBLIC	RidsNrrDlpmLpdiv (HBerkow)	RidsNrrDlpmLpdiv1 (RGramm)	TChan
PDIV-1 R/F	RidsNrrPMTAlexion	RidsRgn4MailCenter (AHowell)	
RidsOgcMailCenter	RidsNrrLADJohnson	RidsAcrcAcnwMailCenter	
Accession No.: ML032770010			

OFFICE	PDIV-1/PM	PDIV-1/LA	EMCB/SC	OGC	PDIV-1/SC
NAME	TAlexion:sab	DJohnson	TChan	MBupp	RGramm
DATE	9/09/03	9/8/03	9/12/03	9/30/03	9/30/03

OFFICIAL RECORD COPY

Arkansas Nuclear One

cc:

Executive Vice President
& Chief Operating Officer
Entergy Operations, Inc.
P. O. Box 31995
Jackson, MS 39286-1995

Director, Division of Radiation
Control and Emergency Management
Arkansas Department of Health
4815 West Markham Street, Slot 30
Little Rock, AR 72205-3867

Winston & Strawn
1400 L Street, N.W.
Washington, DC 20005-3502

Mr. Mike Schoppman
Framatome ANP, Richland, Inc.
Suite 705
1911 North Fort Myer Drive
Rosslyn, VA 22209

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 310
London, AR 72847

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

County Judge of Pope County
Pope County Courthouse
Russellville, AR 72801

Vice President, Operations Support
Entergy Operations, Inc.
P. O. Box 31995
Jackson, MS 39286-1995

Wise, Carter, Child & Caraway
P. O. Box 651
Jackson, MS 39205

Mr. Craig G. Anderson
Vice President Operations, ANO
Entergy Operations, Inc.
1448 S. R. 333
Russellville, AR 72801