

October 24, 2005

Mr. Alan J. Bilanin
President
Continuum Dynamics, Inc.
34 Lexington Avenue
Ewing, NJ 08618-2302

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE, VERMONT YANKEE NUCLEAR POWER STATION
(TAC NO. MC0761)

Dear Mr. Bilanin:

By Entergy Nuclear Vermont Yankee, LLC and Entergy Nuclear Operations, Inc. (Entergy) letter BVY 05-074 dated August 4, 2005, and Continuum Dynamics, Inc. (C.D.I.) affidavit dated August 1, 2005 (Attachment 8 to Entergy letter BVY 05-074), you requested 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 2.390:

"Response to Request for Additional Information [RAI], Other Mechanical and Civil Engineering Branch RAIs" (Attachment 4 to Entergy letter BVY 05-074)

A nonproprietary copy of this document (Attachment 7 to Entergy letter BVY 05-074), has 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.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure in that the information summarizes:

- 3(a). [A] process or method, including supporting data and analysis, where prevention of its use by C.D.I.'s competitors without license from C.D.I. constitutes a competitive advantage over other companies;
- 3(b). 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;
- 3(c). Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 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, Attachment 4 to Entergy letter Bvy 05-074, 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 301-415-1420.

Sincerely,

/RA/

Richard B. Ennis, Senior Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: See next page

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Richard B. Ennis, Senior Project Manager, Section 2
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DATE	10/24/05	10/24/05	10/24/05

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Vermont Yankee Nuclear Power Station

cc:

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Vermont Yankee Nuclear Power Station

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