

September 26, 2005

Mr. Dale E. James, Acting Director
Nuclear Safety Assurance
Entergy Operations, Inc.
1448 S. R. 333
Russellville, AR 72801

SUBJECT: HOLTEC INTERNATIONAL (HI), REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR ARKANSAS NUCLEAR
ONE, UNIT 2 (ANO-2) (TAC NO. MC7648)

Dear Mr. James:

By letter dated August 4, 2005, you submitted an affidavit dated August 2, 2005, executed by Vince Bilovsky, and requested that the information contained in Holtec International (Holtec) Report HI-2043262, Revision 0, with the associated computer files, be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

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

- a. Information that 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. 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.

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, the Holtec report and associated computer files 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.

Mr. D. E. James

- 2 -

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 301-415-1436.

Sincerely,

/RA/

Drew Holland, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-368

cc: Plant Mailing List

Mr. D. E. James

- 2 -

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 301-415-1436.

Sincerely,

/RA/

Drew Holland, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-368

cc: Plant Mailing List

DISTRIBUTION:

Non-Public
PDIV-1 Reading
RidsNrrDlpmLpdiv (HBerkow)
RidsNrrDlpmLpdiv1 (DTerao)
RidsNrrLADJohnson
RidsNrrPMDHolland
RidsOgcMailCenter
RidsArcsAcnwMailCenter
RidsRgn4MailCenter

ADAMS ACCESSION NUMBER:ML052800264

OFFICE	PDIV-1/PM	PDIV-1/LA	PDIV-1/SC
NAME	DHolland	DJohnson	DTerao
DATE	9/26/05	9/20/05	9/26/05

OFFICIAL RECORD COPY

Arkansas Nuclear One

cc:

Senior 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
1700 K Street, N.W.
Washington, DC 20006-3817

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. Jeffrey S. Forbes
Site Vice President
Arkansas Nuclear One
Entergy Operations, Inc.
1448 S. R. 333
Russellville, AR 72801

September 2005