

October 27, 2005

Ms. Margaret E. Harding, Manager  
Fuel Engineering Services  
Global Nuclear Fuel - Americas, LLC  
3901 Castle Hayne Road, M/C F12  
Wilmington, North Carolina 28402-2819

SUBJECT: GLOBAL NUCLEAR FUEL - AMERICAS, LLC, REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE FOR CLINTON POWER  
STATION, UNIT 1 (TAC NO. MC4202)

Dear Ms. Harding:

By letter dated May 25, 2005 the AmerGen Energy Company LLC (the licensee) submitted an affidavit dated February 24, 2005. You have executed the affidavit requesting that Table 4-1 of the Holtec International Report No. HI-2033124 "Spent Fuel Storage Expansion at Clinton Power Station for AmerGen," be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390. The Holtec report is included as Attachment 5 to the letter dated August 18, 2004, from Keith R. Jury (AmerGen Energy Company, LLC) to the U.S. Nuclear Regulatory Commission, "Request for Technical Specification Change to Support Onsite Spent Fuel Storage Expansion."

A nonproprietary version of this document 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 for the following reasons:

1. The information discloses a process, method or apparatus, including supporting data and analyses, where prevention of its use by Global Nuclear Fuel - America's (GNF-A's) competitors without license from GNF-A constitutes a competitive economic advantage over other companies.
2. 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.
3. The information would reveal aspects of past, present, or future GNF-A customer-funded development plans and programs, of potential commercial value to GNF-A.
4. The information would disclose 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, the version of the submitted information 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 301-415-1496.

Sincerely,

**/RA**

Kahtan N. Jabbour, Project Manager, Section 2  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-461

cc: See next page

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Kahtan N. Jabbour, Project Manager, Section 2  
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