

August 7, 2006

Mr. Ned A. Bacon
Chief Engineer
Chicago Bridge & Iron Company
14105 S. Route 59
Plainfield, IL 60544-3890

SUBJECT: CHICAGO BRIDGE & IRON COMPANY REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR CONTAINMENT
FABRICATION DRAWINGS FOR OYSTER CREEK REACTOR PRESSURE
VESSEL FOR THE OYSTER CREEK GENERATING STATION, LICENSE
RENEWAL APPLICATION (TAC NO. MC7624)

Dear Mr. Bacon:

By letter dated July 7, 2006, AmerGen Energy Company, LLC submitted an affidavit executed by you on July 6, 2006, requesting that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390.

Selected Oyster Creek Containment Fabrication Drawings 9-0971:

Sheet 1	Revision 2;	Sheet 2	Revision 10;	Sheet 2a	Revision 4;	Sheet 3	Revision 2
Sheet 4	Revision 1;	Sheet 7	Revision 5;	Sheet 8	Revision 3;	Sheet 9	Revision 2
Sheet 11	Revision 2;	Sheet 21	Revision 1;	Sheet 25	Revision 2;	Sheet 26	Revision 2
Sheet 29	Revision 7;	Sheet 30	Revision 5;	Sheet 31	Revision 5;	Sheet 32	Revision 2
Sheet 34	Revision 4;	Sheet 35	Revision 4;	Sheet 36	Revision 4;	Sheet 37	Revision 5
Sheet 40	Revision 2;	Sheet 55	Revision 7;	Sheet 61	Revision 6;	Sheet 62	Revision 3
Sheet 66	Revision 2;	Sheet 69	Revision 3;	Sheet 70	Revision 5;	Sheet 72	Revision 5
Sheet 80	Revision 1;	Sheet 100	Revision 2;	Sheet 101	Revision 1;	Sheet 102	Revision 5
Sheet 103	Revision 2.						

The July 7, 2006, letter identified the information contained in the named package as supportive to the Oyster Creek Generating Station License Renewal Application and a request by the U.S. Nuclear Regulatory Commission (NRC) staff for additional information. You did not provide a non-proprietary copy of these documents. The entire set of documents was stated to be proprietary. Additional non-proprietary drawings were provided by you, and will be available in the 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) This information is of the type typically held in confidence by Chicago Bridge & Iron (CB&I), and is in fact so held.

- (2) The information is being transmitted to the NRC in confidence.
- (3) The information has not been publicly disclosed, nor is it available in public sources.
- (4) Public disclosure of the information would be likely to cause substantial harm to the competitive position of CB&I because it would enhance the ability of competitors to provide similar construction information on commercial power reactors without commensurate expenses.

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 documents 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 should also 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 301-415-3191.

Sincerely,

/RA/

Donnie J. Ashley, Project Manager
License Renewal Branch A
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-219

cc: See next page

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Donnie J. Ashley, Project Manager
License Renewal Branch A
Division of License Renewal
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OFFICE	PM:RLRA:DLR	LA:RLRA:DLR	OGC	BC:RLRA:DLR
NAME	DAshley	YEdmonds	ESlaggie	LLund
DATE	08/ 01 /06	07/ 31 /06	08/ 07 /06	08/ 07 /06

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Letter to: Ned A. Bacon, from Donnie J. Ashley, dated: August 7, 2006

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DLR R/F

E-MAIL:

JFair
RWeisman
AMurphy
RPettis
GGalletti
DShum
GBagchi
SSmith (srs3)
SDuraiswamy
YL (Renee) Li
RidsNrrDlr
RidsNrrDlrRlra
RidsNrrDlrRlrb
RidsNrrDe
RidsNrrDci
RidsNrrEemb
RidsNrrDeEeeb
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DLR Staff

CHolden
RLaufer
GMiller
RBellamy, RI
RCureton, RI
JLilliendahl, RI
MModes, RI
MSykes, RI
AHodgdon
RidsOpaMail

Oyster Creek Nuclear Generating Station

cc:

Site Vice President - Oyster Creek
Nuclear Generating Station
AmerGen Energy Company, LLC
P.O. Box 388
Forked River, NJ 08731

Senior Vice President of
Operations
AmerGen Energy Company, LLC
200 Exelon Way, KSA 3-N
Kennett Square, PA 19348

Kathryn M. Sutton, Esquire
Morgan, Lewis, & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Kent Tosch, Chief
New Jersey Department of
Environmental Protection
Bureau of Nuclear Engineering
CN 415
Trenton, NJ 08625

Vice President - Licensing and
Regulatory Affairs
AmerGen Energy Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

Mayor of Lacey Township
818 West Lacey Road
Forked River, NJ 08731

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P.O. Box 445
Forked River, NJ 08731

Director - Licensing and Regulatory Affairs
AmerGen Energy Company, LLC
Correspondence Control
P.O. Box 160
Kennett Square, PA 19348

Manager Licensing - Oyster Creek
Exelon Generation Company, LLC
Correspondence Control
P.O. Box 160
Kennett Square, PA 19348

Regulatory Assurance Manager
Oyster Creek
AmerGen Energy Company, LLC
P.O. Box 388
Forked River, NJ 08731

Assistant General Counsel
AmerGen Energy Company, LLC
200 Exelon Way
Kennett Square, PA 19348

Ron Bellamy, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

Correspondence Control Desk
AmerGen Energy Company, LLC
200 Exelon Way, KSA 1—1
Kennett Square, PA 19348

Oyster Creek Nuclear Generating Station
Plant Manager
AmerGen Energy Company, LLC
P.O. Box 388
Forked River, NJ 08731

License Renewal Manager
Exelon Generation Company, LLC
200 Exelon Way, Suite 230
Kennett Square, PA 19348

Oyster Creek Nuclear Generating Station

cc:

Mr. James Ross
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708

Mr. Michael P. Gallagher
Vice President License Renewal
Exelon Generation Company, LLC
200 Exelon Way, Suite 230
Kennett Square, PA 19348

Mr. Christopher M. Crane
President and Chief Nuclear Officer
AmerGen Energy Company, LLC
4300 Winfield Road
Warrenville, IL 60555