



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 13, 2015

Mr. Raymond Lieb, Vice President
Davis Besse Nuclear Power Station
FirstEnergy Nuclear Operating Company
5501 N. State Route 2
Oak Harbor, OH 43449

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. ME4640)

Dear Mr. Lieb:

By letter dated April 21, 2015, Agencywide Documents Access and Management System (ADAMS) Accession No. ML15113B132, you submitted an affidavit dated January 13, 2015, executed by Gayle Elliott of AREVA NP Inc. (AREVA), 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) Part 2, Section 2.390:

- Enclosure E to Letter L-15-139, Enclosure E, Davis-Besse Nuclear Power Station, Unit No. 1 (Davis-Besse), Letter L-15-139, AREVA NP Report No. ANP-3359P Revision 0, "Davis-Besse Reactor Vessel Internals License Renewal Scope and MRP-189, Revision 1 Comparison" (Proprietary)

A nonproprietary version of this document is located in the letter (Enclosure C of this letter, ADAMS Accession No. ML15113B134).

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

- The information is identified as proprietary because it includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA.
- Public disclosure of this information is likely to reveal certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA in product optimization or marketability.
- The information which is vital to a competitive advantage held by AREVA, would be helpful to competitors to AREVA, and would likely cause substantial harm to the competitive position of AREVA.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the

R. Lieb

-2-

submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, Enclosure E 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 U.S. Nuclear Regulatory Commission (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 301-415-1427 or e-mail Richard.Plasse@nrc.gov.

Sincerely,

/RA/

Richard.Plasse, Project Manager
Projects Branch 1
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-346

cc: Listserv

R. Lieb

-2-

submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, Enclosure E 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 U.S. Nuclear Regulatory Commission (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 301-415-1427 or e-mail Richard.Plasse@nrc.gov.

Sincerely,

/RA/

Richard.Plasse, Project Manager
Projects Branch 1
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-346

cc: Listserv

DISTRIBUTION:

See next page

Accession No. ML15189A056

* Concurred via e-mail

OFFICE	LA:DLR	PM:RPB1:DLR	BC:RPB1:DLR	PM:RPB1:DLR
NAME	YEdmonds	RPlasse	YDiaz-Sanabria	RPlasse
DATE	7/ 9 /15	7/ 13 /15	7/ 13 /15	7/ 13 /15

OFFICIAL RECORD COPY

Letter to R. Lieb from R. Plasse dated July 13, 2015

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. ME4640)

DISTRIBUTION:

PUBLIC

RidsNrrDlr Resource

RidsNrrDlrRpb1 Resource

RidsNrrDlrRpb2 Resource

RidsNrrDlrRarb Resource

RidsNrrDlrRapb Resource

RidsNrrDlrRasb Resource

RidsNrrDlrRerb Resource

RidsNrrDlrRpob Resource

ESayoc

EKeegan

BWittick

EMiller

MMahoney

DMcIntyre, OPA

TReilly, OCA

BHarris, OGC

VMitlyng, RII

JCameron, RIII