



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

May 25, 2016

Mr. Shane M. Marik  
Site Vice President and  
Chief Nuclear Officer  
Omaha Public Power District  
Fort Calhoun Station  
9610 Power Lane, Mail Stop FC-2-4  
Blair, NE 68008

SUBJECT: FORT CALHOUN STATION, UNIT NO. 1 – REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE (CAC NO. MF3412)

Dear Mr. Marik:

By letter dated November 30, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15350A018), Omaha Public Power District (OPPD) submitted affidavits executed by Mr. James A. Gresham, Westinghouse Electric Company LLC, dated June 1 and 17, 2015, requesting that 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:

- PWROG-15030-P, Rev. 0, "Evaluation of Fort Calhoun Fuel Alignment Plate Fluence for MRP- 227-A" (Proprietary), and
- PWROG-14082-P, Rev. 0, "Fort Calhoun Station Summary Report for the Fuel Design / Fuel Management Assessments to Demonstrate MRP-227-A Applicability" (Proprietary)

The information is included in Enclosures 1, 2, and 4 to OPPD's letter dated November 30, 2015. Nonproprietary versions of Enclosures 1, 2, and 4, designated as Enclosures 6, 7, and 8, to OPPD's letter dated November 30, 2015, have been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to ADAMS in the NRC Library at Accession No. ML15350A019, ML15350A020, and ML15350A021, respectively.

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

This information is part of that which will enable Westinghouse to:

- (i) Support reactor vessel internals aging management.

Further this information has substantial commercial value as follows:

- (i) Westinghouse plans to sell the use of similar information to its customers for the purpose of supporting reactor internals aging management.

- (ii) Westinghouse can sell support and defense of industry guidelines and acceptance criteria for plant-specific applications.
- (iii) The information requested to be withheld reveals the distinguishing aspects of a methodology which was developed by Westinghouse.

Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar technical evaluation justification and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

The development of the technology described in part by the information is the result of applying the results of many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money.

In order for competitors of Westinghouse to duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended.

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 affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the versions 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.

S. Marik

- 3 -

If you have any questions, please contact me at 301-415-2296 or via e-mail at [Fred.Lyon@nrc.gov](mailto:Fred.Lyon@nrc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "CF Lyon".

Carl F. Lyon, Project Manager  
Plant Licensing Branch IV-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-285

cc: James A. Gresham  
Manager, Regulatory Compliance  
Westinghouse Electric Company  
1000 Westinghouse Drive, Building 3, Suite 310  
Cranberry Township, PA 16066

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S. Marik

- 3 -

If you have any questions, please contact me at 301-415-2296 or via e-mail at [Fred.Lyon@nrc.gov](mailto:Fred.Lyon@nrc.gov).

Sincerely,

*/RA/*

Carl F. Lyon, Project Manager  
Plant Licensing Branch IV-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-285

cc: James A. Gresham  
Manager, Regulatory Compliance  
Westinghouse Electric Company  
1000 Westinghouse Drive, Building 3, Suite 310  
Cranberry Township, PA 16066

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