

February 8, 2001

Dr. Robert C. Mecredy
Vice President, Nuclear Operations
Rochester Gas and Electric Corporation
89 East Avenue
Rochester, NY 14649

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE -
R. E. GINNA NUCLEAR POWER PLANT (TAC NO. MB0742)

Dear Dr. Mecredy:

By your application and affidavit dated December 4, 2000, you submitted information concerning the operating license for the R. E. Ginna Nuclear Power Plant and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary copy of this document was submitted on January 3, 2001, and has been placed in the NRC public document room and added to the Agency wide Documents Access and Management Systems Publicly Available Records System (ADAMS PARS) Library.

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

1. This information is and has been held in confidence by RG&E [Rochester Gas and Electric Corporation].
2. This information is being transmitted voluntarily to the NRC in confidence.
3. This information is not available in public sources and could not be gathered readily from other public information.
4. Public disclosure of this information would cause substantial harm to the economic and competitive position of RG&E by prematurely making public RG&E's information concerning the Ginna Station, thereby providing information to parties whose commercial or other interests may be adverse to those of RG&E.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 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 2.790(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 document. 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 of 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 the public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-1441.

Sincerely,

/RA/

Guy S. Vissing, Senior Project Manager, Section 1
Project Directorate 1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-244

cc: See next page

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Guy S. Vissing, Senior Project Manager, Section 1
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R.E. Ginna Nuclear Power Plant

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