

March 5, 2001

Mr. Harold W. Keiser
Chief Nuclear Officer & President
PSEG Nuclear LLC - X04
Post Office Box 236
Hancocks Bridge, NJ 08038

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,
HOPE CREEK GENERATING STATION - EMERGENCY CORE COOLING
SYSTEMS SURVEILLANCE REQUIREMENTS (TAC NO. MB0955)

Dear Mr. Keiser:

By PSEG Nuclear LLC letter (LRN-01-0041) dated February 6, 2001, you submitted supplemental information related to a license change request that would revise the Hope Creek Generating Station Technical Specification surveillance requirements associated with the Emergency Core Cooling Systems. Your submittal included the following four attachments:

Attachment 1

GE Nuclear Energy letter JEL-104-1, dated January 16, 2001, "Non-Proprietary Report on the "Hope Creek Core Spray Pump Flow Degradation Impact Evaluation""

Attachment 2

Westinghouse Electric Company (Westinghouse) letter WPS-01-005, dated January 25, 2001, "Impact of Degraded Core Spray Delivery on the Westinghouse ECCS Performance Analysis for Hope Creek with Fuel Bundles PA and PB"

Attachment 3

Westinghouse letter WPS-01-006, dated January 25, 2001, "Affidavit in Conformance with the provisions of 10 CFR 2.790 contained in Westinghouse, CE Nuclear Fuel Projects letter to D. Notigan, Public Service Electric and Gas Company; "Impact of Degraded Core Spray Delivery on the Westinghouse ECCS Performance Analysis for Hope Creek with Fuel Bundles PA and PB", WPS-01-005 dated January 25, 2001"

Attachment 4

Westinghouse letter WPS-01-004, dated January 18, 2001, "Impact of Degraded Core Spray Delivery on the Westinghouse ECCS Performance Analysis for Hope Creek with Fuel Bundles PA and PB"

Your submittal stated that Attachment 2 contains proprietary information and requested that this attachment be withheld from public disclosure pursuant to 10 CFR 2.790. Attachment 4 to your submittal provides a non-proprietary version of Attachment 2. A copy of your letter (including Attachments 1, 3, and 4) has been placed in the NRC's Public Document Room located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland and added to the Agencywide Documents Access and Management System (ADAMS) Publicly Available Records System (PARS) library (reference Accession No. ML010440380).

The affidavit contained in Attachment 3 of your submittal, executed by Philip W. Richardson, Licensing Project Manager of Westinghouse's CE Nuclear Power LLC (CENP) dated January 25, 2001, stated that Westinghouse letter WPS-01-005 (Attachment 2) should be considered exempt from mandatory public disclosure for the following reasons:

- a. The information sought to be withheld from public disclosure is owned and has been held in confidence by CENP.
- b. The information is of a type customarily held in confidence by CENP and not customarily disclosed to the public.
- c. The information was transmitted to and received by the Commission in confidence.
- d. The information is not available in public sources to the best of CENP's knowledge and beliefs.
- e. Public disclosure of the information is likely to cause substantial harm to the competitive position of CENP because development of the information by CENP required thousands of dollars and many manhours of effort. A competitor would have to undergo similar expense in generating equivalent information. In order to acquire such information, a competitor would also require considerable time and inconvenience to develop a suitable analyses methodology and the supporting test data.

We have reviewed your submittal and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of Westinghouse's statements, have determined that the information in Attachment 2 contains proprietary commercial information.

Therefore, Attachment 2 to your letter LRN-01-0041, dated February 6, 2001, 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 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, please contact me at (301) 415-1420.

Sincerely,

/RA/

Richard B. Ennis, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-354

cc: See next page

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/RA/

Richard B. Ennis, Project Manager, Section 2
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Division of Licensing Project Management
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cc: See next page

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Hope Creek Generating Station

cc:

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