

April 17, 2001

Mr. George B. Stramback
Project Manager, Regulatory Services
GE Nuclear Energy
175 Curtner Avenue
San Jose, CA 95125

SUBJECT: RIVER BEND STATION, UNIT 1 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE PURSUANT TO SECTION 2.790
OF TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS* (10 CFR)
REGARDING THE ADMINISTRATIVE CHANGE TO THE LOW POWER SET
POINT LIMIT (TAC NO. MB1115)

Dear Mr. Stramback:

By application dated January 24, 2001 (RBF1-01-0011), Entergy Operations, Inc., licensee for the River Bend Station, submitted your affidavit dated November 17, 2000, which requested that General Electric (GE) proprietary report GE-NE-A71-00019-01, "Reduction of Low Power Set Point for River Bend Station Rod Pattern Control System, Class III (GE Proprietary Information)," dated March 1997, be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version of the report (GE-NE-A71-00019-03) was submitted by letter dated March 22, 2001 (RBF1-01-0068), as Enclosure 1 for placement in the U.S. Nuclear Regulatory Commission (NRC) Public Document Room, which also includes scanning the report (Accession Number ML010870203) into the Agencywide Documents Access and Management System, the NRC's publicly available electronic database.

The November 17, 2000, affidavit stated that the submitted report should be considered exempt from mandatory disclosure for the following reasons:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies.
- b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

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 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 regarding this matter, I may be reached at 301-415-1737.

Sincerely,

/RA/

Robert E. Moody, Project Manager, Section 1
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-458

cc: See next page

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River Bend Station

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