

May 22, 2001

Mr. Oliver D. Kingsley, President
Exelon Nuclear
Exelon Generation Company, LLC
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: BRAIDWOOD STATION, UNITS 1 AND 2, AND BYRON STATION, UNITS 1
AND 2 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE (TAC NO. MA9426, MA9427, MA9428, AND MA9429)

Dear Mr. Kingsley:

By your letter dated April 10, 2001, and Babcock & Wilcox Canada Ltd. affidavit executed by Michael D. Lees dated April 5, 2001, you submitted a proprietary document entitled, "Replacement Steam Generators Flow-Induced Vibration Analysis Report," and you requested that it be withheld from public disclosure pursuant to 10 CFR 2.790(b)(4).

Babcock & Wilcox Canada Ltd. stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by B&W.
- (ii) The information is of a type customarily held in confidence by B&W and not customarily disclosed to the public. B&W has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitutes B&W policy and provides the rational basis required.

The NRC staff has 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 versions of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(4) 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

Mr. Oliver D. Kingsley

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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 301-415-3019.

Sincerely,

/RA/

George F. Dick Jr., Sr. Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-456, STN 50-457,
STN 50-454, and STN 50-455

cc: See next page

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Docket Nos. STN 50-456, STN 50-457,
STN 50-454, and STN 50-455

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*See previous concurrence

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O. Kingsley
Exelon Generation Company

Byron/Braidwood Stations

cc:

Ms. C. Sue Hauser, Project Manager
Westinghouse Electric Corporation
Energy Systems Business Unit
Post Office Box 355
Pittsburgh, Pennsylvania 15230

Attorney General
500 S. Second Street
Springfield, Illinois 62701

Joseph Gallo
Gallo & Ross
1025 Connecticut Ave., NW, Suite 1014
Washington, DC 20036

Illinois Department of Nuclear Safety
Office of Nuclear Facility Safety
1035 Outer Park Drive
Springfield, Illinois 62704

Howard A. Learner
Environmental Law and Policy
Center of the Midwest
35 East Wacker Dr., Suite 1300
Chicago, Illinois 60601-2110

Exelon Generation Company, LLC
Byron Station Manager
4450 N. German Church Road
Byron, Illinois 61010-9794

U.S. Nuclear Regulatory Commission
Byron Resident Inspectors Office
4448 N. German Church Road
Byron, Illinois 61010-9750

Exelon Generation Company, LLC
Site Vice President - Byron
4450 N. German Church Road
Byron, Illinois 61010-9794

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, Illinois 60532-4351

U.S. Nuclear Regulatory Commission
Braidwood Resident Inspectors Office
35100 S. Rt. 53, Suite 79
Braceville, Illinois 60407

Ms. Lorraine Creek
RR 1, Box 182
Manteno, Illinois 60950

Mr. Ron Stephens
Illinois Emergency Services
and Disaster Agency
110 E. Adams Street
Springfield, Illinois 62706

Chairman, Ogle County Board
Post Office Box 357
Oregon, Illinois 61061

Chairman
Will County Board of Supervisors
Will County Board Courthouse
Joliet, Illinois 60434

Mrs. Phillip B. Johnson
1907 Stratford Lane
Rockford, Illinois 61107

Exelon Generation Company, LLC
Braidwood Station Manager
35100 S. Rt. 53, Suite 84
Braceville, Illinois 60407-9619

George L. Edgar
Morgan, Lewis and Bockius
1800 M Street, NW
Washington, DC 20036-5869

O. Kingsley
Exelon Generation Company, LLC

- 2 -

Byron/Braidwood Stations

Ms. Bridget Little Rorem
Appleseed Coordinator
117 N. Linden Street
Essex, Illinois 60935

Braceville, Illinois 60407-9619

Document Control Desk-Licensing
Exelon Generation Company, LLC
1400 Opus Place, Suite 500
Downers Grove, Illinois 60515

Exelon Generation Company, LLC
Regulatory Assurance Supervisor - Byron
4450 N. German Church Road
Byron, Illinois 61010-9794

Exelon Generation Company, LLC
Site Vice President - Braidwood
35100 S. Rt. 53, Suite 84
Braceville, Illinois 60407-9619

Mr. Robert Helfrich
Senior Counsel, Nuclear
Mid-West Regional Operating Group
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. William Bohlke
Senior Vice President, Nuclear Services
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. Jeffrey Benjamin
Vice President - Licensing and
Regulatory Affairs
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. H. Gene Stanley
Operations Vice President
Mid-West Regional Operating Group
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. John Skolds
Chief Operating Officer
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. Christopher Crane
Senior Vice President
Mid-West Regional Operating Group
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. John Cotton
Senior Vice President - Operations Support
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Mr. R. M. Krich
Director - Licensing
Mid-West Regional Operating Group
Exelon Generation Company, LLC
1400 Opus Place, Suite 900
Downers Grove, Illinois 60515

Exelon Generation Company, LLC
Regulatory Assurance Supervisor - Braidwood
35100 S. Rt. 53, Suite 84