

October 23, 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 (TAC NO. MB1970)

Dear Mr. Keiser:

By PSEG Nuclear LLC (PSEG) letter (LRN-01-254) dated August 6, 2001, and Polestar Applied Technology, Inc. (Polestar) affidavit executed by David E. W. Leaver, dated July 30, 2001 (Attachment 5 to letter LRN-01-254), you submitted Polestar Calculation No. PSAT 224CT.QA.03, "Calculation of Post-Accident pH for Hope Creek Nuclear Power Plant" (Attachment 4 to letter LRN-01-254), and requested that it be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790. Your letter included a nonproprietary version of this calculation (Attachment 6 to letter LRN-01-254). However, based on discussions with the Nuclear Regulatory Commission (NRC) staff, PSEG determined that the nonproprietary version of the calculation was missing an attachment that should have been included. A complete copy of the nonproprietary version of Polestar Calculation No. PSAT 224CT.QA.03 was submitted by your letter (LRN-01-267) dated September 12, 2001. The nonproprietary version of this document (Attachment 1 to letter LRN-01-267) has been placed in the NRC's public document room and added to the Agencywide 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:

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

We have reviewed your submittal and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of Polestar's statements, have determined that the information in Attachment 4 to letter LRN-01-254 contains proprietary commercial information and should be withheld from public disclosure.

Therefore, Attachment 4 to your letter LRN-01-254, dated August 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.

Your letter dated August 6, 2001, included another proprietary document, GE Nuclear Energy (GE) report GE-NE-T2300759-00-02 (part of Attachment 9 to letter LRN-01-254). However, your letter did not request that this document be withheld from public disclosure. Based on discussions between the NRC staff and PSEG, it was determined that this document was not needed for the associated NRC license amendment review. On this basis, your letter dated September 12, 2001, requested that the report be withdrawn and returned to PSEG. Therefore, the original hard copy of GE report GE-NE-T2300759-00-02 that was submitted to the NRC's Document Control Desk is being returned to you as requested. Any additional hard copies of this document will be appropriately destroyed. In addition, the electronic version of the document has been removed from ADAMS. Note, the electronic version of the report was added to ADAMS as a non-publicly available document when it was initially received by the NRC since it was marked as proprietary.

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

Enclosure: GE report GE-NE-T2300759-00-02

cc w/o enclosure: See next page

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cc w/o enclosure: See next page

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DATE	10/4/01	10/4/01	10/9/01	10/18/01	10/22/01

OFFICIAL RECORD COPY

Hope Creek Generating Station

cc:

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