

December 18, 2001

Mr. Oliver D. Kingsley, President
Exelon Nuclear
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: DRESDEN NUCLEAR POWER STATION, UNITS 2 AND 3, AND QUAD CITIES
NUCLEAR POWER STATION, UNITS 1 AND 2 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NOS. MB0844, MB0845, MB0842, AND MB0843)

Dear Mr. Kingsley:

By application from Exelon Generation Company (EGC) dated August 31, 2001, and affidavit dated August 30, 2001, executed by David J. Robare of General Electric Company (GE), EGC submitted letter RS-01-180 entitled "Safety Analysis Reports Supporting the License Amendment Request to Permit Up-rated Power Operation" (supporting the December 27, 2000, request for approval of up-rated operations at Dresden and Quad Cities Nuclear Power Stations), and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. A non-proprietary summary of the document has been placed in the Nuclear Regulatory Commission (NRC) 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, 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.

The NRC staff has reviewed the 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, EGC should promptly notify the NRC. EGC should also 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 the information. In all review situations, if the NRC makes a determination adverse to the above, EGC will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-2863.

Sincerely,

/RA/

Lawrence W. Rossbach, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos: 50-237, 50-249,
50-254, and 50-265

cc: See next page

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* See previous concurrence.

ADAMS Accession No.: ML013330276

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- 2 -

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