



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

June 22, 1984

Docket No. 50-255
LS05-84-06-040

Dr. Richard B. Stout, Manager
Licensing and Safety Engineering
Exxon Nuclear Company, Inc.
2101 Horn Rapids Road
Post Office Box 130
Richland, Washington 99352

Dear Dr. Stout:

By letter dated November 1, 1983, Consumers Power Company submitted the Exxon Nuclear Company (ENC) Report, XN-NF-709, "Justification of a XNB Correlation for Palisades," May 1983. This report was submitted in support of a revised rod withdrawal analysis for the Palisades Plant. By affidavit dated October 24, 1983 accompanying this submittal, you requested that Report XN-NF-709 be withheld from public disclosure pursuant to 10 CFR 2.790.

You stated that the submittal information should be considered exempt from mandatory public disclosure for the following reasons:

1. The Document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by ENC and not made available to the public.
2. The Document has been made available to Consumers Power Company in confidence, with the request that the information contained in the Document not be disclosed or divulged.
3. The Document contains information which is vital to a competitive advantage of ENC and would be helpful to competitors of ENC when competing with ENC.
4. The information contained in the Document is considered to be proprietary by ENC because it reveals certain distinguishing aspects of PWR thermal hydraulic analysis methods which secure competitive economic advantage to ENC for fuel design optimization and improved marketability, and includes information utilized by ENC in its business which affords ENC an opportunity to obtain a competitive advantage over its competitors who do not or may not know or use the information contained in the Document.
5. The disclosure of the proprietary information contained in the Document to a competitor would permit the competitor to reduce its expenditure of money and manpower and to improve its competitive position by giving it extremely valuable insights into PWR thermal hydraulic analysis methods, and would result in substantial harm to the competitive position of ENC.

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June 22, 1984

We have reviewed your application and the material based on the requirements and criteria of 10 CFR 2.790 and, on the basis of Exxon Nuclear Company's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information.

Therefore, the ENC Report, XN-NF-709, "Justification of XNB Correlation for Palisades," May 1983, 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 should also understand that the NRC may have cause to review this determination in the future, such as, 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.

Sincerely,

Richard L. Erinch, Jr.
for Dennis M. Crutchfield, Chief
Operating Reactors Branch #5
Division of Licensing

Mr. David J. Vandewalle

cc

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Richard B. Stout

- 2 -

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Sincerely,

Original signed by Richard Emch, Jr.

for
Dennis M. Crutchfield, Chief
Operating Reactors Branch #5
Division of Licensing

cc: See next page

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cc: Plant service list

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