

August 13, 2002

Mr. David J. Robare
Technical Projects Manager
Technical Services
General Electric Company
175 Curtner Avenue
San Jose, CA 95125

SUBJECT: COOPER NUCLEAR STATION-REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE PER SECTION 2.790 OF
TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS* (10 CFR)
CONCERNING NET POSITIVE SUCTION HEAD REQUIREMENTS
(TAC NO. MB2896)

Dear Mr. Robare:

As part of the Nebraska Public Power District's (NPPD's) license amendment request dated July 30, 2001 (NLS2001064), three affidavits dated July 10, June 28, and July 31, 2001; executed by you; were submitted. The respective affidavits addressed General Electric Company's (GE's) proprietary reports GE-NE-E1200141-04, "Decay Heat Evaluation for Cooper Nuclear Station," dated July 2001; GE's report GE-NE-T2300786-00-09, "Evaluation of Steam Ingestion in the Emergency Core Cooling System (ECCS) Suction Strainers," dated July 2001; and GE's report GE-NE-T23-00786-00-01, "Containment System Response for Net Positive Suction Head Analysis," dated August 2001; and requested that they be withheld from public disclosure. Nonproprietary versions are submitted with NPPD's letter NLS2001079 for placement in the U. S. Nuclear Regulatory Commission (NRC) Public Document Room. The proprietary information is delineated in the proprietary reports GE-NE-E1200144-04, GE-NE-T2300786-00-09, and GE-NE-T23-00786-00-01 by bars marked adjacent to the proprietary information.

The affidavits furnished the following information for consideration by the Commission, pursuant to paragraph (b)(4) of Section 10 CFR 2.790 of the Commission's regulations, in determining whether the information sought to be withheld from public disclosure be withheld.

- (a) The 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 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.

D. Robare

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Therefore, the versions 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 301-415-1476.

Sincerely,

/RA/

Mohan C. Thadani, Senior Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-298

cc: See next page

D. Robare

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Cooper Nuclear Station

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