

September 23, 2002

Mr. Jeffrey S. Forbes
Site Vice President
Monticello Nuclear Generating Plant
Nuclear Management Company, LLC
2807 West County Road 75
Monticello, MN 55362-9637

SUBJECT: NUCLEAR MANAGEMENT COMPANY, LLC - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR MONTICELLO NUCLEAR
GENERATING PLANT (TAC NO. MB3187)

Dear Mr. Forbes:

By letter dated June 25, 2002, the Nuclear Management Company, LLC, submitted an affidavit dated June 20, 2002, executed by David J. Robare, of General Electric Company (GE), requesting that the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790:

Attachment to GE Proprietary Letter, NSA 02-368, "Response to Request for
Additional Information Monticello GE14 NFI"

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

The information contains detailed results of analytical models, methods and processes, including computer codes, which GE has developed, obtained NRC approval of, and applied to perform evaluations of the loss-of-coolant accident for the BWR.

The information discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GE's competitors without license from GE constitutes a competitive economic advantage over other companies.

The 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.

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.

Therefore, the Attachment to GE Proprietary Letter, NSA 02-368, "Response to Request for Additional Information Monticello GE14 NFI," 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.

J. Forbes

- 2 -

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 301-415-2303.

Sincerely,

/RA/

Samuel Miranda, Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-263

cc: See next page

J. Forbes

- 2 -

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Samuel Miranda, Project Manager, Section 1
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Monticello Nuclear Generating Plant

cc:

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