October 9, 2002

Mr. Mike Bellamy
Site Vice President
Entergy Nuclear Operations, Inc.
Pilgrim Nuclear Power Station
600 Rocky Hill Road
Plymouth, MA 02360

SUBJECT: GENERAL ELECTRIC COMPANY, REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE, PILGRIM NUCLEAR POWER STATION (TAC NO. MB5603)

Dear Mr. Bellamy:

By letter dated July 5, 2002, Entergy Nuclear Operations, Inc. (ENO), submitted an application for a 1.5 percent power uprate for the Pilgrim Nuclear Power Station (Pilgrim). This application was supported by a General Electric Company (GE) Report, NEDC-33050P, "Safety Analysis Report for Pilgrim Nuclear Power Station Thermal Power Optimization," dated July 2002. The application contained an affidavit from George B. Stramback of GE requesting the U.S. Nuclear Regulatory Commission (NRC) staff to withhold the report from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.790.

The NRC staff has denied GE's request because GE did not provide sufficient justification for the staff to determine that the information sought to be withheld from public disclosure contains trade secrets or confidential commercial or financial information. By letter dated October 2, 2002, the staff informed GE of its finding and, consistent with 10 CFR 2.790, afforded GE 30 days to withdraw the report or it will be placed in the NRC's Public Document Room (ADAMS Accession No. ML021990570).

Please be advised that this issue is likely to result in a delay of the staff's review of the power uprate application for Pilgrim. In order to minimize the impact on the review schedule, the staff will continue to review your application. However, should GE choose to withdraw NEDC- 33050P, which provided the basis for your application, the staff's review could not be continued until such time that you submit a new report to support your application. Submitting a new report that is significantly different from the original would also require additional time for staff review to complete your amendment.

If you have any questions regarding this matter, I may be reached at (301) 415-8474.

Sincerely,

/***RA***/

Travis L. Tate, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-293

cc: See next page

If you have any questions regarding this matter, I may be reached at (301) 415-8474.

Sincerely,

/***RA***/

Travis L. Tate, Project Manager, Section 2
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