

January 16, 2003

Mr. George B. Stramback
Project Manager, Regulatory Services
General Electric Company
175 Curtner Avenue
San Jose, California 95125

SUBJECT: GENERAL ELECTRIC COMPANY REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR BRUNSWICK STEAM
ELECTRIC PLANT, UNITS 1 AND 2 (TAC NOS. MB6692 AND MB6693)

Dear Mr. Stramback:

By letter dated November 12, 2002, Carolina Power & Light Company submitted an affidavit signed by you dated November 6, 2002, in which you requested that the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790:

“Safety Analysis Report for Brunswick Steam Electric Plant Units 1 and 2 Maximum Extended Load Line Limit Analysis Plus,” NEDC-33063P, Class III, dated November 2002.

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

1. It is 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;
2. It is information which, if used by a competitor, would reduce the competitor's expenditure of resources or improve the competitor's competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;
3. It is information which discloses patentable subject matter for which it may be desirable to obtain patent protection. General Electric has filed a patent application which is pending in the US Patent Office and has not been published yet.

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 version(s) 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.

Therefore, NEDC-33036P, "Safety Analysis Report for Brunswick Steam Electric Plant Units 1 and 2 Maximum Extended Load Line Limit Analysis Plus," 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 301-415-1419.

Sincerely,

/RA/

Leonard N. Olshan, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-325 and 50-324

cc: See next page

January 16, 2003

Therefore, the version(s) 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.

Therefore, NEDC-33036P, "Safety Analysis Report for Brunswick Steam Electric Plant Units 1 and 2 Maximum Extended Load Line Limit Analysis Plus," 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 301-415-1419.

Sincerely,

/RA/

Leonard N. Olshan, Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-325 and 50-324

cc: See next page

DISTRIBUTION:

PUBLIC	LOlshan
PDII-2 Reading	BMOzafari
HBerkow	MPSiemien, OGC
AHowe	JWermiel, SRXB
EDunnington	PFredrickson, RII

\\ADAMS ACCESSION NUMBER ML030160861

OFFICE	PM:PDII/S2	LA:PDII/S2	BC:SRXB	SC:PDII-2	OGC
NAME	LOlshan	EDunnington	JWermiel	AHowe	MPSsiemien
DATE	12/31/02	12/31/02	12/31/03	1/16/03	1/7/03

OFFICIAL RECORD COPY

Brunswick Steam Electric Plant, Units 1 and 2
Carolina Power & Light Company

cc:

Mr. William D. Johnson
Vice President and Corporate Secretary
Carolina Power & Light Company
Post Office Box 1551
Raleigh, North Carolina 27602

Mr. Donald E. Warren
Brunswick County Board of Commissioners
Post Office Box 249
Bolivia, North Carolina 28422

Resident Inspector
U. S. Nuclear Regulatory Commission
8470 River Road
Southport, North Carolina 28461

Mr. John H. O'Neill, Jr.
Shaw, Pittman, Potts & Trowbridge
2300 N Street NW.
Washington, DC 20037-1128

Ms. Beverly Hall, Acting Director
Division of Radiation Protection
N.C. Department of Environment
and Natural Resources
3825 Barrett Dr.
Raleigh, North Carolina 27609-7721

Mr. W. C. Noll
Plant Manager
Carolina Power & Light Company
Brunswick Steam Electric Plant
Post Office Box 10429
Southport, North Carolina 28461

Public Service Commission
State of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Ms. Margaret A. Force
Assistant Attorney General
State of North Carolina
Post Office Box 629
Raleigh, North Carolina 27602

Mr. Robert P. Gruber
Executive Director
Public Staff - NCUC
4326 Mail Service Center
Raleigh, North Carolina 27699-4326

Mr. C. J. Gannon
Director - Site Operations
Carolina Power & Light Company
Brunswick Steam Electric Plant
Post Office Box 10429
Southport, North Carolina 28461

Mr. Norman R. Holden, Mayor
City of Southport
201 East Moore Street
Southport, North Carolina 28461

Mr. Dan E. Summers
Emergency Management Coordinator
New Hanover County Department of
Emergency Management
Post Office Box 1525
Wilmington, North Carolina 28402

Mr. Terry C. Morton, Manager
Performance Evaluation and
Regulatory Affairs CPB 7
Carolina Power & Light Company
Post Office Box 1551
Raleigh, North Carolina 27602-1551

Mr. Edward T. O'Neil
Manager - Support Services
Carolina Power & Light Company
Brunswick Steam Electric Plant
Post Office Box 10249
South Port, North Carolina 28461

Mr. J. S. Keenan, Vice President
Brunswick Steam Electric Plant
Carolina Power & Light Company
Post Office Box 10429
Southport, North Carolina 28461