

March 28, 2003

Mr. John L. Skolds, Chairman
and Chief Executive Officer
AmerGen Energy Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

SUBJECT: CLINTON POWER STATION, UNIT 1 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (TAC MB5737)

Dear Mr. Skolds:

By letter from AmerGen Energy Company, LLC dated March 7, 2003, and General Electric (GE)'s affidavit, executed by George B. Stramback, dated February 17, 2003, the following proprietary document was submitted:

General Electric Report GE-NE-0000-0000-7456-01, "Option B Scram Times for Clinton Power Station," dated February 2003

GE requested that the proprietary information be withheld from public disclosure pursuant to 10 CFR 2.790. Also, a nonproprietary version of this document has been placed in the Nuclear Regulatory Commission (NRC) public document room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room located on the NRC internet website at www.NRC.gov. GE stated that the information should be considered exempt from mandatory public disclosure for the following reasons:

- (4)a Information that 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;
- (4)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 of a similar product.

We have reviewed your submittal 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 trade secrets or proprietary commercial information. Therefore, the information marked as proprietary in your submittal of March 7, 2003, 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 document. 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, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC needs additional information from you or 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 301-415-1364.

Sincerely,

/RA/

Douglas V. Pickett, Senior Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-461

cc: See next page

Mr. J. Skolds

- 2 -

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, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC needs additional information from you or 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 301-415-1364.

Sincerely,

/RA/

Douglas V. Pickett, Senior Project Manager, Section 2

Project Directorate III

Division of Licensing Project Management

Office of Nuclear Reactor Regulation

Docket No. 50-461

cc: See next page

Distribution

PUBLIC

PDIII-2 r/f

OGC (email MPS)

ACRS

GGrant, R3

ADAMS Accession Number: ML030760780

OFFICE	PM:LPD3-2	LA:LPD3-2	BC:SRXB	OGC	SC:LPD3-2
NAME	DPickett	THarris	JWermeil	MPSiemien	AMendiola
DATE	03/24/03	03/20/03	03/24/03	03/25/03	03/28/03

OFFICIAL RECORD COPY

Clinton Power Station, Unit 1

cc:

Senior Vice President - Nuclear Services
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

Vice President - Mid-West Opns Support
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

Senior Vice President - Mid-West
Regional Operating Group
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

Vice President - Licensing and
Regulatory Affairs
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

Manager Licensing - Clinton
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Regulatory Assurance Manager - Clinton
AmerGen Energy Company, LLC
Clinton Power Station
RR3, Box 228
Clinton, IL 61727-9351

Director- Licensing
Mid-West Regional Operating Group
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

Senior Counsel, Nuclear
Mid-West Regional Operating Group
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

Document Control Desk-Licensing
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, Illinois 60555

Site Vice President - Clinton Power Station
AmerGen Energy Company, LLC
Clinton Power Station
RR 3, Box 228
Clinton, IL 61727-9351

Clinton Power Station Plant Manager
AmerGen Energy Company, LLC
Clinton Power Station
RR 3, Box 228
Clinton, IL 61727-9351

Resident Inspector
U.S. Nuclear Regulatory Commission
RR #3, Box 229A
Clinton, IL 61727

R. T. Hill
Licensing Services Manager
General Electric Company
175 Curtner Avenue, M/C 481
San Jose, CA 95125

Clinton Power Station, Unit 1

cc:

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4351

Chairman of DeWitt County
c/o County Clerk's Office
DeWitt County Courthouse
Clinton, IL 61727

J. W. Blattner
Project Manager
Sargent & Lundy Engineers
55 East Monroe Street
Chicago, IL 62704

Illinois Department of Nuclear Safety
Office of Nuclear Facility Safety
1035 Outer Park Drive
Springfield, IL 62704