

July 24, 2003

Mr. James F. Klapproth, Manager
Engineering & Technology
General Electric Company
175 Curtner Avenue, Mail Code 706
San Jose, CA 95125

SUBJECT: GENERAL ELECTRIC COMPANY, REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR QUAD CITIES NUCLEAR
POWER STATION, UNIT 2 (TAC NO. MB9539)

Dear Mr. Klapproth:

By letter dated July 9, 2003, Exelon Generation Company, LLC, submitted an affidavit dated July 9, 2003, executed by you on behalf 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 1 (Typical Presentation Slides to be used at the July 25, 2003, NRC Meeting).

A nonproprietary version of Attachment 1 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) 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.
- (2) 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.
- (3) The information sought to be withheld is being submitted to NRC in confidence. The information is of a sort customarily held in confidence by GE, and is in fact so held. The information sought to be withheld has, to the best of my knowledge and belief, consistently been held in confidence by GE, no public disclosure has been made, and it is not available in public sources.
- (4) The information identified in Attachment 1 is classified as proprietary because it contains details and conclusions from evaluations of the Steam Dryer analyses and repairs utilizing inspection techniques, testing,

analytical models and methods, including computer codes, which GE has developed. The development of these models and computer codes was achieved at a significant cost to GE.

- (5) Public disclosure of the information sought to be withheld is likely to cause substantial harm to GE's competitive position.

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, Attachment 1 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 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 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 301-415-2296.

Sincerely,

/RA/

Carl F. Lyon, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-265

cc: See next page

analytical models and methods, including computer codes, which GE has developed. The development of these models and computer codes was achieved at a significant cost to GE.

- (5) Public disclosure of the information sought to be withheld is likely to cause substantial harm to GE's competitive position.

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.

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 Division of Licensing Project Management
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