July 15, 2003

Mr. Jens G. Andersen
Project Manager, TRACG Development
Global Nuclear Fuel - Americas, LLC
3901 Castle Hayne Road
Wilmington, NC 28401

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE, PEACH BOTTOM ATOMIC POWER STATION, UNIT 3 (TAC NO. MB9715).

Dear Mr. Andersen:

By application dated June 23, 2003, Exelon Generation Company, LLC (EGC), requested an amendment for the Peach Bottom Atomic Power Station (PBAPS), Unit 3, operating license, proposing a revision to the Technical Specifications to provide new safety limit minimum critical power ratios (SLMCPRs). That request included a Global Nuclear Fuel - Americas, LLC (GNF-A), letter from Tammy G. Orr, GNF-A, to Randy Tropasso, EGC, "Peach Bottom Unit 3 Cycle 15 Safety Limit MCPR Revision 1," dated May 27, 2003. That letter included your affidavit dated May 27, 2003, requesting that the document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.790(a)(4) and 10 CFR 9.17(a)(4). A nonproprietary version has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management Systems 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 GNF-A's competitors without license from GNF-A constitutes a competitive economic advantage over other companies; and

(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.

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 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 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 301-415-2901.

Sincerely,

/RA/

John P. Boska, Senior Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-278

cc: See next page

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John P. Boska, Senior Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
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Peach Bottom Atomic Power Station, Units 2 and 3

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