

November 8, 2006

Mr. Robert E. Brown  
General Manager  
Regulatory Affairs  
3901 Castle Hayne Road  
Wilmington, NC 28402-2819

SUBJECT: PSEG NUCLEAR LLC, REQUEST FOR WITHHOLDING INFORMATION FROM  
PUBLIC DISCLOSURE FOR HOPE CREEK GENERATING STATION  
(TAC NO. MD3002)

Dear Mr. Brown:

By letter dated September 18, 2006, PSEG Nuclear LLC submitted an affidavit executed by George B. Stramback on behalf of General Electric Company, dated August 16, 2006, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

NEDC-33076P, Revision 2, Safety Analysis Report for Hope Creek Constant Pressure Power Uprate, Class III

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:

- (4)a. 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;
- (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 application and the material in accordance with the requirements of 10 CFR 2.390 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.

R. Brown

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Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(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 301-415-1321.

Sincerely,

**/RA/**

Stewart N. Bailey, Senior Project Manager  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-354

cc: See next page

Hope Creek Generating Station

cc:

Mr. Dennis Winchester  
Vice President - Nuclear Assessments  
PSEG Nuclear  
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Hancocks Bridge, NJ 08038

Mr. George P. Barnes  
Site Vice President - Hope Creek  
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Plant Support Manager  
PSEG Nuclear  
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Mr. Michael J. Massaro  
Plant Manager - Hope Creek  
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Mr. Darin Benyak  
Director - Regulatory Assurance  
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Mr. Michael Jesse  
Manager - Regulatory Assurance  
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Township Clerk  
Lower Alloways Creek Township  
Municipal Building, P.O. Box 157  
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Mr. Paul Bauldauf, P.E., Asst. Director  
Radiation Protection Programs  
NJ Department of Environmental  
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Mr. Brian Beam  
Board of Public Utilities  
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Regional Administrator, Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Senior Resident Inspector  
Hope Creek Generating Station  
U.S. Nuclear Regulatory Commission  
Drawer 0509  
Hancocks Bridge, NJ 08038

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