

Britt T. McKinney
Sr. Vice President & Chief Nuclear Officer

PPL Susquehanna, LLC
769 Salem Boulevard
Berwick, PA 18603
Tel. 570.542.3149 Fax 570.542.1504
btmckinney@pplweb.com



APR 11 2008

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Mail Stop OP1-17
Washington, DC 20555

**SUSQUEHANNA STEAM ELECTRIC STATION
UNIT 1 OPERATING LICENSE NO. NPF-14
LICENSE CONDITION 2.C. (36) (b) 1
PLA-6349**

**Docket Nos. 50-387
and 50-388**

*Reference: 1) PLA-6332, Mr. B. T. McKinney (PPL) to Document Control Desk (USNRC),
"SSES Unit 1 Operating License No. NPF-14 License Condition 3.4.1.1.2(a),"*
dated February 27, 2008.

The purpose of this letter is to provide updated dryer strain gauge acceptance criteria and the applicable dryer strain gauge limit curve to reflect the as-built location of one of the dryer strain gauges. As-built confirmation of strain gauge location determined that one of the dryer strain gauges is not installed in the exact location assumed in Reference 1. The Reference 1 information requiring update is contained in Attachment 1.

Attachment 1 contains GE-Hitachi Nuclear Energy Americas, LLC (GEH) proprietary information. As such, GEH requests that the proprietary information be withheld from public disclosure in accordance with 10 CFR 2.390 (a) 4 and 9.17 (a) 4. Attachment 2 contains the non-proprietary version of the information contained in Attachment 1.

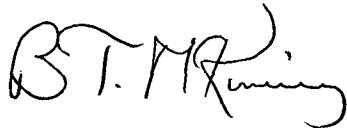
Attachment 3 contains an affidavit supporting the GEH request for withholding Attachment 1 from public disclosure.

If you have any questions or require additional information, please contact Mr. Michael H. Crowthers at (610) 774-7766.

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NMR

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 4-11-08



B. T. McKinney

- Attachment 1: Proprietary Version of the Updated Acceptance Criteria for Dryer Mounted Instrumentation
- Attachment 2: Non-Proprietary Version of the Updated Acceptance Criteria for Dryer Mounted Instrumentation
- Attachment 3: GE-Hitachi Nuclear Energy Americas, LLC Affidavit

Copy: NRC Region I

Mr. R. R. Janati, DEP/BRP
Mr. F. W. Jaxheimer, NRC Sr. Resident Inspector
Mr. B.K. Vaidya NRC Project Manager

Attachment 2 to PLA-6349
Non-Proprietary Version of the Updated
Acceptance Criteria for Dryer Mounted
Instrumentation

Non-Proprietary Notice

This is a non-proprietary version of the Attachment 1 of PLA-6349, which has the proprietary information removed. Portions of the document that have been removed are indicated by an open and closed bracket as shown here [[]].

Introductory Text

II

II

[[

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Figure 3-7

Frequency Spectra for [[

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[[

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Table 3-4

Dryer Instrumentation Acceptance Limits

Attachment 3 to PLA-6349
GE- Hitachi Nuclear Energy Americas, LLC
Affidavit

GE Hitachi Nuclear Energy Americas LLC

AFFIDAVIT

I, **Tim E. Abney**, state as follows:

- (1) I am Vice President, Services Licensing, Regulatory Affairs, GE-Hitachi Nuclear Energy Americas LLC (“GEH”). I have been delegated the function of reviewing the information described in paragraph (2) which is sought to be withheld, and have been authorized to apply for its withholding.
- (2) The information sought to be withheld is contained in GEH letter, GE-SSES-AEP-350, *Acceptance Criteria for Dryer Mounted Instrumentation*, dated April 7, 2008. The proprietary information in Enclosure 1 entitled, *Acceptance Criteria for Dryer Mounted Instrumentation Table 3-4 and Figure 3-7*, is identified by a dotted underline inside double square brackets. ~~[[This sentence is an example^{3}]].~~ In each case, the superscript notation ^{3} refers to Paragraph (3) of this affidavit, which provides the basis for the proprietary determination.
- (3) In making this application for withholding of proprietary information of which it is the owner or licensee, GEH relies upon the exemption from disclosure set forth in the Freedom of Information Act (“FOIA”), 5 USC Sec. 552(b)(4), and the Trade Secrets Act, 18 USC Sec. 1905, and NRC regulations 10 CFR 9.17(a)(4), and 2.390(a)(4) for “trade secrets” (Exemption 4). The material for which exemption from disclosure is here sought also qualify under the narrower definition of “trade secret”, within the meanings assigned to those terms for purposes of FOIA Exemption 4 in, respectively, Critical Mass Energy Project v. Nuclear Regulatory Commission, 975F2d871 (DC Cir. 1992), and Public Citizen Health Research Group v. FDA, 704F2d1280 (DC Cir. 1983).
- (4) Some examples of categories of information which fit into the definition of proprietary information are:
 - a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GEH's competitors without license from GEH constitutes a competitive economic advantage over other companies;
 - 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;
 - c. Information which reveals aspects of past, present, or future GEH customer-funded development plans and programs, resulting in potential products to GEH;
 - d. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

The information sought to be withheld is considered to be proprietary for the reasons set forth in paragraphs (4)a. and (4)b. above.

- (5) To address 10 CFR 2.390(b)(4), the information sought to be withheld is being submitted to NRC in confidence. The information is of a sort customarily held in confidence by GEH, 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 GEH, no public disclosure has been made, and it is not available in public sources. All disclosures to third parties, including any required transmittals to NRC, have been made, or must be made, pursuant to regulatory provisions or proprietary agreements which provide for maintenance of the information in confidence. Its initial designation as proprietary information, and the subsequent steps taken to prevent its unauthorized disclosure, are as set forth in paragraphs (6) and (7) following.
- (6) Initial approval of proprietary treatment of a document is made by the manager of the originating component, the person most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge, or subject to the terms under which it was licensed to GEH. Access to such documents within GEH is limited on a "need to know" basis.
- (7) The procedure for approval of external release of such a document typically requires review by the staff manager, project manager, principal scientist, or other equivalent authority for technical content, competitive effect, and determination of the accuracy of the proprietary designation. Disclosures outside GEH are limited to regulatory bodies, customers, and potential customers, and their agents, suppliers, and licensees, and others with a legitimate need for the information, and then only in accordance with appropriate regulatory provisions or proprietary agreements.
- (8) The information identified in paragraph (2) above is classified as proprietary because it contains results and details of structural analysis methods and techniques developed by GEH for evaluations of a BWR Steam Dryer and of other reactor internals, including separators. Development of these methods, techniques, and information and their application for the design, modification, and analyses methodologies and processes for the Steam Dryer Program and to the design and manufacturing of other BWR internal hardware was achieved at a significant cost to GEH.

The development of the evaluation process along with the interpretation and application of the analytical results is derived from the extensive experience database that constitutes a major GEH asset.

- (9) Public disclosure of the information sought to be withheld is likely to cause substantial harm to GEH's competitive position and foreclose or reduce the availability of profit-making opportunities. The information is part of GEH's comprehensive BWR safety and technology base, and its commercial value extends beyond the original development cost. The value of the technology base goes beyond the extensive physical database and analytical methodology and includes development of the expertise to determine and apply the appropriate evaluation process. In addition, the technology base includes the value derived from providing analyses done with NRC-approved methods.

The research, development, engineering, analytical and NRC review costs comprise a substantial investment of time and money by GEH.

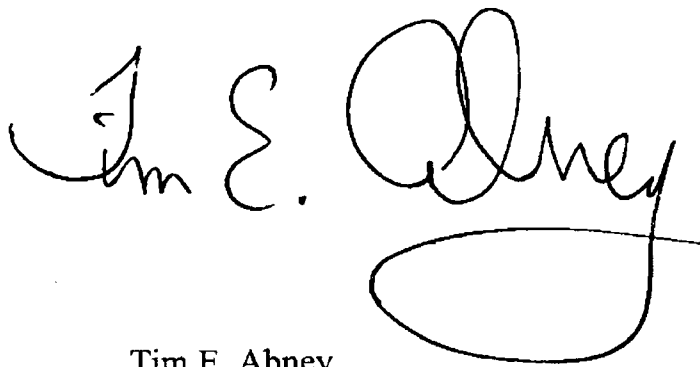
The precise value of the expertise to devise an evaluation process and apply the correct analytical methodology is difficult to quantify, but it clearly is substantial.

GEH's competitive advantage will be lost if its competitors are able to use the results of the GEH experience to normalize or verify their own process or if they are able to claim an equivalent understanding by demonstrating that they can arrive at the same or similar conclusions.

The value of this information to GEH would be lost if the information were disclosed to the public. Making such information available to competitors without their having been required to undertake a similar expenditure of resources would unfairly provide competitors with a windfall, and deprive GEH of the opportunity to exercise its competitive advantage to seek an adequate return on its large investment in developing and obtaining these very valuable analytical tools.

I declare under penalty of perjury that the foregoing affidavit and the matters stated therein are true and correct to the best of my knowledge, information, and belief.

Executed on this 7th day of April 2008.

A handwritten signature in black ink, reading "Tim E. Abney". The signature is written in a cursive style with a large, prominent "A" and "B".

Tim E. Abney
GE-Hitachi Nuclear Energy Americas LLC