

JACK PAUL  
GERALD N. GORDON  
DAVID H. FRIEDLAND

PAUL, GORDON & FRIEDLAND

A LAW CORPORATION  
CENTURY CITY

1901 AVENUE OF THE STARS, SUITE 740  
LOS ANGELES, CALIFORNIA 90067

AREA CODE 213  
277-1322  
879-2622

August 12, 1983

Neal Abrams, Esq.  
Patent Counsel  
Mail Stop MNBB 9604  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Re: Metal Bellows Corporation request for withholding  
of information from the general public

Dear Mr. Abrams:

As discussed today on the telephone, enclosed is the affidavit of Paul Campbell, Corporate Vice President for Engineering of Metal Bellows Corporation, a company that I represent in its request for withholding of its information from the general public.

As stated in the enclosed affidavit, my client respectfully requests that the identified documents be withheld from the general public on the grounds that such constitutes trade secrets, proprietary technical data and other company information which is privileged and confidential. In making this request of your agency, please note that my client has no objection to the disclosure with suitable restriction by your agency to persons who are properly and directly concerned relative to inspection of documentation relating to licensing and other activities of the Nuclear Regulatory Commission. We anticipate, however, that proper safeguards would be imposed by the Nuclear Regulatory Commission pursuant to a protective agreement or order relating to such inspection of documents.

So far as I can ascertain, the enclosed documents pertain to a procurement of flexible metal instrumentation hose assemblies from my client purchased by the Tennessee Valley Authority with reference to the Bellefonte Nuclear Plant.

In addition to the documents referenced in the enclosed affidavit, there are probably other documents of my client which may have been transmitted by the Tennessee Valley Authority to your agency which contain similar confidential and privileged technical information and which we request also be withheld from the general public as referenced herein.

My client wishes to cooperate reasonably with your agency; however, it seeks to protect its technical data, particularly from use by competitors and others who may seek some economic

8308300743 830823  
PDR ADOCK 05000438  
A PDR

Neal Abrams, Esq.  
August 12, 1983  
Page Two

or competitive advantage by the use of my client's data.

If there are any questions, please call me.

Very truly yours,

PAUL, GORDON & FRIEDLAND,  
A Law Corporation

By: Jack Paul  
Jack Paul

JP:jd

Enclosure: Affidavit of Paul Campbell  
of Metal Bellows Corporation

cc: Tennessee Valley Authority  
400 Commerce Avenue  
Knoxville, TN 37902  
Attn: Mr. Bill Watters  
(with enclosure)

BEFORE THE NUCLEAR REGULATORY COMMISSION

Washington, D.C.

In the Matter of the Application of )  
Metal Bellows Corporation to the )  
Nuclear Regulatory Commission for )  
Withholding of Information from the )  
General Public )

AFFIDAVIT OF  
PAUL CAMPBELL IN  
SUPPORT OF  
APPLICATION

STATE OF CALIFORNIA )  
 ) ss  
COUNTY OF LOS ANGELES )

Paul Campbell, being first duly sworn, on his oath, deposes and says:

1. That he is Corporate Vice-President for Engineering of Metal Bellows Corporation, a Delaware corporation with offices at Chatsworth, California and at Sharon, Massachusetts, and that he has been employed by said company for the past 19 years and is currently employed with the company;

2. That he is responsible for and supervises the preparation, evaluation, and other activities relating to technical data, technical reports, and research and development activities of said company at its location in Chatsworth, California, and is knowledgeable of the company's test reports, design reports, and other engineering, research and technical data, and more particularly with respect to the design reports and drawings referenced below;

3. That he has been delegated by said company the function of reviewing the information relating to the company's request to the

Nuclear Regulatory Agency (NRC) for withholding the company's technical data, design reports, drawings and/or other information from the general public, pursuant to regulations of the NRC;

4. That he is aware of the content of the Metal Bellows Corporation's reports and drawings designated as: Design Report CR 729, Revision A; Design Report CR 730, Revision A; Drawing No. 78153, Revision B; Drawing No. 73989, Revision P; Design Report CR 364, Revision A; Design Report CR 431; Design Report CR 685; Design Report CR 725; Design Report CR 825; Design Report CR 826; IM 77598, Revision A;

5. That the foregoing referenced reports and drawings of Metal Bellows Corporation contain trade secrets, proprietary technical data and other company confidential information which is privileged and confidential;

6. That disclosure of the above-referenced technical data and information to the general public would be detrimental to the interests of said company and could create substantial harm to its business activities;

7. The foregoing technical reports, drawings, data and information have been accompanied with clear and conspicuous restrictive legends thereon restricting access to such reports, data, and information, which restrictive legends are referenced therein to preclude disclosure to the general public and to preclude such information from passing into the public domain;

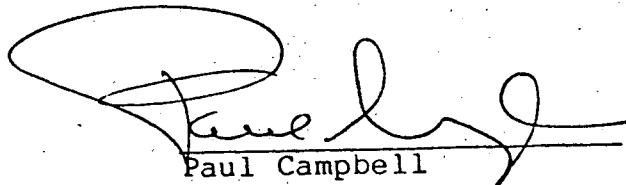
8. That accordingly the aforesaid technical reports,

drawings, and information and revisions thereto have been held in confidence by said company and have been transmitted by the company to the Tennessee Valley Authority in trust and confidence with such prominent and conspicuous legends and is of the type of information customarily held in confidence by the company;

9. That it is the policy of the company to restrict access to such trade secrets, technical data, information and reports of the company and to preclude access thereto to persons or companies unless there are restrictions limiting access or use thereof for evaluative purposes only and only by authorized persons or companies and not for manufacture or other use by others and in which such trade secrets, technical data and reports are to be kept confidential and privileged; and

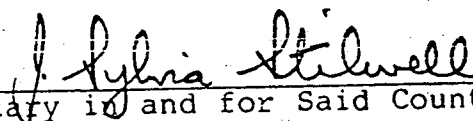
10. That the disclosure of the foregoing technical data, drawings, reports and information to the general public is likely to cause substantial harm to the competitive position of the company, as owner of said technical data, drawings and information, taking into account the value of said technical data, drawings and information to the company as owner, the extensive amount of technical effort and money expended by the company in the development, technical effort and money expended by the company in the development, generation and preparation of such data and that such data is not readily obtainable by others except

by significant cost and technical efforts over a substantial period of time.

  
Paul Campbell

Subscribed and sworn to before me on this 24TH day of July 1983.

(Notarial seal)

  
Notary in and for Said County and State

