

REGULATORY DOCKET FILE COPY

AUG 07 1979

Docket Nos. 50-361  
and 50-362

Mr. A. E. Scherer  
Licensing Manager (9438-401)  
Combustion Engineering, Inc.  
1000 Prospect Hill Road  
Windsor, Connecticut 06095

Distribution  
Central Files ✓  
NRC PDR  
DBVassallo  
SAVarga  
LWR #2 File  
RLBaer  
JLee  
HRood  
EShomaker  
JCooke  
FJWilliams  
MRushbrook  
NSIC  
TIC  
ACRS(16)

Dear Mr. Scherer:

*5/29/79 ltr. withheld  
for public disclosure*

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
(San Onofre Nuclear Generating Station, Units 2 and 3)

By letter dated May 29, 1979, the Southern California Edison Company submitted information concerning the effects of the San Onofre 2 and 3 fuel design modifications on critical heat flux and requested that this information be withheld from public disclosure pursuant to 10 CFR 2.790. A non-proprietary version of this information and your affidavit notarized May 31, 1979 was also transmitted by Southern California Edison Company by the same letter.

Your affidavit stated that your reasons for requesting our withholding of this information were: (1) the information is customarily held in confidence by your company and is not presently available in public sources; (2) the data provides you with a substantial competitive advantage, resulting from your expenditure of thousands of man-hours of efforts and hundreds of thousands of dollars. You believe that in order for your competitors to obtain this advantage, they would likely incur similar expense, time, research and development efforts.

We have reviewed your application and material based on the requirements and criteria of 10 CFR 2.790 and have determined that the above-mentioned documents sought to be withheld contain trade secrets or confidential commercial or financial information.

We also have found at this time that the right of the public to be fully apprised as to the bases for and effects of the proposed action does not outweigh the demonstrated concern for protection of your competitive position. Accordingly, we have determined that the information should be withheld from public disclosure.

We therefore approve your request for withholding pursuant to Section 2.790 of 10 CFR Part 2 and are withholding the fuel design data described above as proprietary.

OFFICE						APPL. 3
SURNAME					7908800	304
DATE						18

AUG 07 1979

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, assure that the consultants have signed the appropriate agreements for handling proprietary data.

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.

Sincerely,

Original signed by  
Robert L. Baer

Robert L. Baer, Chief  
Light Water Reactors Branch No. 2  
Division of Project Management

ccs: Mr. James H. Drake  
Vice President  
Southern California Edison Company  
2244 Walnut Grove Avenue  
P. O. Box 800  
Rosemead, California 91770

Mr. B. W. Gilman  
Senior Vice President - Operations  
San Diego Gas and Electric Company  
101 Ash Street  
P. O. Box 1831  
San Diego, California 92112

Rec'd 8/6/79

OFFICE	DPM:LWR #2	DPM:LWR #2	DPM:LWR #3	DPM:LWR #1	DPM:LWR #2
SURNAME	JL Lee: ab	HRood	MRushbrook	EShomaker	RLBaer
DATE	7/24/79	7/24/79	7/25/79	7/25/79	8/17/79