



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

January 30, 1995

Central  
File

50-20C

Withheld  
2/7/95

Mr. J. T. Beckham, Jr.  
BWRVIP Chairman  
Southern Nuclear Operating Company  
42 Inverness Center Parkway  
Birmingham, AL 35242

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,  
BOILING WATER REACTORS VESSEL AND INTERVALS PROJECT (BWRVIP)  
(TAC NO. M88219)

Dear Mr. Beckham:

By letter dated December 13, 1994, Vaughn Wagoner, Technical Chairman, BWRVIP Assessment Subcommittee, submitted a General Electric Company (GE) letter, dated December 9, 1994, which provides the plant names corresponding to the alpha designations in GE report GENE-523-A178-1294, December 1994 and requested that the GE letter and report be withheld from public disclosure pursuant to 10 CFR 2.790. The December 13, 1994, GE affidavit stated that the GE letter and report should be considered exempt from mandatory public disclosure for the following reason:

- a. 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.

GE letter dated December 9, 1994, and GE Report GENE-523-A178-1294, December 1994, is classified as proprietary because it contains detailed historical and analytical results compiled by GE at a significant cost to GE, on the order of a million dollars. This information would provide other parties, including competitors, with information from GE's technical data base.

Release of this information would improve a competitor's position with the competitor having to expend similar resources for the development of the data base.

We have reviewed the GE letter and report in accordance with the requirements of 10 CFR 2.790 and, on the basis of statements contained in Mr. Stramback's affidavit, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information.

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Therefore, the GE letter and report 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.

Sincerely,

Original signed by

Donald S. Brinkman, Senior Project Manager  
Project Directorate I-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

cc: George B. Stramback  
General Electric Company  
175 Curtner Avenue  
San Jose, CA 95125

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\*See previous concurrence

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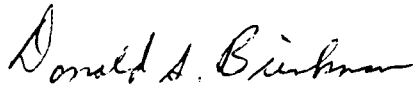
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Donald S. Brinkman, Senior Project Manager  
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175 Curtner Avenue  
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