



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555

January 30, 1992

Docket No. 50-269

Mr. J. H. Taylor, Manager
Licensing Services
B&W Nuclear Technologies
3315 Old Forest Road
P. O. Box 10935
Lynchburg, Virginia 24506-0935

Dear Mr. Taylor:

SUBJECT: OCONEE NUCLEAR STATION, UNIT 1 - REQUEST FOR WITHHOLDING INFORMATION
FROM PUBLIC DISCLOSURE

By application and affidavit dated September 16, 1991, B&W Nuclear Technologies (BWNT) submitted directly and by reference: (1) BWNT Technical Document 33-1205310-00 Stress Report for OTSG Remote Welded Plug, and (2) BWNT Document 51-1206178-00, Boric Acid Corrosion of Oconee Unit 1 Upper Tubesheet, and requested that they be withheld from public disclosure pursuant to 10 CFR 2.790.

BWNT stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- a. Information reveals cost or price information, commercial strategies, production capabilities, or budget levels of B&W, its customers or suppliers.
- b. The information reveals data or material concerning B&W research or development plans or programs of present or potential competitive advantage to B&W.
- c. The use of the information by a competitor would decrease his expenditures, in time or resources, in designing, producing or marketing a similar product.
- d. The information consists of test data or other similar data concerning a process, method component, the application of which results in a competitive advantage to B&W.
- e. The information reveals special aspects of a process, method, component or the like, the exclusive use of which results in a competitive advantage to B&W.
- f. The information contains ideas for which patent protection may be sought.

We have reviewed BWNT's application and the material based on the requirements and criteria of 10 CFR 2.790 and, on the basis of BWNT's statements, have determined that the submitted information sought to be withheld contains proprietary commercial information.

9202050567 920130
PDR ADOCK 05000269
P PDR

NRC FILE CENTER COPY

110

AAH
DFO

January 30, 1992

Therefore, the proprietary information will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act, as amended.

Withholding from public disclosure 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.

Sincerely,



David B. Matthews, Director
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page

Oconee Nuclear Station

cc:

Mr. A. V. Carr, Esq.
Duke Power Company
422 South Church Street
Charlotte, North Carolina 28242-0001

J. Michael McGarry, III, Esq.
Winston and Strawn
1400 L Street, NW.
Washington, DC 20005

Mr. Robert B. Borsum
Babcock & Wilcox
Nuclear Power Division
Suite 525
1700 Rockville Pike
Rockville, Maryland 20852

Manager, LIS
NUS Corporation
2650 McCormick Drive, 3 Floor
Clearwater, Florida 34619-1035

Senior Resident Inspector
U. S. Nuclear Regulatory Commission
Route 2, Box 610
Seneca, South Carolina 29678

Regional Administrator, Region II
U. S. Nuclear Regulatory Commission
101 Marietta Street, NW., Suite 2900
Atlanta, Georgia 30323

Mr. Heyward G. Shealy, Chief
Bureau of Radiological Health
South Carolina Department of Health
and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201

Office of Intergovernmental Relations
116 West Jones Street
Raleigh, North Carolina 27603

County Supervisor of Oconee County
Walhalla, South Carolina 29621

Mr. M. E. Patrick
Compliance
Duke Power Company
Oconee Nuclear Site
P.O. Box 1439
Seneca, South Carolina 29679

Mr. Alan R. Herdt, Chief
Project Branch #3
U. S. Nuclear Regulatory Commission
101 Marietta Street, NW., Suite 2900
Atlanta, Georgia 30323

Ms. Karen E. Long
Assistant Attorney General
N. C. Department of Justice
P.O. Box 629
Raleigh, North Carolina 27602

Mr. R. L. Gill, Jr.
Licensing
Duke Power Company
P. O. Box 1007
Charlotte, North Carolina 28201-1007

Mr. J. W. Hampton
Vice President, Oconee
Duke Power Company
P. O. Box 1439
Seneca, South Carolina 29679

January 30, 1992

Therefore, the proprietary information will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act, as amended.

Withholding from public disclosure 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.

Sincerely,

/s/
David B. Matthews, Director
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page

<u>DISTRIBUTION:</u>	LBerry
<u>Docket File</u>	FRinaldi
NRC & Local PDRs	DLange
PD II-3 R/F	OGC, 15B18
Plant R/F	EJordan, MNBB3701
SVarga	ACRS (10), P-315
GLainas	LReyes, RII
LWiens	

*SEE PREVIOUS CONCURRENCE

OFC	:LA:PDII-3*	:PE:PDII-3*	:PM:PDII-3*	:OGC*	:D:PDII-3
NAME	:LBerry <i>LBerry</i>	:FRinaldi:cw	:LWiens	:MPSiemien	:DMatthews
DATE	:01/19/92	:01/10/92	:01/10/92	:01/25/92	: 1/30/92

OFFICIAL RECORD COPY
Document Name: REQUEST FOR WITHHOLDING/OCONEE