



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555  
April 19, 1993

Docket Nos. 50-269, 50-270,  
and 50-287

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

Dear Mr. Taylor:

SUBJECT: WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE

On February 22, 1993, a meeting was held with the NRC, Duke Power Company (DPC), and Babcock and Wilcox Nuclear Technologies (BWNT) to discuss the development status of the STAR digital module for use in reactor protection systems. Due to the proprietary nature of the meeting, the meeting was closed to the public. Non-proprietary handouts were provided to the attendees and the NRC Public Document Room for public inspection.

By letter dated March 1, 1993, BWNT provided an affidavit supporting the proprietary handouts used during the February 22 meeting, and requested that they be withheld from public disclosure pursuant to 10 CFR 2.790 in accordance with the following criteria:

1. The information reveals data or material concerning B&W research or development plans or programs of present or potential competitive advantage to B&W.
2. The use of the information by a competitor would decrease his expenditures, in time or resources, in designing, producing or marketing a similar product.
3. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a competitive advantage to B&W.

The NRC staff has reviewed BWNT's handouts based on the requirements and criteria of 10 CFR 2.790 and, on the basis of BWNT's statement, has determined that the submitted material sought to be withheld contains proprietary commercial information. 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.

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Mr. J. H. Taylor

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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 disclosure 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,

A handwritten signature in dark ink, appearing to read "L. A. Wiens". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

L. A. Wiens, Project Manager  
Project Directorate II-3  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

cc: See next page

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Oconee Nuclear Station

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Sincerely,

/s/

L. A. Wiens, Project Manager  
Project Directorate II-3  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

cc: See next page

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