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DDambly
RSchuck

Docket No. 50-249

OCT 13 1976

Commonwealth Edison Company
ATTN: Mr. R. L. Bolger
Assistant Vice President
Post Office Box 767
Chicago, Illinois 60690

Gentlemen:

Your letter dated December 4, 1975, responded to our November 7, 1975 request for justification for withholding as proprietary your report entitled "Description of CECO Techniques for Developing Rod Withdrawal Sequences" (dated October 15, 1975, and transmitted by your letter dated October 16, 1975). We have reviewed your December 4, 1975, letter and we have concluded that sufficient justification has not been provided for withholding this information from public disclosure. While the comments provided are valuable in aiding the Nuclear Regulatory Commission (NRC) in making its determination as to whether the information should be accorded confidential treatment and withheld from public disclosure, still further information is needed before the NRC can make a final decision in this matter. Your response should discuss the following factors (from the RESTATEMENT OF TORTS §757, comment b):

1. Extent to which the information is known outside the business of the owner of the information;
2. The extent to which it is known by employees and others involved in his business;
3. The extent of measures taken by him to guard the secrecy of the information;
4. The value of the information to him and to his competitors;
5. The amount of effort or money expended by him in developing the information;
6. The ease or difficulty with which the information could be properly acquired or duplicated by others.

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OCT 13 1976

In addition, please specify those portions of the subject report which are considered proprietary as we do not believe that all the information contained in each of the two sections of the document is proprietary.

Failure to supply the above requested information or request the return of the subject document within thirty (30) days from the receipt of this letter will result in the material being placed in the NRC Public Document Rooms.

Sincerely,

Original signed by
Dennis L. Ziemann

Dennis L. Ziemann, Chief
Operating Reactors Branch #2
Division of Operating Reactors

cc:

Mr. John W. Rowe
Isham, Lincoln & Beale
Counselors at Law
One First National Plaza, 42nd Floor
Chicago, Illinois 60603

Anthony Z. Roisman, Esquire
Roisman, Kessler and Cashdan
1025 15th Street, N. W., 5th Floor
Washington, D. C. 20005

Morris Public Library
604 Liberty Street
Morris, Illinois 60451

*NOTE: SEE PREVIOUS YELLOW FOR CONCURRENCE

DBZ

OFFICE	DOR:ORB #2	DOR:ORB #2	OELD	DOR:ADOT	DOR:ORB #2
SURNAME	<i>RMDiggs:ro</i>	RDSilver	<i>D. D. D. D.</i>	DEisenhut	DLZiemann
DATE	<i>10/14/76</i>	<i>1/1*</i>	<i>10/12/76</i>	<i>10/13/76</i>	<i>10/13/76</i>

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Commonwealth Edison Company
 ATTN: Mr. R. L. Bolger
 Assistant Vice President
 Post Office Box 767
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Specific details to substantiate that the release of this information would cause substantial harm to the competitive position of the Commonwealth Edison Company or the General Atomic Company were not provided. Furthermore, we do not believe that all the information contained in each of the two sections of the document is proprietary. Our November 7 letter requested specific identification of the proprietary information.

Your request to withhold the subject document as proprietary information is therefore denied. Thirty days from the date of this letter, the report will be placed in the public document room at 1717 H Street, N. W., Washington, D. C., and in the Morris Public Library in Morris, Illinois. If within thirty days of this letter you request withdrawal of the proprietary document, it will not be placed in the above public document rooms.

Sincerely,

Dennis L. Ziemann, Chief
 Operating Reactors Branch #2
 Division of Operating Reactors

*delete
 # 9/21/76
 with
 attached*

OFFICE	DOR:ORB #2	DOR:ORB #2	OELD	DOR:AD/OT	DOR:ORB #2
SURNAME	RMDiggs:ro	RDSilver	DLZiemann	DEisenhut	DLZiemann
DATE	9/21/76	9/23/76	1/1	1/1	1/1

Commonwealth Edison Company

- 2 -

cc:

Mr. John W. Rowe
Isham, Lincoln & Beale
Counselors at Law
One First National Plaza, 42nd Floor
Chicago, Illinois 60603

Anthony Z. Roisman, Esquire
Roisman, Kessler and Cashdan
1712 N Street, N. W.
Washington, D. C. 20036

Morris Public Library
604 Liberty Street
Morris, Illinois 60451

SEP 30 1976

27270

Note to Reba Diggs
Operating Reactors Branch #2
Division of Operating Reactors

COMMONWEALTH EDISON APPLICATION FOR WITHHOLDING PROPRIETARY REPORT
ENTITLED "DESCRIPTION OF CECO TECHNIQUES FOR DEVELOPING ROD WITH-
DRAWAL SEQUENCES" FROM PUBLIC DISCLOSURE

Your proposed letter to Commonwealth Edison stating that the subject
report would be placed in the PDR in thirty days if withdrawal was
not requested has been reviewed.

While we agree that the information supplied by Commonwealth Edison
is insufficient to justify proprietary treatment, it is felt that
the company should be given the option of supplying the necessary
information to support proprietary treatment of the subject report.

To that end I have enclosed a draft reply and the material which
you forwarded with your letter. If I can be of any further assis-
tance, please feel free to call me at x27270.

*Had
one
chance
11/7/75.
for Dennis
4/30/76
give them
another
chance.
Relay
9/30*

Dennis C. Dambly
Dennis C. Dambly, Attorney
Office of the Executive Legal
Director (OCA)

Enclosure:
As stated.

Gentlemen:

~~Your letter to us, dated _____ submitted _____
and requested that the _____
material _____
withheld from public disclosure pursuant to 10 CFR Part 2.790.
Your reason for requesting our withholding of this portion of _____
from public disclosure was that disclosure would _____~~

USE YOUR
FIRST TWO
SENTENCES
AS INDICATED
ON YOUR
YELLOW COPY
THEN →

While such ^{the} comments ^{provided} are valuable in aiding the Nuclear Regulatory Commission (NRC) in making its determination as to whether the information should be accorded confidential treatment and withheld from public disclosure, still further information is needed before the NRC can make a final decision in this matter. Your response should discuss the following factors (from the RESTATEMENT OF TORTS §757, comment b):

1. Extent to which the information is known outside the business of the owner of the information;
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6. The ease or difficulty with which the information could be properly acquired or duplicated by others.

Failure to supply the above requested information or request the return of the subject document within thirty (30) days from the receipt of this letter will result in the material being placed in the NRC Public Document Rooms.

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* IN ADDITION PLEASE SPECIFY THOSE PORTIONS OF THE SUBJECT REPORT WHICH ARE CONSIDERED PROPRIETARY AS WE DO NOT BELIEVE THAT ALL THE INFORMATION OBTAINED IN EACH OF THE TWO SECTIONS OF THE DOCUMENT IS PROPRIETARY.