



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

October 15, 1999

Mr. Ian C. Rickard  
Director, Nuclear Licensing  
ABB Combustion Engineering Nuclear Power, Inc.  
P.O. Box 500  
2000 Day Hill Road  
Windsor, CT 06095-0500

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Rickard:

By letter dated August 30, 1999, Energy Northwest submitted additional information on minimum critical power ratio (MCPR) safety limits for WNP-2 Cycle 15 operation in response to a request from the NRC staff and you requested that the information be withheld from public disclosure pursuant to 10 CFR 2.790.

An affidavit dated August 26, 1999, from ABB Combustion Engineering (ABB CENP), the owner of the information was included in the application. ABB CENP states that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- "6. a. A similar product is manufactured and sold by major pressurized and/or boiling water reactor competitors of ABB CENP.
- b. Development of this information by ABB CENP required tens of thousands of dollars and hundreds of man-hours of effort. A competitor would have to undergo similar expense in generating equivalent information.
- c. In order to acquire such information, a competitor would also require considerable time and inconvenience to develop information regarding Safety Limits and mechanical characteristics of ABB CENP fuel.
- d. The information consists of Safety Limits and mechanical characteristics of ABB CENP fuel, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with ABB CENP, take marketing or other actions to improve their product's position or impair the position of ABB CENP's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.
- e. In pricing ABB CENP's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of ABB CENP's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.

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- f. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems, nuclear fuel, analyses or other support services by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on ABB CENP's potential for obtaining or maintaining foreign licensees."

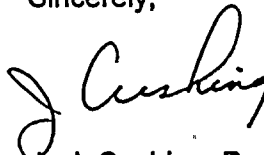
We have reviewed your submittal and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of ABB Combustion Engineering Nuclear Power, Inc. statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information and should be withheld from public disclosure.

Therefore, "WNP-2, Operating License NPF-21, Request for Amendment, Minimum Critical Power Ratio Safety Limits (Additional Information- Channel Bow)," dated August 30, 1999, 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 complete 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 needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,



Jack Cushing, Project Manager, Section 2  
Project Directorate IV & Decommissioning  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

cc: See next page



Nuclear Project No. 2

cc:

Mr. Greg O. Smith (Mail Drop 927M)  
Vice President, Generation  
Energy Northwest  
P. O. Box 968  
Richland, Washington 99352-0968

Mr. Albert E. Mouncer (Mail Drop 1396)  
Chief Counsel  
Energy Northwest  
P.O. Box 968  
Richland, Washington 99352-0968

Ms. Deborah J. Ross, Chairman  
Energy Facility Site Evaluation Council  
P. O. Box 43172  
Olympia, Washington 98504-3172

Mr. D. W. Coleman (Mail Drop PE20)  
Regulatory Affairs Manager  
Energy Northwest  
P.O. Box 968  
Richland, Washington 99352-0968

Mr. Paul Inserra (Mail Drop PE20)  
Manager, Licensing  
Energy Northwest  
P.O. Box 968  
Richland, Washington 99352

Regional Administrator, Region IV  
U.S. Nuclear Regulatory Commission  
Harris Tower & Pavilion  
611 Ryan Plaza Drive, Suite 400  
Arlington, Texas 76011-8064

Chairman  
Benton County Board of Commissioners  
P.O. Box 69  
Prosser, Washington 99350-0190

Senior Resident Inspector  
U.S. Nuclear Regulatory Commission  
P.O. Box 69  
Richland, Washington 99352-0069

Mr. Rodney L. Webring (Mail Drop PE08)  
Vice President, Operations Support/PIO  
Energy Northwest  
P. O. Box 968  
Richland, Washington 99352

Perry D. Robinson, Esq.  
Winston & Strawn  
1400 L Street, N.W.  
Washington, DC 20005-3502

Mr. Bob Nichols  
Executive Policy Division  
Office of the Governor  
P.O. Box 43113  
Olympia, Washington 98504-3113

October 15, 1999

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Sincerely,

ORIG. SIGNED BY  
Jack Cushing, Project Manager, Section 2  
Project Directorate IV & Decommissioning  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

cc: See next page

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