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Docket Nos. 50-387  
and 50-388

BCC: JBuchanan  
Tabernathy  
ACRS (16)

Mr. Norman W. Curtis  
Vice President - Engineering  
and Construction  
Pennsylvania Power & Light Company  
2 North Ninth Street  
Allentown, Pennsylvania 18101

MAY 11 1979

Dear Mr. Curtis:

SUBJECT: WITHHOLDING FROM PUBLIC DISCLOSURE -  
SUSQUEHANNA STEAM ELECTRIC STATION UNITS 1 & 2

By your letters, dated December 28, 1977, and January 5, 1978, you submitted an application and affidavit from Kraftwerk Union Aktiengesellschaft (KWU), dated December 22, 1977, and requested that KWU Tests and Reports be withheld from public disclosure pursuant to 10 CFR 2.790.

On April 28, 1978, we requested additional information concerning the distribution of these reports to various parties by KWU and the kinds of control placed on the use of these documents. We also requested a non-proprietary version of these reports for release to the public. Your reply, dated May 1, 1978, provided us with the information we needed to make a determination in accordance with 10 CFR 2.790, but did not transmit the non-proprietary version of these reports as requested by our April 28, 1978 letter. By your letter, dated March 15, 1979, we received the non-proprietary version of the KWU documents and have placed them in the public document rooms.

Your reasons for requesting our withholding this information were that KWU employs strict internal procedures to preclude the release of the information to unauthorized employees. The information is available only to certain employees who have need for it in the performance of their duties. As a condition of their employment with KWU, those individuals who have access to this information are obliged not to reveal it to anyone who does not have the KWU granted authority to receive it. The information is kept under lock and key and the buildings where it is stored are guarded by security personnel. The information contained in the KWU reports was developed during an intensive research program. The program involved four years of continuous research by forty KWU employees at a great deal of expense. KWU's efforts in this program have provided it with expertise in this area that is not

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available from any other source, nor is it available in public sources. Public disclosure of this information sought to be withheld could cause substantial harm to KWU's competitive position. The information contained in the reports identified in Exhibit A to KWU's affidavit is applicable to boiling water reactor designs and release of this information to the public would harm KWU's competitive position.

KWU serves as an architect/engineer and general constructor firm and release of information developed by them and their employees at a substantial expenditure of time, effort and money would enable competitors to duplicate similar designs without incurring similar expenditures.

We have reviewed your application and material based on the requirements and criteria of 10 CFR 2.790 and have determined that the above-mentioned documents sought to be withheld contain trade secrets or confidential proprietary commercial information.

We also have found at this time that the right of the public to be fully apprised as to the bases for and effects of the proposed action does not outweigh the demonstrated concern for protection of your competitive position. Accordingly, we have determined that the information should be withheld from public disclosure.

We therefore approve your request for withholding pursuant to Section 2.790 of 10 CFR Part 2 and are withholding the documents contained in Exhibit A to KWU's affidavit from public inspection as proprietary.

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, assure that the consultants have signed the appropriate agreements for handling proprietary data.

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.

Sincerely,

Original Signed by  
O. D. Parr

Olan D. Parr, Chief  
Light Water Reactors Branch No. 3  
Division of Project Management

cc: See next page

*Review with me 5/9/79*

OFFICE →	LWR #3:LA	LWR #3:LPM	OELD <i>file</i>	OELD <i>file</i>	LWR #3:BC	CSB/DSS <i>W</i>
SURNAME →	MRushbrook/LM	SMiner <i>m</i>	JCutchin	EShomaker	ODParr	W. Butler
DATE →	5/ / 1979	5/ / 1979	5/ / 1979	5/ / 1979	5/11/1979	5/2/1979

Mr. Norman W. Curtis

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MAY 11 1979

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