



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

TERA

February 23, 1979

Docket Nos. 50-213
and 50-245

Mr. W. G. Council, Vice President
Nuclear Engineering and Operations
Connecticut Yankee Atomic Power Company
Northeast Nuclear Energy Company
Post Office Box 270
Hartford, Connecticut 06101

Dear Mr. Council:

By application dated November 3, 1978, you submitted Report No. CBO-N-78-299 entitled "The Carborundum Company Test Program for Boron Carbide Material," dated October 1978, and you requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. This report describes the requalification program tests and results associated with the structural adequacy of the B₄C material when exposed to a spent fuel pool environment. Your application enclosed an affidavit dated November 2, 1978, by Mr. Robert G. Naum of the Carborundum Company in support of the withholding request.

You requested withholding of this report because the information contained therein consists of data pertaining to the manufacture, composition, testing, use and sale of boron carbide containing nuclear shielding systems, the application of which provides a competitive economic advantage, and the development of which resulted in considerable cost and manpower effort. You also stated that the information is of the type customarily held in confidence by Carborundum and is not available in public sources. Moreover, you stated that use of the information by competitors in the international marketplace would increase their ability to market competitive boron carbide containing nuclear shielding systems by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on Carborundum's potential for obtaining or maintaining foreign licensees.

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 document sought to be withheld contains proprietary commercial information.

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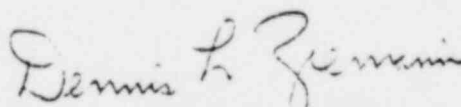
We also have found at this time that the right of the public to be fully apprised as to the bases for and effects of the proposed action does not outweigh the demonstrated concern for protection of your competitive position. In addition, we have determined that the nonproprietary version of the subject report (Attachment 3 to your November 3, 1978 application) describes the requalification program tests and results adequately. Accordingly, we have determined that the report should be withheld from public disclosure.

We therefore approve your request for withholding of Report No. CBO-N-78-299 pursuant to Section 2.790 of 10 CFR Part 2 and are withholding this document from public inspection as proprietary. By copy of this letter, however, we are advising Mr. Robert Naum of Carborundum that all future proprietary documents will have to be accompanied by an application and affidavit in accordance with Section 2.790 of 10 CFR Part 2. This is in response to his request contained in the November 2, 1978, affidavit that any such information disclosed to the Commission in the future be treated as proprietary.

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. 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,



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

cc: See next page.

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