



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

October 17, 1989

Docket No. 50-416

Mr. W. T. Cuttle
Vice President, Nuclear Operations
Systems Energy Resources, Inc.
Post Office Box 23054
Jackson, Mississippi 39205

Dear Mr. Cuttle:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

By your application February 24, 1989 and affidavit dated February 22, 1989 by Mr. H. E. Williamson you submitted a document entitled "Response to RAI in Support of Core Stability Proposed Amendment" and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. You stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The document contains information of a proprietary and confidential nature and is of the type customarily held in confidence by ANF and not made available to the public.
2. The document has been made available to the U.S. Nuclear Regulatory Commission in confidence, with the request that the information contained in the document will not be disclosed or divulged.
3. The document contains information which is vital to a competitive advantage of ANF and would be helpful to competitors of ANF.
4. The information contained in the document is considered to be proprietary by ANF because it reveals certain distinguishing aspects of BWR design and licensing methodology which secure competitive advantage to ANF for fuel design optimization and marketability, and includes information utilized by ANF in its business, which affords ANF an opportunity to obtain a competitive advantage over its competitors who do not or may not know or use the information contained in the document.
5. The disclosure of the proprietary information contained in the document to a competitor would permit the competitor to reduce its expenditure of money and manpower and to improve its competitive position of ANF.

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- 6. The document contains proprietary information which is held in confidence by ANF and is not available in public sources. ANF policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis. In accordance with ANF's policies governing the protection and control of information, proprietary information contained in the document has been made available, on a limited basis, to others outside ANF only as required and under suitable agreement providing for nondisclosure and limited use of the information.
- 7. Information in this document provides insight into BWR design and licensing methodology developed by ANF. ANF has invested significant resources in developing the BWR design and licensing methodology, as well as the strategy for this application.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of vendor's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information.

Therefore, the document entitled, "Response to RAI in Support of Core Stability Proposed Amendment," 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 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.

Sincerely,

Ed Tourigny/for

Lester L. Kintner, Senior Project Manager
 Project Directorate II-1
 Division of Reactor Projects - I/II
 Office of Nuclear Reactor Regulation

cc: See next page

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