



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

October 20, 1993

Docket No. 50-285

Mr. Terry L. Patterson  
Division Manager - Nuclear Operations  
Omaha Public Power District  
Fort Calhoun Station FC-2-4 Adm.  
Post Office Box 399  
Hwy. 75 - North of Fort Calhoun  
Fort Calhoun, Nebraska 68023-0399

Dear Mr. Patterson:

SUBJECT: REQUEST TO WITHHOLD INFORMATION FROM PUBLIC DISCLOSURE -  
FORT CALHOUN STATION, UNIT 1

By Omaha Public Power District (OPPD) application dated September 17, 1993, and Combustion Engineering, Inc. (CE) affidavit dated September 13, 1993, you submitted Enclosure 2 (Proprietary) and Enclosure 3 (Non-proprietary) to OPPD letter LIC-93-0237, "Development of Initial Upper Shelf Energy Values, September 17, 1993, and requested that Enclosure 2 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. A similar product is manufactured and sold by major pressurized water reactor (PWR) competitors of CE.
2. Development of this information by CE required thousands of manhours and hundreds of thousands of dollars. A competitor would have to undergo similar expense in generating equivalent information.
3. In order to acquire such information, a competitor would also require considerable time and inconvenience to develop similar.
4. The information required significant effort and expense to obtain the licensing approvals necessary for application of information. Avoidance of this expense would decrease a competitor's cost in applying the information and marketing the product to which the information is applicable.
5. The information consists of specific fabrication specification, material test data, and manufacturing process associated with reactor pressure vessels built by CE, 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 CE, take marketing or other actions to improve their product's position or impair the position of CE's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.

6. In pricing CE's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of CE's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.
7. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on CE's potential for obtaining or maintaining foreign licensees.

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

Therefore, the version(s) of the submitted information 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.

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 also should 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 makes a determination adverse to the above, you will be notified in advance of any public disclosure.

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EAdensam

Sincerely,

ORIGINAL SIGNED BY:

Steven D. Bloom, Project Manager  
Project Directorate IV-1  
Division of Reactor Projects - III/IV/V  
Office of Nuclear Reactor Regulation

cc: See next page

|      |          |           |           |            |
|------|----------|-----------|-----------|------------|
| OFC  | LA:PD4-1 | PM:PD4-1  | OGC       | D(A):PD4-1 |
| NAME | PNoonan  | SBloom:pk | MPSiemien | WBeckner   |
| DATE | 10/7/93  | 10/13/93  | 10/19/93  | 10/20/93   |
| COPY | YES/NO   | YES/NO    | YES/NO    | YES/NO     |

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6. In pricing CE's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of CE'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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Division of Reactor Projects - III/IV/V  
Office of Nuclear Reactor Regulation

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| NAME | PNoonan  | SBloom:pk | MPSiemien | WBeckner   |
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| COPY | YES/NO   | YES/NO    | YES/NO    | YES/NO     |

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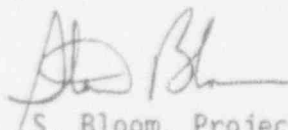
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Sincerely,



S. Bloom, Project Manager  
Project Directorate IV-1  
Division of Reactor Projects - III/IV/V  
Office of Nuclear Reactor Regulation

cc: See next page

Mr. Terry L. Patterson  
Omaha Public Power District

Fort Calhoun Station, Unit 1

cc:

Mr. Michael F. McBride, Esq.  
LeBoeuf, Lamb, Leiby & MacRae  
1875 Connecticut Avenue, NW  
Washington, D.C. 20009-5728

Mr. Jack Jensen, Chairman  
Washington County Board  
of Supervisors  
Blair, Nebraska 68008

Mr. Raymond P. Mullikin, Resident Inspector  
U.S. Nuclear Regulatory Commission  
Post Office Box 309  
Fort Calhoun, Nebraska 68023

Mr. Charles B. Brinkman, Manager  
Washington Nuclear Operations  
Combustion Engineering, Inc.  
12300 Twinbrook Parkway, Suite 330  
Rockville, MD 20852

Regional Administrator, Region IV  
U.S. Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 1000  
Arlington, Texas 76011

Harold Borchert, Director  
Division of Radiological Health  
Nebraska Department of Health  
301 Centennial Mall, South  
Post Office Box 95007  
Lincoln, Nebraska 68509

Mr. James W. Chase, Manager  
Fort Calhoun Station  
Post Office Box 399  
Fort Calhoun, Nebraska 68023