



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

April 5, 1994

Docket No. 50-443  
Serial No. SEA-94-009

Mr. Ted C. Feigenbaum  
Senior Vice President and  
Chief Nuclear Officer  
North Atlantic Energy Service Corporation  
Post Office Box 300  
Seabrook, New Hampshire 03874

Dear Mr. Feigenbaum:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
SEABROOK STATION, UNIT NO. 1 (TAC NOs. M86957 AND M86958)

By your application dated March 9, 1994, you submitted two Yankee Atomic Electric Company (Yankee) documents and an affidavit of Stephen P. Schultz dated January 21, 1994. One of the documents is identified as "Response to Request for Additional Information Review of YAEC-1849-P" and comprises 12 pages; the other document is identified as "Response to Request for Additional Information Review of YAEC-1856-P" and comprises 86 pages. You requested that these two documents be withheld, pursuant to 10 CFR 2.790, from public disclosure.

In his affidavit, Mr. Schultz, who is Vice President of Yankee Atomic Electric Company, stated that the submitted information was being transmitted to the Commission in confidence, under the provisions of 10 CFR 2.790, with the understanding that it be received in confidence by the Commission and that the information should be considered exempt from mandatory public disclosure for the following reasons:

- (a) The information sought to be withheld from public disclosure is owned and held in confidence by Yankee.
- (b) The information is of the type customarily held in confidence and not customarily disclosed to the public by Yankee. In accordance with a Yankee review procedure, information determined to be potentially marketable or that provides a potential competitive advantage is held in confidence.
- (c) The information is not available in public sources, to the best of Yankee's knowledge and belief.
- (d) The material in the responses to the requests for additional information contain significant information and detail pertaining to the development of a methodology and/or data. This material, which is marketable in several ways, was obtained at considerable expense to Yankee. The public release of this information, making it readily available to competitors, would diminish Yankee's ability to sell products and services involving the use of this information.

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- (e) The use of the information and data provided in these documents by a competitor would put Yankee at a competitive disadvantage by reducing the competitor's expenditure of resources at the expense of Yankee and its sponsor companies.

We have reviewed your application and the material based on the requirements and criteria of 10 CFR 2.790 and, on the basis of Yankee Atomic Electric Company's statements, have determined that the information sought to be withheld contains trade secrets or proprietary commercial information.

Therefore, the version 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 disclosure 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 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 such that the information could then be made available for public inspection, you should notify the NRC promptly. You should also understand that the NRC may have cause to review this determination in the future, such as, 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.

Sincerely,

Original signed by:

John F. Stolz, Director  
 Project Directorate I-4  
 Division of Reactor Projects - I/II  
 Office of Nuclear Reactor Regulation

cc: See next page

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- (e) The use of the information and data provided in these documents by a competitor would put Yankee at a competitive disadvantage by reducing the competitor's expenditure of resources at the expense of Yankee and its sponsor companies.

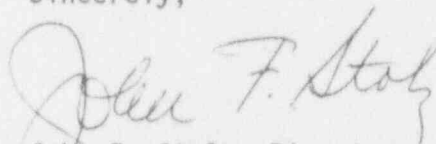
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Sincerely,



John F. Stolz, Director  
Project Directorate I-4  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

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Mr. N. J. Liparulo

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