



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 10, 1994

Docket No. 50-277

Mr. Robert C. Mitchell
Project Manager-Safety
Evaluations Programs
General Electric Company
175 Curtner Avenue
San Jose, California 95125

Dear Mr. Mitchell:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE, PEACH
BOTTOM ATOMIC POWER STATION, UNIT 2 (TAC NO. M88487)

By letter dated April 6, 1994, PECO Energy Company (PECO) submitted NEDC-32165P, Rev. 2, "End-of-Cycle Recirculation Pump Trip Analysis for Peach Bottom Atomic Power Station Units 2 and 3," Class III, dated February 1994. Included in PECO's submittal was your affidavit, dated March 23, 1994, requesting that the report 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 information discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by General Electric's competitors without a license from General Electric constitutes a competitive economic advantage over other companies;
2. The information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

In your affidavit, you state that certain individual sections of the analysis, identified with bars in the margin, should be considered proprietary because it contains detailed results of analytical models, methods and processes, including computer codes, that were developed by General Electric, and for which General Electric obtained NRC approval. You state that these models and methods were developed and approved at a significant cost to General Electric.

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

Therefore, your report, entitled, "End-of-Cycle Recirculation Pump Trip Analysis for Peach Bottom Atomic Power Station Units 2 and 3," Class III, dated February 1994, marked as proprietary, will be withheld from public disclosure pursuant 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy

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Act of 1954, as amended. However, your report contains significant amounts of non-proprietary information. In accordance with 10 CFR 2.790(b)(1)(ii), a non-proprietary version of your report must be submitted, within 30 days of the date of this letter, in order for it to be placed in the public document room.

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.

Sincerely,
Original signed by:
Stephen Dembek, Project Manager
Project Directorate I-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page

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Mr. Robert C. Mitchell

- 2 -

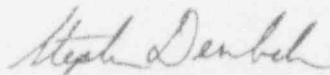
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Sincerely,



Stephen Dembek, Project Manager
Project Directorate I-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page

PECO Energy Company

Peach Bottom Atomic Power Station,
Units 2 and 3

cc:

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