

Docket File

FEB 6 1984

Docket Nos.: 50-424, 50-425

Mr. Donald O. Foster
Vice President and General Manager
Georgia Power Company
Route 2, Box 299-A
Waynesboro, GA 30830

Dear Mr. Foster:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

By your letter dated October 25, 1983, you submitted a report on Vogtle RCS primary loop pipe breaks. Accompanying your letter was a Westinghouse application requesting that portions of the report be withheld from public disclosure pursuant to 10 CFR 2.790. The application was supported by the affidavit of John D. McAdoo of Westinghouse.

The application stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The use of information by Westinghouse gives Westinghouse a competitive advantage over its competitors.
2. Use by a competitor would put Westinghouse at a competitive disadvantage by reducing the competitor's expenditure of resources at Westinghouse's expense.
3. The information reveals aspects of past, present or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

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

It is our belief, pursuant to 10 CFR 2.790 (b) (5) and Section 103(b) of the Atomic Energy Act of 1954, as amended, that, at this time, the right of the public to be fully apprised of the submitted information does not outweigh the need to protect Westinghouse's competitive position.

Accordingly, we have determined that the information should be withheld from public disclosure.

We, therefore, approve your request for withholding pursuant to 10 CFR 2.790 and are withholding portions of the above-mentioned report from public inspection as proprietary.

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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, insure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public disclosure should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. 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 needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

/s/

Elinor G. Adensam, Chief
Licensing Branch No. 4
Division of Licensing

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