



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

FEB 13 1984

Docket No. 50-458

Mr. William J. Cahill, Jr.
Senior Vice President
River Bend Nuclear Group
Gulf States Utilities Company
Post Office Box 2951
Beaumont, Texas 77704
ATTN: Mr. J. E. Booker

Dear Mr. Cahill:

Subject: Request for Withholding Information from Public Disclosure

By your application dated August 25, 1981 and General Electric Company's affidavit dated March 2, 1981, you submitted Initial Core Fuel Design information (Final Safety Analysis Report (FSAR), Figures 4.3-3 through 4.3-6, 4.3-12, 4.3-13 and 4.3-15 through 4.3-18) and Off-Gas System Technology information (FSAR Table 11.3-4 and Figures 11.3-1 and 11.3-2) 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. It represents information that discloses a process, method or apparatus where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies;
2. It represents information consisting of supporting data and analyses, including test data, relative to a process, method or apparatus, the application of which provide a competitive economic advantage, e.g., by optimization or improved marketability;
3. It represents 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;
4. It represents information which reveals aspects of past, present or future General Electric customer-funded development plans and programs of potential commercial value to General Electric;

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5. It represents information which discloses patentable subject matter for which it may be desirable to obtain patent protection;
6. It represents information which General Electric must treat as proprietary according to agreements with other parties.

We have reviewed your application and the material based on the requirements and criteria of 10 CFR 2.790 and, on the basis of General Electric Company'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 General Electric Company'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 Initial Core Fuel Design information (Final Safety Analysis Report (FSAR), Figures 4.3-3 through 4.3-6, 4.3-12, 4.3-13 and 4.3-15 through 4.3-18) and Off-Gas System Technology information (FSAR Table 11.3-4 and Figures 11.3-1 and 11.3-2) from public inspection as proprietary.

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 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 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,

Original signed by

A. Schwencer, Chief
Licensing Branch No. 2
Division of Licensing

cc: See next page

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