



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 5, 1995

*Docket file
50-155*

Mr. Patrick M. Donnelly, Plant Manager
Big Rock Point Plant
Consumers Power Company
10269 U.S. 31 North
Charlevoix, MI 49720

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE -
BIG ROCK POINT

Dear Mr. Donnelly:

By your applications dated May 20, 1994, and August 18, 1994, and Combustion Engineering's (CE's) affidavit dated August 11, 1994, you submitted the proprietary Final Report CEN-615-P, "Evaluation of Low Charpy Upper Shelf Energy for Consumers Power Company's Big Rock Point Reactor Pressure Vessel Beltline Weld," 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 because the information consists of reactor vessel materials and fabrication processes, 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.

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 proprietary commercial information.

Therefore, the version of the submitted information marked as proprietary (CEN-615-P, "Evaluation of Low Charpy Upper Shelf Energy for Consumers Power Company's Big Rock Point Reactor Pressure Vessel Beltline Weld") 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

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P. Donnelly

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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

Linh N. Tran, Project Manager
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-155

cc: See next page

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Mr. Patrick M. Donnelly, Plant Manager

Big Rock Point Nuclear Plant

cc:

Mr. Thomas A. McNish, Secretary
Consumers Power Company
212 West Michigan Avenue
Jackson, Michigan 49201

Michigan Department of Attorney
General
Special Litigation Division
630 Law Building
P.O. Box 30212
Lansing, Michigan 48909

Judd L. Bacon, Esquire
Consumers Power Company
212 West Michigan Avenue
Jackson, Michigan 49201

Jane E. Brannon, County Clerk
County Building Annex
203 Antrim Street
Charlevoix, Michigan 49720

Office of the Governor
Room 1 - Capitol Building
Lansing, Michigan 48913

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, Illinois 60532-4351

Nuclear Facilities and Environmental
Monitoring Section Office
Division of Radiological Health
Department of Public Health
3423 N. Logan Street
P. O. Box 30195
Lansing, Michigan 48909

U.S. Nuclear Regulatory Commission
Resident Inspector Office
Big Rock Point Plant
10253 U.S. 31 North
Charlevoix, Michigan 49720

Mr. Robert A. Fenech, Vice President
Nuclear Operations
Consumers Power Company
Palisades Plant
27780 Blue Star Memorial Hwy.
Covert, Michigan 49043