



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

April 8, 1992

Docket No. 50-458

Gulf States Utilities
ATTN: Mr. James C. Deddens
Senior Vice President (RBNG)
Post Office Box 220
St. Francisville, Louisiana 70775

Dear Mr. Deddens:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

By letter dated October 31, 1991, Gulf States Utilities (GSU) submitted the topical report "River Bend Station Plant Transient Analysis Methodology - Delta CPR Methodology and Additional Benchmarks," Supplement 1, and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790.

An affidavit dated October 31, 1991, from GSU, and an affidavit from General Electric Company dated September 27, 1991, was included in the October 31, 1991, letter. GSU stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- "a. This report has been withheld from public disclosure or general circulation. To Gulf States' knowledge, the report has not been disclosed to individuals or organizations outside of Gulf States other than its consultants or contractors which prepared this information. Appropriate protection by means of proprietary agreements has been utilized to protect the proprietary information from further disclosure. Access to such documents within the Company is limited on a "need-to-know" basis and the report is clearly identified as proprietary.
- "b. The GEXL Plus correlation discussed in the report is material which has previously been withheld from public disclosure. General Electric has in the past sought and received such proprietary status regarding methodologies similar to that contained in the report sought to be withheld.
- "c. The information is being transmitted to the NRC with a request to withhold it from public disclosure.
- "d. To the knowledge of Gulf States Utilities, the information contained in this report is not in or could not easily be derived from information available in public sources.

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"e. Public disclosure of the information contained in the report would be likely to cause substantial harm to Gulf States Utilities. As previously stated, the information was prepared at considerable expense to Gulf States Utilities Company and is not easily duplicated from information available elsewhere. Were the NRC to determine that the document could not be withheld from public disclosure, GSU would be forced to withdraw such document or be in violation of its agreement with General Electric. Thus, the considerable expense in preparing this document would be lost."

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

Therefore, we have determined that the document entitled "River Bend Station Plant Transient Analysis Methodology - Delta CPR Methodology and Additional Benchmarks," Supplement 1, 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 inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. If the need arises, we may send copies of this information to our consultants working in the 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 should also 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 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
 Suzanne C. Black, Director
 Project Directorate IV-2
 Division of Reactor Projects - III/IV/V
 Office of Nuclear Reactor Regulation

cc: See next page

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April 8, 1992

cc:

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