



52-004

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 28, 1995

Mr. James E. Quinn, Projects Manager
LMR and SBWR Programs
GE Nuclear Energy
175 Curtner Avenue, M/C 165
San Jose, California 95125

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE, GENERAL ELECTRIC (GE) RESPONSES TO REQUEST FOR ADDITIONAL INFORMATION (RAI) DATED OCTOBER 19, 1993

Dear Mr. Quinn:

By your letter dated October 19, 1993, you submitted the subject responses to a staff RAI and requested that the responses to Questions 950.17, 950.18, 950.19, and 950.20 be withheld public disclosure. This request was made in accordance with 10 CFR 2.790 and is supported by affidavit executed by Joseph F. Quirk, dated October 19, 1993, which claims, in part, that the information is classified as proprietary because it contains detailed design information which GE has developed using computer codes and test data achieved at a significant cost, on the order of several million dollars, to GE and its associates. In addition, the affidavit identifies the following reasons:

1. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GE's competitors without license from GE constitutes a competitive economic advantage over other companies.
2. Information which, if used by a competitor, would reduce his expenditures of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed your letter and the material in accordance with the requirements of 10 CFR 2.790, and on the basis of the affidavit, have determined that the responses to Questions 950.17, 950.18, 950.19, and 950.20 related to the development of a TRACG input deck contain trade secrets or proprietary commercial information. Therefore, the information specified above 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 this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

9508300301 950828
PDR ADOCK 05200004
A PDR

NRC FILE CENTER COPY

D03/10

Mr. James E. Quinn
GE Nuclear Energy

Docket No. 52-004

cc: Mr. Rob Wallace
GE Nuclear Energy
1299 Pennsylvania Avenue, N.W.
Suite 1100
Washington, DC 20004

Mr. Brian McIntyre
Westinghouse Electric Corporation
Energy Systems Business Unit
Box 355
Pittsburgh, PA 15222

Director, Criteria & Standards Division
Office of Radiation Programs
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, DC 20460

Mr. Sterling Franks
U.S. Department of Energy
NE-42
Washington, DC 20585

Mr. John E. Leatherman, Manager
SBWR Design Certification
GE Nuclear Energy
175 Curtner Avenue, MC-781
San Jose, CA 95125

Mr. Steven A. Hucik
GE Nuclear Energy
175 Curtner Avenue, MC-780
San Jose, CA 95125

Mr. Frank A. Ross
Program Manager, ALWR
Office of LWR Safety & Technology
U.S. Department of Energy
NE-42
19901 Germantown Road
Germantown, MD 20874

Mr. Tom J. Mulford, Manager
SBWR Design Certification
Electric Power Research Institute
3412 Hillview Avenue
Palo Alto, CA 94304-1395

Mr. James E. Quinn

- 2 -

August 28, 1995

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 Nuclear Regulatory Commission (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 included 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
Dino C. Scaletti, Project Manager
Standardization Project Directorate
Division of Reactors Program Management
Office of Nuclear Reactor Regulation

Docket No. 52-004

cc: See next page

DISTRIBUTION:

Docket File
PUBLIC
JNWilson
SNinh
ACRS (11)

PDST R/F
TQuay
DScaletti
EJordan, T-4 D18
WDean, EDO

DCrutchfield
BGrimes
JHWilson
JMoore, O-15 B18
MPSiemien, OGC

DOCUMENT NAME: A: PROP-GE.34

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PM:PDST:DRPM	C	SC:PDST:DRPM	C	OGC	
NAME	DScaletti:sg		JNWilson		MPSiemien	JW
DATE	08/22/95		08/22/95		08/22/95	