



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) RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION
(RAI) 950.17 DATED MARCH 23, 1994

Dear Mr. Quinn:

By letter dated March 23, 1994, GE Nuclear Energy submitted supplemental information relating to RAI Question 950.17 and requested that it be withheld from public disclosure. This request was made in accordance with 10 CFR 2.790 and is supported by affidavit, executed by Patrick W. Marriott, dated March 24, 1994, which claims in part that the information is classified as proprietary because it contains design information which GE has developed using computer codes and test data achieved at a significant cost 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 response to RAI Question 950.17 in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the information sought to be withheld contains trade secrets or proprietary commercial information. Therefore, the information submitted in response to RAI Question 950.17 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.

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Mr. James E. Quinn
GE Nuclear Energy

Docket No. 52-004

cc: Mr. Rob Wallace
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Mr. Tom J. Mulford, Manager
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Palo Alto, CA 94304-1395

Mr. James E. Quinn

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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

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