



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 8, 1995

52-004

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

Dear Mr. Quinn:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE, GENERAL ELECTRIC GIRAFFE TESTING PROGRAM REPORT, "FEATURE TECHNOLOGY OF SIMPLIFIED BWR," SECTION 4.3.2, NOVEMBER 1990

By letter dated May 13, 1992, GE Nuclear Energy submitted the subject information and requested that the entire document be withheld from public disclosure. This request was made in accordance with 10 CFR 2.790 and is supported by affidavit, executed by David J. Robare, dated May 14, 1992, which claims that the information is classified as proprietary because "Public disclosure...is likely cause substantial harm to the competitive position of the General Electric Company and deprive or reduce the availability of profit making opportunities because it contains details of General Electric design which are not available to other parties without prior proprietary agreement." In addition, the affidavit identifies the information as "...the type customarily held in confidence by General Electric since it reveals valuable design information obtained at considerable expense to the General Electric Company."

The staff has reviewed the subject document in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, we are unable to determine that the information sought to be withheld contains trade secrets or proprietary commercial information. Based on our review, we have determined that much of the information provided in the subject document is provided in other publicly available documents such as the "SBWR Test and Analysis Program Description," NEDO-32391, Revision B, April 1995. Therefore, we are not able to support your claim that the subject document contains proprietary information.

In accordance with 10 CFR 2.790(c), "Feature Technology of Simplified BWR," Section 4.3.2, November 1990, will be placed in the Public Document Room thirty (30) days from the date of this letter. If within thirty (30) days of this letter, you request withdrawal of this document in accordance with 10 CFR

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Mr. James E. Quinn

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Section 2.790(c), or provide additional reasons for its withholding, your request will be considered in light of applicable statutes and regulations and a determination made whether the document will be withheld from public disclosure or returned to you.

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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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