

NOV 14 1984

Mr. R. L. Mittl, General Manager
Nuclear Assurance and Regulation
Public Service Electric & Gas Company
80 Park Plaza, T22A
Newark, New Jersey 07101

Dear Mr. Mittl:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

By your letter dated July 30, 1984, you submitted the report entitled "Documentation of Compliance of MBC P/N 73989 Flexible Metal Instrument Assembly to the Requirements of ASME Section III NC 3649, and Code Case N-192" which was prepared by the Metal Bellows Corporation (MBC). You requested that this report be withheld from public disclosure pursuant to 10 CFR 2.790.

Included in your letter was an affidavit prepared by MBC justifying withholding of the report from public disclosure. The affidavit states that the report should be withheld for the following reasons:

1. this information is not routinely available to the public.
2. public disclosure of this information may cause substantial harm to the competitive position of the information owner, and
3. the information was transmitted to the NRC in confidence.

We have reviewed your application and the material against the requirements and criteria of 10 CFR 2.790 and, on the basis of the statements contained in the MBC affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information.

It is our belief, pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended, that, at this time, the right of the public to be fully apprised of the submitted information does not outweigh the need to protect MBC's competitive position. Accordingly, we have determined that the information should be withheld from public disclosure.

8411210192 841114
PDR ADOCK 05000354
A PDR

We, therefore, approve your request for withholding pursuant to 10 CFR 2.790 and are withholding the above cited report from public inspection as proprietary.

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, insure 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, such as 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.

151

A. Schwencer
Licensing Branch No. 2
Division of Licensing

cc: See next page

DISTRIBUTION:

- Docket File
- LB#2 Reading
- NRC PDR
- Local PDR
- NSIC
- EHylton
- DWagner
- MWMcCorkle, NMSS
- OELD, Attorney

LB#2/DL
DWagner:jj
10/7/84

11/7

LB#2/DL
EHylton
10/7/84

OELD
EShoemaker
10/9/84

LB#2/DL
ASchwencer
10/13/84