



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 10, 1996

Arthur Kenny, Esquire  
Intellectual Property Attorney  
Electric Power Research Institute  
3412 Hillview Avenue  
Palo Alto, CA 94304-1395

50-339/412

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE, BEAVER VALLEY POWER STATION, UNIT 1 (TAC NO. M94202)

Dear Mr. Kenny:

On March 27, 1996, on behalf of the Electric Power Research Institute (EPRI), Duquesne Light Company submitted an application for withholding proprietary information from public disclosure pursuant to 10 CFR 2.790 the subject being "EPRI ARC Database for 3/4" and 7/8" Diameter Tubes and Updated ARC Correlation for 7/8" Diameter Tubes." Also submitted was EPRI's affidavit dated March 22, 1996, along with a non-proprietary version of the EPRI information.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure because the information is considered to be trade secrets and this information has substantial commercial value as follows:

1. The information is not available in public sources. EPRI developed the information only after making a determination that the information was not available from public sources. EPRI was required to spend a large amount of money through payments to contractors. In addition, EPRI was required to use a large amount of time of EPRI employees. Finally, the information was developed only after a long period of effort.
2. A public disclosure of the information would be highly likely to cause substantial harm to EPRI's competitive position. The information can be properly acquired or duplicated by others only with an equivalent investment of time and effort.

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

Therefore, the version of the submitted information marked as proprietary will be withheld from the 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 documents. If the need

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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.

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 also should 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 makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

/s/

Donald S. Brinkman, Senior Project Manager  
Project Directorate I-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket No. 50-334

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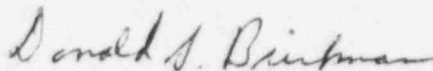
A. Kenny

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Sincerely,



Donald S. Brinkman, Senior Project Manager  
Project Directorate I-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

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Duquesne Light Company

Beaver Valley Power Station  
Units 1 & 2

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