



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 28, 1998

Mr. James Knubel
Chief Nuclear Officer
Power Authority of the State of
New York
123 Main Street
White Plains, NY 10601

50-333

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE -
JAMES A. FITZPATRICK NUCLEAR POWER PLANT (TAC NO. MA2418)

Dear Mr. Knubel:

By your application dated August 3, 1998, and an affidavit dated July 17, 1998, executed by Glen A. Watford of the General Electric Company (GE), you submitted information regarding the cycle-specific safety limit minimum critical power ratio (SLMCPR) for Cycle 14 of the James A. FitzPatrick Nuclear Power Plant, and requested that this information be withheld from public disclosure pursuant to 10 CFR 2.790. A non-proprietary version was also submitted for placement in the NRC public document room.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies;
2. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;
3. The information identified is classified as proprietary because it contains details of GE's Safety Limit MCPR analysis and the corresponding results which GE has applied to this specific plant and cycle's actual core design with GE's fuel.

The development of the methods used in these analysis, along with the testing, development and approval of the supporting critical power correlation was achieved at a significant cost, on the order of several million dollars, to GE.

Therefore, the version of the submitted information marked as proprietary 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 documents. 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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PDR ADOCK 05000333
P PDR

NRC FILE CENTER COPY

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.

If you have any questions regarding this matter, please contact me at (301) 415-1470.

Sincerely,

original signed by:

Joseph F. Williams, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-333

cc: See next page

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DATE	09/24/98		09/24/98	09/24/98	09/24/98

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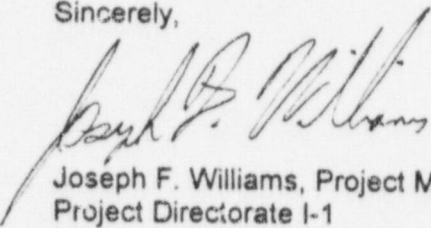
J. Knubel

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of New York

James A. FitzPatrick Nuclear
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