



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 29, 1998

50-219

Mr. Michael B. Roche  
Vice President and Director  
GPU Nuclear, Inc.  
Oyster Creek Nuclear Generating Station  
P.O. Box 338  
Forked River, NJ 08731

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
OYSTER CREEK NUCLEAR GENERATING STATION (TAC NO. MA1719)

Dear Mr. Roche:

In your response to a request for additional information dated September 14, 1998, and affidavit dated August 19, 1998, executed by George B. Stramback you submitted proprietary information related to your letter dated May 5, 1998, requesting a change to your licensing bases and you requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version was 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:

- a. 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;
- b. 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;
- c. The information sought to be withheld is considered to be proprietary for the reasons set forth in both paragraphs a and b above;
- d. The information identified in paragraph (2) is classified as proprietary because it contains detailed application methodology including 1) hydraulic performance design methods and 2) unique procedures for calculation of hydraulic sizing for the optimized suction strainer, which GE has developed.

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The development of this information and the methods was achieved at a significant cost, on the order of several hundred thousand dollars, to GE.

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The development of the evaluation process along with the interpretation and application of the results is derived from the extensive experience database that constitutes a major GE asset.

We have reviewed your application and the material 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 proprietary commercial information.

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.

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, I may be reached at 301-415-3041.

Sincerely,

Original signed by  
Ronald B. Eaton, Senior Project Manager  
Project Directorate I-3  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

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cc: See next page

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M. Roche  
GPU Nuclear, Inc.

cc:

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