



Commonwealth Edison
One First National Plaza, Chicago, Illinois
Address Reply to: Post Office Box 767
Chicago, Illinois 60690-0767

October 7, 1988

Office of Nuclear Reactor Regulation
Attn: Paul Shemanski
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: LaSalle County Station Units 1 and 2
Application for Amendment to Facility
Operating Licenses NPF-11 and NPF-18
Appendix A, Technical Specifications
NRC Docket Nos. 50-373 and 50-374

Reference: Letter dated October 7, 1988 Transmitting Request
License Amendment to Increase.

Mr. Shemanski:

Pursuant to 10 CFR 50.90, Commonwealth Edison applied for an amendment to Facility Operating Licenses NPF-11 and NPF-18, Appendix A, Technical Specifications in the above referenced letter. This amendment will allow operation of both units with suppression pool temperatures of up to 105°F. Attachment C of that document is GE Proprietary Information and is enclosed. Also enclosed is the General Electric Affidavit designating Attachment C as proprietary information.

Please direct any questions you may have regarding this matter to this office.

Very truly yours,

C. M. Allen
Nuclear Licensing Administrator

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Enclosure:

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PDR ADOCK 05000373
P PDC

APD
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GENERAL ELECTRIC COMPANY

AFFIDAVIT

1. David J. Robare, being duly sworn, depose and state as follows:

1. I am Manager, Plant Licensing Services, General Electric Company, and have been delegated the function of reviewing the information described in paragraph 2 which is sought to be withheld and have been authorized to apply for its withholding.
2. The information sought to be withheld is the attached report EAS-49-0888, Justification of Continued Operation with Increased Suppression Pool Temperature at LaSalle County Station, dated August, 1988.
3. In designating material as proprietary, General Electric utilizes the definition of proprietary information and trade secrets set forth in the American Law Institute's Restatement of Torts, Section 757. This definition provides:

"A trade secret may consist of any formula, pattern, device or compilation of information which is used in one's business and which gives him an opportunity to obtain an advantage over competitors who do not know or use it.... A substantial element of secrecy must exist, so that, except by the use of improper means, there would be difficulty in acquiring information.... Some factors to be considered in determining whether given information is one's trade secret are: (1) the extent to which the information is known outside of his business; (2) the extent to which it is known by employees and others involved in his business; (3) the extent of measures taken by him to guard the secrecy of the information; (4) the value of the information to him and to his competitors; (5) the amount of effort or money expended by him in developing the information; (6) the ease or difficulty with which the information could be properly acquired or duplicated by others."

4. Some examples of categories of information which fit into the definition of proprietary information are:
 - a. Information that disclosed a process, method or apparatus 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 consisting of supporting data and analyses, including test data, relative to a process, method or apparatus, the application of which provide a competitive economic advantage, e.g., by optimization or improved marketability;

- c. 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;
 - d. Information which reveals cost or price information, production capacities, budget levels or commercial strategies of General Electric, its customers or suppliers;
 - e. Information which reveals aspects of past, present or future General Electric customer-funded development plans and programs of potential commercial value to General Electric;
 - f. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection;
 - g. Information which General Electric must treat as proprietary according to agreements with other parties.
5. In addition to proprietary treatment given to material meeting the standards enumerated above, General Electric customarily maintains in confidence preliminary and draft material which has not been subject to complete proprietary, technical and editorial review. This practice is based on the fact that draft documents often do not appropriately reflect all aspects of a problem, may contain tentative conclusions and may contain errors that can be corrected during normal review and approval procedures. Also, until the final document is complete it may not be possible to make any definitive determination as to its proprietary nature. General Electric is not generally willing to release such a document in such a preliminary form. Such documents are, however, on occasion furnished to the NRC staff on a confidential basis because it is General Electric's belief that it is in the public interest for the staff to be promptly furnished with significant or potentially significant information. Furnishing the document on a confidential basis pending completion of General Electric's internal review permits early acquaintance of the staff with the information while protecting General Electric's potential proprietary position and permitting General Electric to insure the public documents are technically accurate and correct.
6. Initial approval of proprietary treatment of a document is typically made by the Subsection manager of the originating component, who is most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within the Company is limited on a "need to know" basis and such documents are clearly identified as proprietary.
7. The procedure for approval of external release of such a document typically requires review by the Subsection Manager, Project manager, Principal Scientist or other equivalent authority, by the Subsection Manager of the cognizant Marketing function (or delegate) and by the Legal Operation for technical content, competitive effect and determination of the accuracy of the proprietary designation in accordance

with the standards enumerated above. Disclosures outside General Electric are generally limited to regulatory bodies, customers and potential customers and their agents, suppliers and licensees, and only with appropriate protection by applicable regulatory provisions or proprietary agreements.

8. The document mentioned in paragraph 2 above has been evaluated in accordance with the above criteria and procedures and has been found to contain information which is proprietary and which is customarily held in confidence by General Electric.
9. The information to the best of my knowledge and belief has consistently been held in confidence by the General Electric Company, no public disclosure has been made, and it is not available in public sources. All disclosures to third parties have been made pursuant to regulatory provisions of proprietary agreements which provide for maintenance of the information in confidence.
10. The document mentioned in paragraph 2 above is classified as proprietary because it contains results taken directly or derived from GE proprietary information regarding BWR containment designs developed with the expenditure of substantial resources exceeding \$500,000. Furthermore, the report identifies potentially limiting design and licensing issues of commercial value to GE. The information is of a type customarily held in confidence by GE since it reveals valuable information obtained at considerable expense to GE.

STATE OF CALIFORNIA)
 COUNTY OF SANTA CLARA) ss:

David J. Robare, being duly sworn, deposes and says:

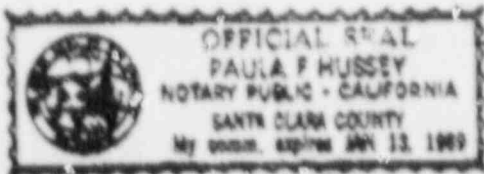
That he has read the foregoing affidavit and the matters stated therein are true and correct to the best of his knowledge, information, and belief.

Executed at San Jose, California, this 13th day of September, 1988.

David J. Robare

DAVID J. ROBARE
 General Electric Company

Subscribed and sworn before me this 13th day of September 1988.



Paula F. Hussey
 PAULA F. HUSSEY
 Notary Public - California
 Santa Clara County



General Electric Company
2311 West 22nd St., Suite 201, Oak Brook, IL 60521
312 573-3079

EBO-8-351

August 22, 1988

Mr. Robert W. Tomala
Commonwealth Edison Co.
P.O. Box 767
Chicago, IL 60690

Subject: LA SALLE 1 AND 2 INCREASED SUPPRESSION POOL TEMPERATURE JCO

Dear Mr. Tomala:

Attached are 10 copies of the subject report (EAS-49-0888, Revision 1, August 1988) for the La Salle 1 and 2 Justification of Continued Operation (JCO).

Please call me if you have any questions, and thank you for calling GE.

Very truly yours,

A. F. De Vita

A.F. De Vita
Project Engineer
GE Customer Service
(312) 573-3964

cc: H.L. Massin
J.A. Miller - GE