

September 18, 1986

Docket No. 50-354

Mr. Corbin A. McNeill, Jr., Vice President - Nuclear
Public Service Electric & Gas Company
Nuclear Administration Building
P.O. Box 236
Hancocks Bridge, New Jersey 08038

Dear Mr. McNeill:

DISTRIBUTION:

~~Docket No.~~ 50-354

NRC PDR

Local PDR

BWD-3 r/f

EAdensam

DWagner

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Attorney, OGC

EJordan

BGrimes

JPartlow

ACRS (10)

Subject: Request for Withholding Information from Public Disclosure

In a letter dated July 11, 1986, you submitted the General Electric report "Probability of Missile Generation in General Electric Nuclear Turbines" in fulfillment of a license condition contained in the low-power license. In your letter, you requested that this report be withheld from public disclosure pursuant to 10 CFR 2.790. In a letter dated August 26, 1986, you advised us that an affidavit providing a basis for withholding this report from public disclosure was previously submitted in a letter dated February 6, 1984 (D. Timo, GE, to T. Ippolito, NRC). You provided a copy of this affidavit as an attachment to your August 26, 1986, letter.

The affidavit, prepared and submitted by the owner of the report, General Electric states that the subject report should be withheld from public disclosure for the following reasons:

1. The information contained in the report is not routinely available to the public.
2. Public disclosure of the report may cause substantial harm to the competitive position of the report owner.
3. The information was transmitted to the NRC in confidence, by the licensee.

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 General Electric 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 General Electric's competitive position. Accordingly, we have determined that the information should be withheld from public disclosure.

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.

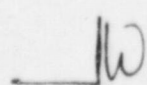
Sincerely,

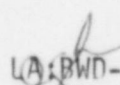
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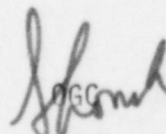
Elinor G. Adensam, Director
BWR Project Directorate No. 3
Division of BWR Licensing

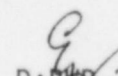
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B:law
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BWD-3:DBL
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LA:BWD-3:DBL
EHylton
9/11/86


JGC
9/15/86


D:BWD-3:DBL
EAdensam
9/18/86

A

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Public Service Electric & Gas Co.

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