



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

February 2, 1987

Docket No. 50-219

Mr. P. B. Fiedler
Vice President and Director
Oyster Creek Nuclear Generating Station
Post Office Box 388
Forked River, New York 08731

Dear Mr. Fiedler:

SUBJECT: PROPRIETARY DATA REQUEST FOR CONTAINMENT PURGE AND VENT ISOLATION VALVES (TAC 64380)

Re: Oyster Creek Nuclear Generating Station

In your letter dated June 17, 1986, you provided a document from the Center Line Company, Tulsa, Oklahoma and requested, under 10 CFR 2.790, that it be considered proprietary and treated accordingly. This document was used by the NRC staff to evaluate your request dated September 24, 1985, to cancel the commitment to install new containment purge and vent isolation valves (valves). In its evaluation dated October 10, 1986, the staff concluded the existing valves were acceptable and your proposal to cancel the commitment to install the new valves was acceptable. In the letter dated October 10, 1986, I incorrectly referred to your request as being dated September 24, 1986. As stated above, it was dated September 24, 1985.

In my letter dated October 10, 1986, I requested that you provide the basis per 10 CFR 2.790 for the document to be withheld from public disclosure and an affidavit. Since October 10, 1986, GPU Nuclear (the licensee) has shown that the basis and affidavit is contained in the enclosures to your letter dated June 17, 1986.

It was stated by Center Line Company that the submitted report No. 179 on three of the company's butterfly valves should be considered exempt from mandatory public disclosure for the following reasons:

- (1) Center Line has, to date, held the contents of report 179 in strict confidence,
- (2) Center Line, as well as other valve manufacturers, customarily withhold flow test data in confidence and publish only information about the valve discharge coefficient,
- (3) At Center Line's request, and as a part of the licensee's purchase order, it is its wish that the report be kept confidential.
- (4) Report No. 179 is not in the public domain. Center Line contracted an individual to perform the tests and provide a report only to them.

8702180179 870202
PDR ADOCK 05000219
P PDR

- (5) Center Line holds that this information could cause substantial harm to its competitive position because other manufacturers could adopt this information for their use without purchasing the information and could use this report against Center Line in the market place.

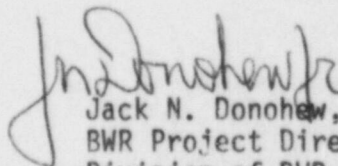
We have reviewed the application and material based on the requirements and criteria of 10 CFR 2.790, and, on the basis of the vendor's statements, have determined that the submitted information sought to be withheld contains proprietary commercial information. For this report, in the balancing of the interests of the vendor urging nondisclosure and the public interest in disclosure, there is no compelling reason for not withholding this information for the basis provided by the vendor.

Therefore, Center Line Report No. 179, Cavitation, Torque, and Performance Testing of a 6-inch and 12-inch Elliptical Disc and a 6-inch Symmetrical Disc Butterfly Valves, 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 it should become known to you in the future that the basis for withholding this information from public inspection has changed such that the information could then be made available for public inspection, you should promptly notify the NRC. You and Center Line Company 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 makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,



Jack N. Donohew, Jr., Project Manager
BWR Project Directorate #1
Division of BWR Licensing

cc: See next page

DISTRIBUTION

Docket File

NRC PDR

Local PDR

BWD1 Reading

RBernero

JZwolinski

JDonohew

EShemaker

EJordan

GLainas

BGrimes

JPartlow

IBailey

OC File

BWD1

CJamerson

01/27/87

BWD1

JDonohew: cw

01/27/87

OGC-Rethesda

EShemaker

01/30/87

BWD1

JZwolinski

01/27/87

Mr. P. B. Fiedler
Oyster Creek Nuclear Generating Station

Oyster Creek Nuclear
Generating Station

cc:

Mr. Ernest L. Blake, Jr.
Shaw, Pittman, Potts and Trowbridge
2300 N Street, NW
Washington, D.C. 20037

Resident Inspector
c/o U.S. NRC
Post Office Box 445
Forked River, New Jersey 08731

J.B. Liberman, Esquire
Bishop, Liberman, Cook, et al.
1155 Avenue of the Americas
New York, New York 10036

Commissioner
New Jersey Department of Energy
101 Commerce Street
Newark, New Jersey 07102

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
631 Park Avenue
King of Prussia, Pennsylvania 19406

Mr. David M. Scott, Acting Chief
Bureau of Nuclear Engineering
Department of Environmental Protection
CN 411
Trenton, New Jersey 08625

BWR Licensing Manager
GPU Nuclear Corporation
1 Upper Pond Road
Parsippany, New Jersey 07054

Deputy Attorney General
State of New Jersey
Department of Law and Public Safety
36 West State Street - CN 112
Trenton, New Jersey 08625

Mayor
Lacey Township
818 West Lacey Road
Forked River, New Jersey 08731

Licensing Manager
Oyster Creek Nuclear Generating Station
Mail Stop: Site Emergency Bldg.
P. O. Box 388
Forked River, New Jersey 08731