

Phoenix Power Services, Inc.

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P.O. Box 892
McLean, Virginia 22101
(703) 356-4505

September 25, 1986

Dr. J. Nelson Grace, Regional Administrator
U.S. Nuclear Regulatory Commission, Region II
101 Marietta Street, N.W.
Suite 2900
Atlanta, Georgia 30323

Dear Dr. Grace:

Our client, South Carolina Electric and Gas Company, recently provided us with a copy of a letter from Mr. Roger D. Walker of your staff, addressed to Mr. D. A. Nauman of SCE&G, dated August 13, 1986. In his letter, Mr. Walker asked Mr. Nauman whether information included in the Enclosure to the NRC's letter and the Phoenix Power Services Inc. document entitled "Safety Evaluation Supporting Implementation of the Fission Product Barrier Approach to Emergency Event Classification™ for the Virgil C. Summer Nuclear Station (Proprietary Version)", are proprietary. Mr. Walker indicated that NRC would refrain from placing the Safety Evaluation and the information in the Enclosure in the Public Document Room "for a period of fifteen (15) working days" from the date of the NRC's letter. SCE&G has advised us that the deadline was subsequently extended to September 28, 1986. I am responding to the NRC's question as to the proprietary nature of our Safety Evaluation and of the information addressed in the NRC's letter and Enclosure.

I wish to advise you that the Safety Evaluation and the information contained in the Enclosure to the NRC's August 13, 1986, letter are proprietary to Phoenix Power Services Inc. The Safety Evaluation, which apparently was reviewed by NRC and NRC's consultant prior to preparing the August 13, 1986, letter and Enclosure, is clearly and obviously marked "Phoenix Power Services Inc. Proprietary Materials" and was accompanied when submitted to NRC by my Affidavit dated August 6, 1985, a copy of which is provided herein for your reference. The Affidavit conforms fully to the requirements of 10 CFR 2.790.

The information included in the Safety Evaluation is proprietary as defined in 10 CFR 2.790 and must not be placed in the NRC's Public Document Room nor disclosed to any third parties. My Affidavit clearly attests to the proprietary nature of the materials and the Safety Evaluation is clearly marked as proprietary. In addition, the Enclosure to the NRC's August 13,

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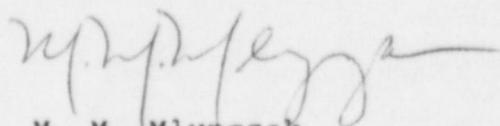
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1986, letter contains direct quotations from the Safety Evaluation, and, consequently, the NRC's Enclosure must not be placed in the Public Document Room nor be disclosed to any third parties. We also consider paraphrases of the contents of the Safety Evaluation, which are also presented in the NRC's Enclosure, to be proprietary where they include our substantive proprietary information. We consider any disclosure by NRC of the contents of the Safety Evaluation to third parties, where such disclosure does not conform to the requirements of 10 CFR 2.790, to be a violation of the protections provided to owners of proprietary information by 10 CFR 2.790. We do not authorize any NRC disclosure of any information presented in the document entitled "Safety Evaluation Supporting Implementation of the Fission Product Barrier Approach to Emergency Event Classification™ for the Virgil C. Summer Nuclear Station (Proprietary Information)", or restatement or paraphrase thereof by NRC, except as provided by 10 CFR 2.790, wherein the protections requested in my Affidavit dated August 6, 1985, are afforded the information by NRC and its consultant.

I would appreciate your immediate response to this letter, advising me of NRC's intentions with regard to disposition of this matter. Should you have any questions relative to the proprietary nature of the subject material, please advise me immediately and I will direct our legal counsel to contact you.

Sincerely,



M. M. Mlynczak
President

enclosure: as stated

cc: Mr. D. A. Nauman, SCE&G
Mr. John G. Connelly, SCE&G
Mr. Roger D. Walker, NRC
Ms. V. R. Harding
Mr. J. C. Wray
Mr. J. B. Knotts, Jr.