



Corrected on August 27, 1999

Docket file

UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 25, 1999

William H. Rasin, Vice President
Nuclear, Fuel and Quality Assurance Services
Duke Engineering & Services
Solomon Pond Park
400 Donald Lynch Blvd.
Marlborough, MA 01752

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
GRAND GULF NUCLEAR STATION, UNIT 1

Dear Mr. Rasin:

BOILING WATER REACTOR

By your application and affidavit dated July 16, 1999, you submitted information (contained on diskette and in a letter to Idaho National Engineering and Environmental Laboratory (INEEL) dated February 8, 1999) to support an NRC review of a technical evaluation and preparation of a safety evaluation approving the use of Babcock and Wilcox Owners' Group Report, "Prediction of Onset of Fission Gas Release from Fuel in Generic BWR [boiling water reactor]," and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790.

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (i) The information sought to be withheld from public disclosure is owned by DE&S [Duke Engineering and Services] and has been in confidence by DE&S and its consultants.
- (ii) The information is of a type that would customarily be held in confidence by DE&S. The information consists of analysis methodology details, supporting data, and aspects of development programs, relative to a method of analysis that provides a competitive advantage to DE&S.
- (iii) The information was transmitted to the NRC in confidence and under the provisions of 10 CFR 2.790, it is to be received in confidence by the NRC.
- (iv) The information sought to be protected is not available in public to the best of [DE&S's] knowledge and belief.
- (v) The propriety information sought to be withheld in the submittal is that which is contained in the computer disk enclosed and in the supporting documentation.

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W. H. Rasin

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 and should be withheld from public disclosure.

Therefore, the information provided (which is contained on computer disk and in a letter to INEEL dated February 8, 1999) marked as proprietary, will be withheld from public disclosure pursuant to 10 CAR 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 301-415-2623.

Sincerely,

ORIGINAL SIGNED BY

S. Patrick Sekerak, Project Manager, Section 1
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-416

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K.Brockman,RIV

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Grand Gulf Nuclear Station

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