

File Center

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001



December 20, 1999

Mr. James F. Klapproth, Manager
Engineering & Technology
GE Nuclear Energy
175 Curtner Avenue
San Jose, CA 95125

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Klapproth:

By letter dated November 12, 1999, and affidavit dated November 11, 1999, executed by George B. Stramback, GE Nuclear Energy (GENE) submitted topical report NEDC-31951P, Supplement 1, "BWR Owners' Group Response to NRC Safety Evaluation of BWROG Topical Report, Implementation of Improved Water Chemistry and Technical Basis for Revised Piping Inspection Schedules," April 1998, 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:

- "(a) Information that discloses a process, method, or apparatus, including supporting data and analyses, 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 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 aspects of past, present, or future General Electric customer-funded development plans and programs, of potential commercial value to General Electric;
- (e) Information which discloses patentable subject matter for which it may be desirable to obtain patent protection."

We have reviewed your submittal and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of GENE statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information and should be withheld from public disclosure.

FILE CENTER COPY

99 - 2 1 9

DF03

PDR. TOPRP GE

Mr. James F. Klapproth

- 2 - December 20, 1999

Therefore, we have determined that the document entitled "BWR Owners' Group Response to NRC Safety Evaluation of BWROG Topical Report, Implementation of Improved Water Chemistry and Technical Basis for Revised Piping Inspection Schedules," 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 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 301-415-3016.

Sincerely,

/s/
Robert M. Pulsifer, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Project No. 691

cc: See next page

DISTRIBUTION:

File Center
PUBLIC
PDIV-2 Reading
SRichards
MPSiemien, OGC
WBateman

To receive a copy of this document, indicate "C" in the box							
OFFICE	PDIII-2/PM	C	PDIV-2/LA	C	EMCB	OGC	PDIV-2/SC
NAME	RPulsifer		EPeyton:esp		WBateman	MPSiemien	SDembek
DATE	12/1/99		12/1/99		12/9/99	12/16/99	12/20/99

DOCUMENT NAME: G:\PDIV-2\GE\withholding3.wpd

OFFICIAL RECORD COPY

Mr. James F. Klapproth

- 2 -

December 20, 1999

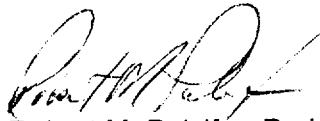
Therefore, we have determined that the document entitled "BWR Owners' Group Response to NRC Safety Evaluation of BWROG Topical Report, Implementation of Improved Water Chemistry and Technical Basis for Revised Piping Inspection Schedules," marked as proprietary will be withheld from public disclosure 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 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 301-415-3016.

Sincerely,



Robert M. Pulsifer, Project Manager, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Project No. 691

cc: See next page

cc:

Mr. James M. Kenny
BWR Owners' Group Vice Chairman
PP&L, Inc.
Mail Code GENA6-1
Allentown, PA 18101-1179

Mr. Thomas G. Hurst
GE Nuclear Energy
M/C 182
175 Curtner Avenue
San Jose, CA 95125

Mr. Thomas J. Rausch
RRG Chairman
Commonwealth Edison Company
Nuclear Fuel Services
1400 Opus Place, 4th Floor
Downers Grove, IL 60515-5701

Mr. Thomas A. Green
GE Nuclear Energy
M/C 182
175 Curtner Avenue
San Jose, CA 95125

Mr. Drew B. Fetters
PECO Energy
Nuclear Group Headquarters
MC 61A-3
965 Chesterbrook Blvd.
Wayne, PA 19087-5691

Mr. W. Glenn Warren
BWR Owners' Group Chairman
Southern Nuclear Company
42 Inverness Parkway
P.O. Box 1295
Birmingham, AL 35201

Mr. H. Lewis Sumner
Southern Nuclear Company
40 Inverness Parkway
PO Box 1295
Birmingham, GA 35201

Mr. Carl D. Terry
Vice President, Nuclear Engineering
Niagara Mohawk Power Corporation
Nine Mile Point - Station
OPS Bldg/2nd Floor
PO Box 63
Lycoming, NY 13093

Mr. George T. Jones
PP&L, Inc.
MC GENA6-1
Two North Ninth Street
Allentown, PA 18101

Mr. John Kelly
New York Power Authority
14th Floor Mail Stop 14K
Centroplex Building
123 Main Street
White Plains, NY 10601