

May 22, 2001

Mr. Oliver D. Kingsley, President  
Exelon Nuclear  
Exelon Generation Company, LLC  
1400 Opus Place, Suite 500  
Downers Grove, IL 60515

SUBJECT: BRAIDWOOD STATION, UNITS 1 AND 2, AND BYRON STATION, UNITS 1  
AND 2 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC  
DISCLOSURE (TAC NO. MA9426, MA9427, MA9428, AND MA9429)

Dear Mr. Kingsley:

By your letter dated April 10, 2001, and Babcock & Wilcox Canada Ltd. affidavit executed by Michael D. Lees dated April 5, 2001, you submitted a proprietary document entitled, "Replacement Steam Generators Flow-Induced Vibration Analysis Report," and you requested that it be withheld from public disclosure pursuant to 10 CFR 2.790(b)(4).

Babcock & Wilcox Canada Ltd. 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 and has been held in confidence by B&W.
- (ii) The information is of a type customarily held in confidence by B&W and not customarily disclosed to the public. B&W has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitutes B&W policy and provides the rational basis required.

The NRC staff has 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 versions of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(4) 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

Mr. Oliver D. Kingsley

- 2 -

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 301-415-3019.

Sincerely,

*/RA/*

George F. Dick Jr., Sr. Project Manager, Section 2  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-456, STN 50-457,  
STN 50-454, and STN 50-455

cc: See next page

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George F. Dick Jr., Sr. Project Manager, Section 2  
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Office of Nuclear Reactor Regulation

Docket Nos. STN 50-456, STN 50-457,  
STN 50-454, and STN 50-455

cc: See next page

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\*See previous concurrence

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Byron/Braidwood Stations

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