



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 24, 1996

Mr. J. H. Taylor, Manager
Licensing Services
B&W Nuclear Technologies
P.O. Box 10935
Lynchburg, VA 24506-0935

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR
FRAMATOME TECHNOLOGIES LETTER OF SEPTEMBER 9, 1996

Dear Mr. Taylor:

By letter dated September 9, 1996, you submitted information to be discussed in a meeting with the NRC staff on September 11, 1996. The information pertained to product and technology development activities and consisted of:

- Exhibit A: FCF/NRC Meeting, FCF Product and Technology Development Activities, September 11, 1996, FCF Presentation Material, proprietary version.
- Exhibit B: FCF/NRC Meeting, FCF Product and Technology Development Activities, September 11, 1996, FCF Presentation Material, nonproprietary version.

In the letter, you requested that certain identified information in Exhibit A be considered proprietary and be withheld from public disclosure pursuant to 10 CFR 2.790. The enclosed affidavit dated September 9, 1996 from you stated that this information has been held in confidence by Framatome Technologies Inc. and should be considered exempt from mandatory public disclosure for the following reasons:

- (a) The information reveals data or material concerning FTI research or development plans or programs of present or potential competitive advantage to FTI.
- (b) The use of the information by a competitor would decrease its expenditures, in time or resources, in designing, producing or marketing a similar product.
- (c) The information consists of test data or similar data concerning a process, method, component, the application of which results in a competitive advantage to FTI.

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September 24, 1996

We have reviewed your submittal and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of statements by FTI, have determined that the submitted information sought to be withheld does contain trade secrets or proprietary commercial information.

Therefore, we have determined that Exhibit A, which is 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 disclosure should change in the future such that the information could then be made available for public inspection, you should promptly notify the Nuclear Regulatory Commission (NRC). You should also understand that NRC may have cause to review this determination in the future if, for example, the scope of a Freedom of Information Act request included your information. In all review situations, if the NRC needs additional information from you or 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 please contact Mr. Birmingham by phone 301/415-2829 or email jlb4@nrc.gov.

Sincerely,



Joseph L. Birmingham, Project Mgr.
Generic Issues and Environmental
Projects Branch
Office of Nuclear Reactor Regulation

cc: See next page

Project No. 693

September 24, 1996

We have reviewed your submittal and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of statements by FTI, have determined that the submitted information sought to be withheld does contain trade secrets or proprietary commercial information.

Therefore, we have determined that Exhibit A, which is 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.

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Sincerely,

Joseph L. Birmingham, Project Mgr.
Generic Issues and Environmental
Projects Branch
Office of Nuclear Reactor Regulation

cc: See next page
Project No. 693

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B&W Owners Group

Project No. 693

cc Mr. J. W. Hampton, Chairman
B&WOG Executive Committee
Duke Power Company
ONO 1VP
P.O. Box 1439
Seneca, SC 29579

Mr. R. B. Borsum
B&W Nuclear Technologies
Suite 525
1700 Rockville Pike
Rockville, MD 20852-1631