

50-366



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

April 17, 1997

Mr. H. L. Sumner, Jr.  
Vice President  
Southern Nuclear Operating  
Company, Inc.  
Post Office Box 1295  
Birmingham, Alabama 35201-1295

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
EDWIN I. HATCH NUCLEAR PLANT, UNIT 2 (TAC NO. M97383)

Dear Mr. Sumner:

By letter dated January 27, 1997, Georgia Power Company submitted additional information to its December 3, 1996, amendment request for changes to Technical Specification 2.1.1.2, "Safety Limits." Certain information provided in the January 27, 1997, submittal was provided by General Electric (GE) and is considered proprietary. By affidavit dated January 23, 1997, GE requested that the information provided be withheld from public disclosure pursuant to 10 CFR 2.790.

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

- a. The information 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. The 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; and
- c. The information is classified as proprietary because it would provide other parties, including competitors, with information related to detailed results of analytical models, methods and processes, including computer codes, which GE has developed, requested NRC approval of, and applied to perform evaluations of the BWR. The development of the evaluation process along with the interpretation and application of the analytical results is derived from the extensive experience database that constitutes a major GE asset.

We have reviewed Georgia Power's application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of GE's affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information.

Therefore, the version(s) of the submitted information 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.

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H. L. Sumner, Jr.

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April 17, 1997

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.

Sincerely,

ORIGINAL SIGNED BY:

Kahtan N. Jabbour, Senior Project Manager  
Project Directorate II-2  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket No. 50-366

cc: See next page

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Sincerely,

*Kahtan N. Jabbour*

Kahtan N. Jabbour, Senior Project Manager  
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