

70-1257



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 10, 1997

Mr. L. J. Maas
Manager, Regulatory Compliance
Siemens Power Corporation
2101 Horn Rapids Road
Richland, Washington 99352-0130

SUBJECT: PUBLIC DISCLOSURE DETERMINATION: 1995 ALARA REPORT

Dear Mr. Maas:

This is in response to your letters dated January 2, 1997, and May 21, 1997, and affidavit, executed by Raymond E. Vaughan dated May 20, 1997, requesting that pages 2, 6, 7, 8, 9, and 45 of the 1995 ALARA report, submitted November 11, 1996, be withheld from public disclosure pursuant to 10 CFR 2.790.

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

1. The information contained in the subject document has been held in confidence by Siemens Power Corporation, in that it contains trade secrets and financial information and is customarily held in such confidence;
2. The information is not available in public sources, and Siemens Power Corporation, Inc., is transmitting it to the NRC in confidence.
3. The information would cause harm to Siemens Power Corporation's competitive position if disclosed publicly.

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.

Therefore, the version of the submitted information marked as proprietary will be withheld from the 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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Mr. L. J. Maas

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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:

Elizabeth Q. Ten Eyck, Director
Division of Fuel Cycle Safety
and Safeguards, NMSS

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