

March 15, 2000

Mr. J. H. Swailes
Vice President of Nuclear Energy
Nebraska Public Power District
P. O. Box 98
Brownville, NE 68321

SUBJECT: COOPER STATION - REQUEST FOR WITHHOLDING INFORMATION FROM
PUBLIC DISCLOSURE (TAC NO. MA7705)

Dear Mr. Swailes:

By your application dated December 15, 1999, you submitted proposed changes to Cooper Nuclear Station technical specifications on the average power range monitors neutron flux-high (flow-biased) allowable value. Your submittal contained, as attachment 3, a draft copy of the GE Nuclear Energy Document entitled "Maximum Extended Load Line Limit and Increased Core Flow for Cooper Nuclear Station," draft, NEDC-32914P, Revision B, December 1999. By letter dated February 9, 2000, we allowed withholding of this draft report from public disclosure pursuant to 10 CFR 2.790. Your letter dated February 15, 2000, and General Electric Company's (GE's) affidavit dated February 2, 2000, executed by George B. Stramback, forwarded the final version of the GE Nuclear Energy Document entitled "Maximum Extended Load Line Limit and Increased Core Flow for Cooper Nuclear Station," NEDC-32914P, Revision 0, January 2000. You requested that this document be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version was submitted for placement in the NRC public document room.

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

1. The information discloses a process, method, or apparatus where prevention of its use by GE's competitors without license from GE constitutes a competitive economic advantage over other companies.
2. The information consists of supporting data and analyses, including test data relative to a process, method, or apparatus, the application of which would provide a competitive economic advantage, e.g., by optimization or improved marketability.

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 and should be withheld from public disclosure.

Therefore, the version 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.

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 301-415-3053.

Sincerely,

/RA/

Lawrence J. Burkhart, Project Manager, Section 1
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-298

cc: See next page

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Lawrence J. Burkhart, Project Manager, Section 1
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Cooper Nuclear Station

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