

April 5, 2000

Mr. Govinda Srikantiah, Manager
Steam Generator Dynamics
Science & Technology Division
Electric Power Research Institute
3412 Hillview Avenue
Palo Alto, CA 94304

SUBJECT: SOUTH TEXAS PROJECT, UNIT 2, REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE - ELECTRIC POWER RESEARCH INSTITUTE (EPRI), TOPICAL REPORT TR-107625, "STEAM GENERATOR INDICATIONS RESTRICTED FROM BURST (IRB) LEAK TEST REPORT," SEPTEMBER 1998 (TAC NO. MA8313)

Dear Mr. Srikantiah:

By STP Nuclear Operating Company's (STPNOC's) application dated February 21, 2000, and EPRI's affidavit dated February 1, 2000, executed by John Bateman, STPNOC submitted an application for amendment and requested that Attachment 11, EPRI Report TR-107625, "Steam Generator Indications Restricted from Burst (IRB) Leak Test Report," September 1998, 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:

If consultants and other businesses providing services in the electric power industry were able to obtain the Information, they would be able to use it commercially for profit and avoid spending the large amount of money that EPRI was required to spend to obtain the Information.

The Information is not available in public sources. EPRI developed the Information only after making a determination that the Information was not available from public sources. EPRI was required to spend a large amount of money through payments to contractors. In addition, EPRI was required to use a large amount of time of EPRI employees. Finally, the Information was developed only after a long period of effort.

A public disclosure of the Information would be highly likely to cause substantial harm to EPRI's competitive position. The Information can be properly acquired or duplicated by others only with an equivalent investment of time and effort.

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 301-415-1278.

Sincerely,

/RA/

John A. Nakoski, Senior Project Manager, Section 1
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-499

cc: See next page

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Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-499

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