

July 30, 2001

Mr. Douglas E. Cooper  
Site Vice President  
Palisades Plant  
Nuclear Management Company, LLC  
27780 Blue Star Memorial Highway  
Covert, MI 49043

SUBJECT: PALISADES PLANT - REQUEST FOR WITHHOLDING INFORMATION FROM  
PUBLIC DISCLOSURE (TAC NO. MB2245)

Dear Mr. Cooper:

By a letter dated June 14, 2001, and affidavit dated June 13, 2001, executed by Steven T. Wawro, Nuclear Management Company, LLC (NMC), provided information on behalf of Consumers Energy Company and requested that the letter be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary copy of that letter has been placed in the NRC public document room and added to the Agencywide Documents Access and Management Systems Publicly Available Records System (ADAMS PARS) Library.

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

- i. This information is pre-decisional, and, as such, will be held in confidence by NMC and Consumers Energy Company.
- ii. This information is being transmitted voluntarily to the NRC in confidence solely to assist NRC planning and budgeting activities.
- iii. This information is not available in public sources and could not be gathered readily from other public information.
- iv. Public disclosure of this information could cause substantial harm to the economic and competitive position of Consumers Energy Company by prematurely making public certain plans for the Palisades Plant, thereby providing information to parties whose commercial or other interests may be adverse to those of Consumers Energy Company.

We have reviewed your letter 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(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.

Mr. Douglas E. Cooper

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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 301-415-3049.

Sincerely,

*/RA/*

Darl S. Hood, Project Manager, Section 1  
Project Directorate III  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-255

cc: See next page

Mr. Douglas E. Cooper

- 2 -

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AVegel, RIII ACRS

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DATE	07/20/01	07/20/01	07/24/01	07/30/01

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Palisades Plant

cc:

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May 2001