

May 20, 2004

Mr. Edward J. Weinkam
Director, Regulatory Services
Nuclear Management Company LLC
700 First Street
Hudson, WI 54016

SUBJECT: NUCLEAR MANAGEMENT COMPANY, LLC - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE AND CLOSED MEETING WITH
THE NUCLEAR REGULATORY COMMISSION TO DISCUSS REFUELING
PLANS BY NUCLEAR MANAGEMENT COMPANY, LLC (TAC NOS. MC3063
AND MC3064)

Dear Mr. Weinkam:

On March 22, 2004, the Nuclear Management Company, LLC (NMC), submitted a letter and an affidavit, executed by Lyle H. Bohn, requesting a closed meeting with the Nuclear Regulatory Commission (NRC) staff at which proprietary information would be discussed. As a result of discussions with the NRC staff, by letter dated April 30, 2004, NMC submitted a revised affidavit executed by Lyle H. Bohn. NMC requested that some of the information contained in the slides to be presented at the meeting, be withheld from public disclosure pursuant to 10 CFR 2.390.

By letter dated May 7, 2004, NMC noted that some of the information in one of the non-proprietary slides that was sent with the April 30, 2004, letter, was considered proprietary. The May 7, 2004, letter contained a new set of combined non-proprietary and proprietary slides (ADAMS Accession No. ML041350103).

A non-proprietary version of these slides has been placed in the NRC's Public Document Room and added to the Agency wide Documents Access and Management System Public Electronic Reading Room (ADAMS Accession No. ML041380378).

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

- The information is privileged and of a type customarily held in confidence by NMC
- The information will be presented to the NRC by NMC in confidence
- The information is not available in public sources
- Public disclosure of the information is likely to cause substantial financial harm to the competitive position of NMC

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 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 submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(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 301-415-8371.

Sincerely,

/RA/

Mahesh Chawla, Project Manager, Section I
Project Directorate 3
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-282 and 50-306

cc: See next page

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Mahesh Chawla, Project Manager, Section I
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DISTRUBUTION

PUBLIC

PDIII-1 R/F

RidsNrrDlpmLpdiii1(Raghavan)

RidsNrrPMAMcMurtary

RidsNrrLATHarris

RidsNrrPMMChawla

F. Akstulewicz

J. Uhle

RidsNrrDlpmiii (Ruland)

RidsNrrPMJStang

RidsOgcRp

P. Louden (Region 3)

ACCESSION NUMBER: ML041380172

OFFICE	PDIII-1/PM	PDIII-1/LA	SRXB/A:SC	OGC	PDIII-1/SC
NAME	MChawla	BAC for: THarris	Fakstulewicz	TRothchild-NLO	LRaghavan
DATE	05/19/04	05/19/04	05/ 20 /04	05/19 /04	05/20/04

OFFICIAL RECORD COPY

Prairie Island Nuclear Generating Plant,
Units 1 and 2

cc:

Jonathan Rogoff, Esquire
Vice President, Counsel & Secretary
Nuclear Management Company, LLC
700 First Street
Hudson, WI 54016

Manager, Regulatory Affairs
Prairie Island Nuclear Generating Plant
Nuclear Management Company, LLC
1717 Wakonade Drive East
Welch, MN 55089

Manager - Environmental Protection Division
Minnesota Attorney General's Office
445 Minnesota St., Suite 900
St. Paul, MN 55101-2127

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
1719 Wakonade Drive East
Welch, MN 55089-9642

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4351

Administrator
Goodhue County Courthouse
Box 408
Red Wing, MN 55066-0408

Commissioner
Minnesota Department of Commerce
121 Seventh Place East
Suite 200
St. Paul, MN 55101-2145

Tribal Council
Prairie Island Indian Community
ATTN: Environmental Department
5636 Sturgeon Lake Road
Welch, MN 55089

Nuclear Asset Manager
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414 Nicollet Mall, R.S. 8
Minneapolis, MN 55401

John Paul Cowan
Executive Vice President & Chief Nuclear
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Craig G. Anderson
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Site Vice President
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November 2003