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 FACIL: 50-220 Nine Mile Point Nuclear Station, Unit 1, Niagara Power 05000220
 AUTH. NAME AUTHOR AFFILIATION
 MANGAN, C.V. Niagara Mohawk Power Corp.
 RECIP. NAME: RECIPIENT AFFILIATION
 VASSALLO, D.B. Operating Reactors Branch 2

SUBJECT: Forwards public version of "State & County Users Manual for
 Meteorological/Radiological Computer Sys" & Vol II, Rev 3.
 to "Class A Atmospheric Dispersion & Radiological Dose
 Assessment Model." W/o Vol II, Rev 3 to "Class A...."

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NOTES: 05000220
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1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is assigned to the case. The investigator will then conduct a thorough search of the records and other sources of information to determine the facts of the case. This is followed by the analysis of the information and the formulation of a hypothesis. The hypothesis is then tested by further investigation and the results are compared with the hypothesis. If the hypothesis is found to be correct, the case is closed. If not, the investigator will continue to search for more information until the case is solved.

1. The following information was obtained from a review of the records of the Federal Bureau of Investigation (FBI) and the United States Customs and Border Protection (CBP) regarding the activities of the [redacted] and the [redacted] in the [redacted] area.

SECRET

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NIAGARA MOHAWK POWER CORPORATION/300 ERIE BOULEVARD WEST, SYRACUSE, N.Y. 13202/TELEPHONE (315) 474-1511

November 2, 1984

Director of Nuclear Reactor Regulation
Attention: Mr. Domenic B. Vassallo, Chief
Operating Reactors Branch No. 2
Division of Licensing
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Nine Mile Point Unit 1
Docket No. 50-220
DPR-63

Dear Mr. Vassallo:

As recommended by NUREG-0654, Niagara Mohawk Power Corporation hereby submits the Class A meteorological model used at its Nine Mile Point Nuclear Station. This Class A meteorological model is used to augment our emergency preparedness program.

The information provided in this submittal is considered by its preparer, Energy Impact Associates, Inc., to contain proprietary information. Accordingly, we are submitting herewith an Application for Withholding of Proprietary Information from Public Disclosure pursuant to the provisions of Section 2.790(b)(1) of the Commission's Regulations.

Also enclosed for your information and use is one copy of the Nine Mile Point Nuclear Station Procedure entitled, "State and County Users Manual for the Meteorological Radiological Computer System." This procedure, provided as recommended by Regulatory Guide 1.23 and NUREG-0654, contains information and instruction on remote interrogation of the computer system.

Sincerely,

NIAGARA MOHAWK POWER CORPORATION

C. V. Mangan
C. V. Mangan
Vice President

Nuclear Engineering and Licensing

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Enclosures

xc: Dr. Thomas A. Murley, Regional Administrator (w/enclosure)
Nuclear Regulatory Commission
Region I
631 Park Avenue
King of Prussia, PA 19406

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

.....
In the Matter of
Niagara Mohawk Power Corporation
(Nine Mile Point Unit 1)
.....

Docket No. 50-220

APPLICATION FOR WITHHOLDING

OF

PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE

Pursuant to Section 2.790(b)(1) of the Regulations of the Nuclear Regulatory Commission, 10CFR50 2.790(b)(1), Niagara Mohawk Power Corporation hereby makes application to withhold from public disclosure certain proprietary information contained in a document prepared by Energy Impact Associates entitled:

"Class A Atmospheric Dispersion and Radiological Dose Assessment Model for the Nine Mile Point Nuclear Station and the J. A. FitzPatrick Nuclear Power Plant, Volume II, Model Formulation."

A copy of said document is enclosed with this application. Document contents considered proprietary by Energy Impact Associates, Inc. are bracketed throughout the document and marked with an asterisk to indicate their proprietary nature.

In support of this application, enclosed herewith is an Affidavit containing a full statement of the reasons for this request for withholding from public disclosure executed by James H. Wright, President of Energy Impact Associates, Inc.

WHEREFORE, Niagara Mohawk Power Corporation respectfully requests that said proprietary information be withheld from public disclosure.

C. V. Mangan

Niagara Mohawk Power Corporation
C. V. Mangan
Vice President
Nuclear Engineering & Licensing

Signed and sworn to before me this

2nd day of November, 1984

Christine Austin

Notary Public

CHRISTINE AUSTIN
Notary Public in the State of New York
Qualified in Onondaga Co. No. 4787637
My Commission Expires March 30, 1985

AFFIDAVIT OF DR. JAMES H. WRIGHT
IN SUPPORT OF APPLICATION TO WITHHOLD
PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF ALLEGHENY :

Before me, a Notary Public in and for the said Commonwealth, appeared Dr. James H. Wright, to me known, who, being by me first duly sworn according to law, deposed as follows:

1. I am the president of Energy Impact Associates, Inc. ("EIA"), an environmental engineering firm doing business at 2400 Ardmore Boulevard, Pittsburgh, Pennsylvania 15221. I am authorized to apply on behalf of EIA to the U. S. Nuclear Regulatory Commission pursuant to 10-C.F.R. § 2.790 for the withholding from public disclosure of the documents and information discussed in this Affidavit.

2. This Affidavit is made in support of the application of EIA to have certain documents and information withheld from public disclosure and treated and protected by the U. S. Nuclear Regulatory Commission as trade secrets or confidential and privileged commercial information.

3. The specific information which EIA wishes withheld from public disclosure is contained in the following document:

"Class A Atmospheric Dispersion and Radiological Dose Assessment Model for the Nine Mile Point Nuclear Station and the J. A. Fitzpatrick Nuclear Power Plant, Volume II, Model Formulation."

The EIA proprietary information in this document has been identified by use of brackets. This document describes in detail EIA's methodology for modeling atmospheric dispersion and radiological dose assessment for nuclear power plant emissions. This methodology has great value and potential for use in the nuclear power industry in particular and in the power industry in

general. EIA has expended much time and money in the development of this proprietary methodology. Approximately 21,500 man-hours of engineering effort has been applied to this work. The cost of the development expense to date is approximately \$1.3 million. This methodology and related information is of a type customarily held in confidence by EIA and not customarily disclosed to the public. EIA has a rational basis, described in this Affidavit, for treating the methodology and related information as confidential. The methodology and related information have been treated and protected by EIA as confidential proprietary matter. All portions of the above-referenced report which constitutes confidential proprietary matter have been clearly marked as such. EIA clients who have been provided with this information have contracted with EIA to protect this information as secret and confidential and signed confidentiality agreements have been obtained from such clients. This material is not available in any public source to the best of my knowledge and belief.

4. The proprietary material being submitted to the U. S. Nuclear Regulatory Commission is the product of the scientific and engineering expertise and judgment of EIA and its staff and is a valuable commercial asset of EIA. As noted above, EIA has invested over 21,500 man-hours of engineering effort and has spent approximately \$1.3 million in developing this proprietary methodology. This is a very significant investment for a small firm of the size of EIA. Possession of this proprietary information gives EIA a commercial advantage in marketing its environmental engineering services. Public disclosure of this information would substantially harm EIA's competitive position since EIA's unique background of theoretical and practical experience in this area made development of the methodology possible at great expense to the company. If this proprietary information were publicly disclosed, it would significantly enhance the ability of EIA's competitors to develop and sell a similar methodology without incurring commensurate development expenses. The EIA proprietary information is so detailed that if it were to be publicly disclosed, EIA competitors could copy EIA's very sophisticated modeling technique at virtually no cost and place EIA at a great competitive disadvantage in the marketplace.

5. The information identified in Paragraph 3 which EIA wants withheld from public disclosure was determined to be proprietary in accordance with the procedure described in Enclosure 1 entitled "Procedure of Energy Impact Associates, Inc. For Determining Whether Information Is Proprietary." The criteria and standards utilized by EIA in making that determination are set forth in Attachment A to that Enclosure.

Further, the deponent sayeth not.

J. Wright
James H. Wright

Sworn to and subscribed
before me this day
of , 1984.

Notary Public

DEANNA K. WATERS, NOTARY PUBLIC
FOREST HILLS BOBO, ALLEGHENY COUNTY
MY COMMISSION EXPIRES NOV. 26, 1987
Member, Pennsylvania Association of Notaries

Enclosure 1

PROCEDURE OF ENERGY IMPACT ASSOCIATES, INC.
FOR DETERMINING WHETHER INFORMATION IS PROPRIETARY

In determining whether documents are to be classified as proprietary, the following procedure is used by Energy Impact Associates, Inc. ("EIA"): an initial determination as to whether a document contains information which should be classified as proprietary is made by the author of such document. The author generally is the person most knowledgeable with respect to the contents of such document, the nature of the sensitivity of information contained in the document, the state of the art and knowledge in the industry with respect to the subject matter of the document, and the usefulness of the information contained in the document with respect to assisting competitors of EIA or giving EIA a competitive advantage relating to such subject matter.

If a preliminary determination is made that a document contains proprietary material, the specific words, numbers, graphs or other items in the document which are proprietary are identified. Criteria and standards utilized by EIA in determining whether information is proprietary are those discussed in Attachment A. The initial determination with respect to proprietary contents is reviewed by the supervisor of the originator of the document. Finally, that determination is reviewed by Dr. James H. Wright, President of EIA. If, upon completion of such review, material contained in the document is determined to be proprietary, such material is classified as proprietary. At any stage of the review, communication may take place with legal or patent counsel.

Attachment A

Criteria and Standards Utilized by Energy Impact Associates, Inc., in Determining Whether Information is Proprietary

In determining whether information contained in a document or report is proprietary, the following criteria and standards are utilized by Energy Impact Associates, Inc.. ("EIA").. Information is proprietary if any one of the following criteria are met:

(a) It reveals the distinguishing aspects of a process (or component, method, model, etc.) where prevention of its use by any of EIA's competitors without license from EIA constitutes a competitive economic advantage over other companies.

(b) It consists of supporting data, including test data, relative to a process (or component, method, model, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.

(c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

(d) It reveals cost or price information or commercial strategies of EIA, its customers or suppliers.

(e) It reveals aspects of past, present or future EIA development plans and programs of potential commercial value to EIA.

(f) It contains patentable ideas, for which patent protection may be desirable.

(g) It is not the property of EIA, but must be treated as proprietary by EIA according to agreements with the owner.

² 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2