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FACIL: 50-410 Nine Mile Point Nuclear Station, Unit 2, Niagara Moha 05000410
AUTH. NAME AUTHOR AFFILIATION
MANGAN, C. V. Niagara Mohawk Power Corp.
RECIP. NAME RECIPIENT AFFILIATION
ADENSAM, E. G. BWR Project Directorate 3

SUBJECT: Forwards proprietary "10CFR60 Waste Form Conformance Program for Solidified Process Waste Products Produced by Waste Chem Corp Vol Reduction & Solidification Sys," closing out SER Confirmatory Issue 46. Program withheld. (See Ltr (PRop))

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NIAGARA MOHAWK

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

April 11, 1986
(NMP2L 0684)

Ms. Elinor G. Adensam, Director
BWR Project Directorate No. 3
U.S. Nuclear Regulatory Commission
7920 Norfolk Avenue
Washington, DC 20555

Dear Ms. Adensam:

Re: Nine Mile Point Unit 2
Docket No: 50-410

My letter to you dated January 2, 1986 (NMP2L 0573) transmitted the Process Control Program (PCP) for Nine Mile Point Unit 2 Solid Waste Management System. My letter of January 17, 1986 (NMP2L 0587) transmitted a revised version of the PCP, as well as copies of two procedures mentioned therein. This letter presents additional information on the Process Control Program.

As described in the earlier letters, a testing program is being carried out by the Waste Chem Corporation to demonstrate compliance of their volume reduction and solidification system with the Nuclear Regulatory Commission Low Level Licensing Branch Technical Position on Waste Form. A significant portion of that testing program has been completed, and the results submitted by Waste Chem to the Division of Waste Management. Seven copies of that submittal are enclosed for your review. Note that the material contained in the submittal is considered proprietary by Waste Chem Corporation, and accordingly, withholding from public disclosure of the enclosure is hereby requested. Attached is an affidavit from Waste Chem supporting our application for withholding from public disclosure. The remainder of the test program, that involving the Bartha-Pramer biodegradation rate tests, is still in progress. Waste Chem is planning to submit these results to the Division of Waste Management by May 15, 1986. We plan to submit those results to you by May 30, 1986.

Niagara Mohawk will perform a full scale preoperational test of the asphalt-based volume reduction and solidification system after installation. Niagara Mohawk will not solidify any wastes by this method before the results of the preoperational test have been submitted to and approved by the Office of Nuclear Reactor Regulation.



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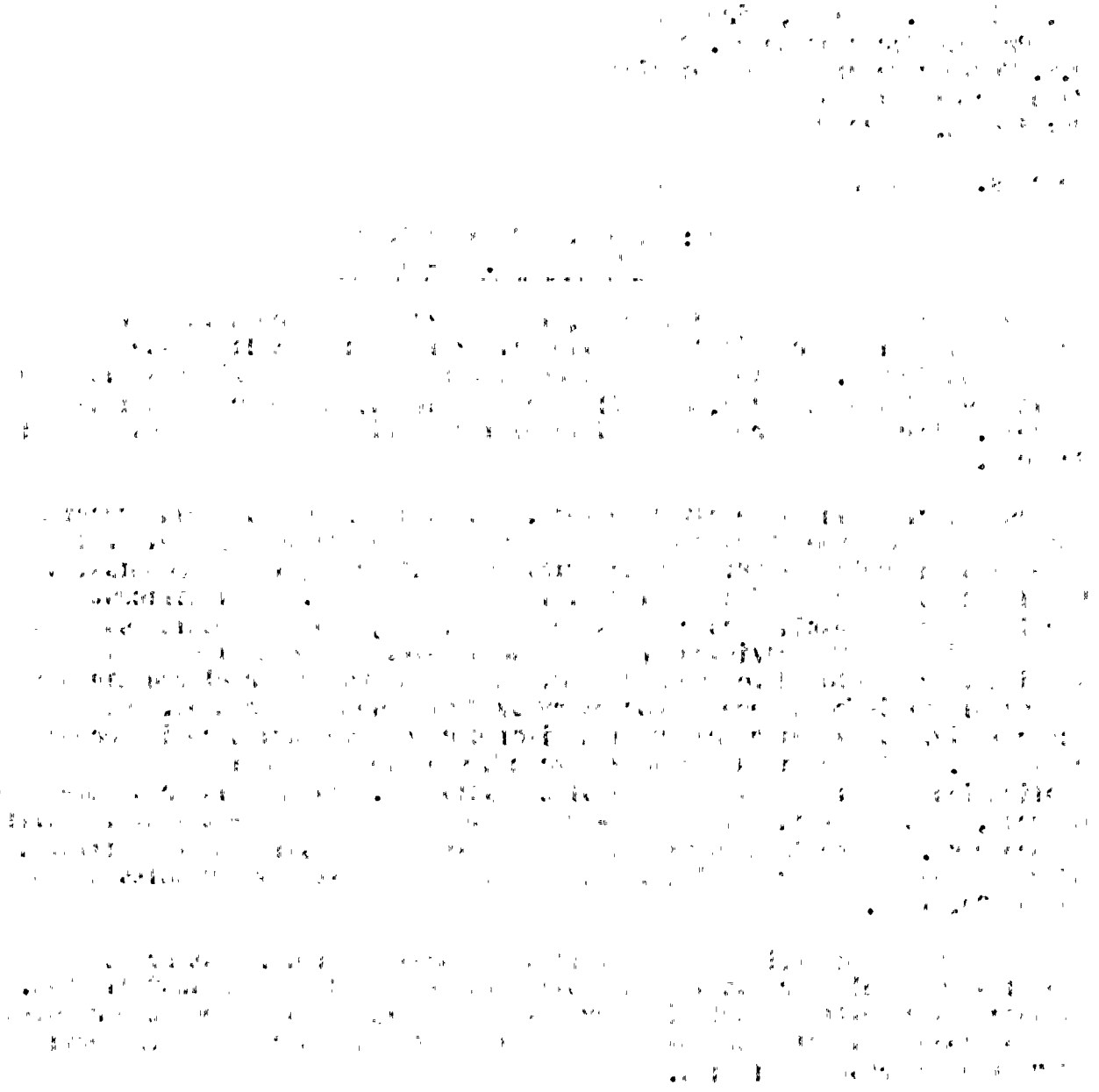

In the event that the Waste Chem system is not approved by the Office of Nuclear Material Safety and Safeguards by the time it is required, we intend to use the contract services of NUS to solidify wastes on an interim basis. The system will be used in full compliance with the Nuclear Regulatory Commission approved Topical Report and Nuclear Regulatory Commission Safety Evaluation Report. Your approval for the use of the NUS system under these conditions is hereby requested.

We believe that we have now submitted all the material necessary to close out Confirmatory Issue number 46, with the exception of the biodegradation test data mentioned earlier. It is our understanding that if those data are not submitted prior to the issuance of a license for Nine Mile Point Unit 2, the need for submittal and approval of the data will be treated as a license condition.

Very truly yours,

C. V. Mangan
Senior Vice President

RAC:ja
1453G

xc: R. A. Gramm, NRC Resident Inspector
Project File (2)

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of )

Niagara Mohawk Power Corporation ) Docket No. 50-410

(Nine Mile Point Unit 2) )

AFFIDAVIT

C. V. Mangan, being duly sworn, states that he is Senior Vice President of Niagara Mohawk Power Corporation; that he is authorized on the part of said Corporation to sign and file with the Nuclear Regulatory Commission the documents attached hereto; and that all such documents are true and correct to the best of his knowledge, information and belief.

C V Mangan

Subscribed and sworn to before me, a Notary Public in and for the State of New York and County of Onondaga, this 11th day of April, 1986.

Christine Austin
Notary Public in and for
Onondaga County, New York

My Commission Expires:
CHRISTINE AUSTIN
Notary Public in the State of New York
Qualified in Onondaga Co. No. 4787687
My Commission Expires March 30, 1987

CHRISTINE AUSTIN
Notary Public in the State of New York
Qualified in Onondaga Co. No. 4781687
My Commission Expires March 30, 19__

(State of New Jersey)
(County of Bergen)

I, David Enegess, residing at 86 Mary Ann Lane, Wyckoff, New Jersey, being duly sworn according to law depose and say I am Vice President of WasteChem Corporation and that:

1. For the reasons listed below, all the material contained in WasteChem's 10CFR61 Waste Form Conformance Report submitted to Niagara Mohawk Corporation (NMPC) which will be filed with the NRC by NMPC in connection with its license application for Nine Mile Point Nuclear Station - Unit 2, Docket No. 50-410, contains information considered by WasteChem to be confidential information containing trade secrets and should be withheld from public disclosure.

2. In support of its averment that the above-mentioned information is confidential, WasteChem provides the following reasons:

   a. The information sought to be withheld consists of data on the waste forms generated by WasteChem's proprietary Volume Reduction and Solidification System.

   b. The subject material was developed at considerable expenditure of WasteChem resources and is of substantial value to WasteChem in the conduct of its business. Their disclosure could have an adverse commercial impact on WasteChem. It is, accordingly, the customary practice of WasteChem to treat such material as confidential commercial information.

   c. To the best of my knowledge and belief, the identified material is not available from any public source and has not been made available to third parties, except in confidence.

David N. Enegess
Vice President - WasteChem Corporation

Signed and sworn before
me this 2 day of April, 1986.

Donald W. Faul
Attorney at Law
State of New Jersey