



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

Docket  
File

March 16, 1995

Mr. B. Ralph Sylvia  
Executive Vice President, Nuclear  
Niagara Mohawk Power Corporation  
Nine Mile Point Nuclear Station  
P.O. Box 63  
Lycoming, NY 13093

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE, NINE  
MILE POINT NUCLEAR STATION UNIT NO. 1 (NMP-1) (TAC NO. M89981)

Dear Mr. Sylvia:

By letter dated December 5, 1994, Niagara Mohawk Power Corporation (NMPC) submitted a response to our November 3, 1994, request for additional information regarding NMPC's license amendment request dated July 21, 1994. The December 5, 1994, response included: (1) General Electric (GE) report GENE-909-16-0393, "IRM/APRM Overlap Analysis for Nine Mile Point Nuclear Station Unit One," Revision 1, April 14, 1993 and (2) GE report GENE-909-39-1093, "IRM/APRM Overlap Improvement for Nine Mile Point Nuclear Station Unit One," March 8, 1994. The December 5, 1994, submittal requested that the above documents be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version of the December 5, 1994, submittal was submitted by NMPC's February 23, 1995, letter.

The December 5, 1994, submittal included an affidavit dated November 22, 1994, by George B. Stramback of GE, which stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies;
- b. Information which, if used 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;

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of GE's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. Therefore, the versions of the

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B. Sylvia

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March 16, 1995

submitted information marked as proprietary will be withheld from the 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.

Sincerely,



Gordon E. Edison, Senior Project Manager  
Project Directorate I-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket No. 50-220

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Sincerely,

Original signed by

Gordon E. Edison, Senior Project Manager  
Project Directorate I-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket No. 50-220

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B. Ralph Sylvia  
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