

Docket File

50-220



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 14, 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. M91273)

Dear Mr. Sylvia:

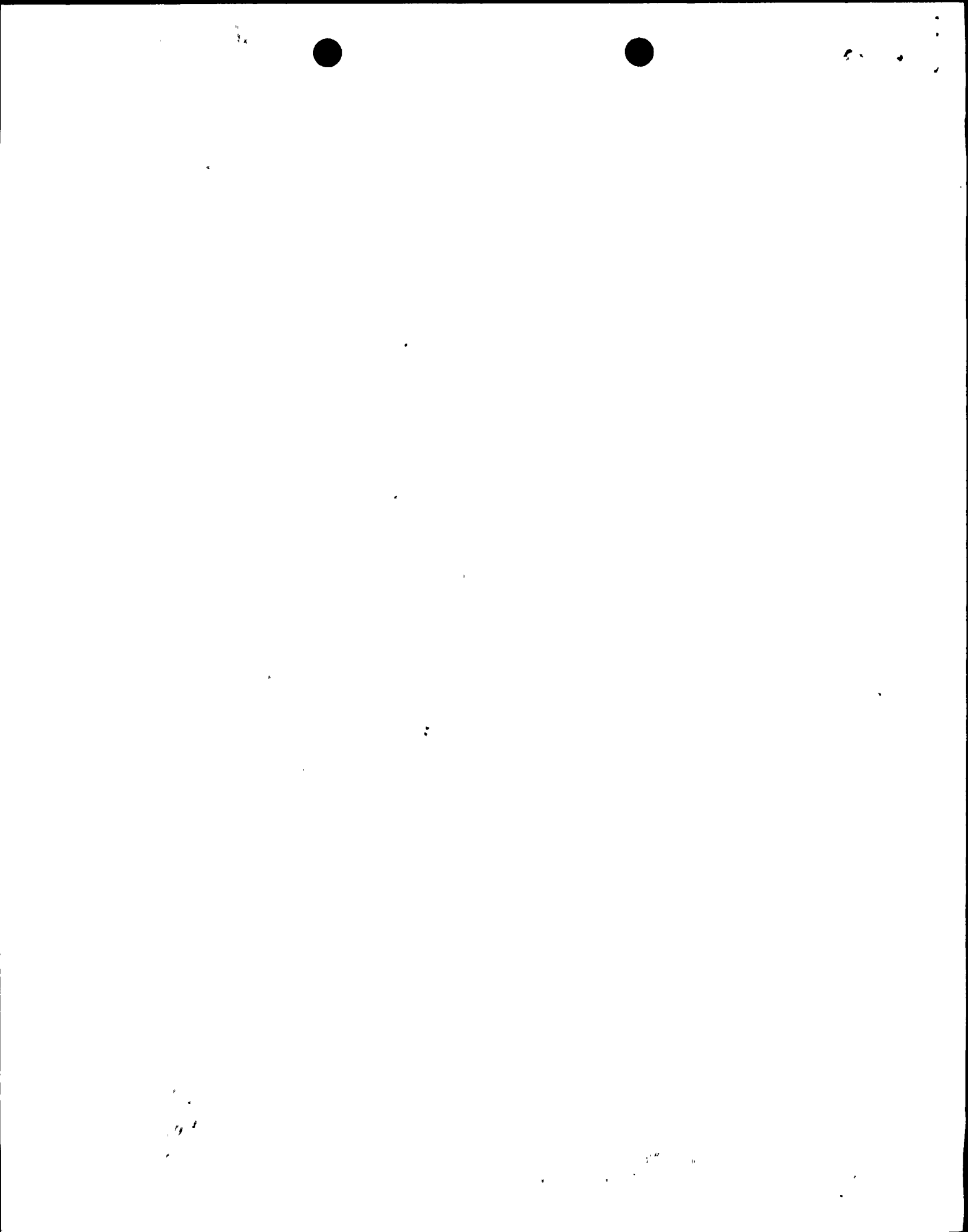
By letter dated January 23, 1995, Niagara Mohawk Power Corporation (NMPC) submitted for NRC review and approval, an updated final version of NMPC's January 6, 1995, design submittal for repairing the NMP-1 core shroud. The January 23, 1995, submittal included: (1) the final version of General Electric Company (GE) Report GENE-B13-01739-04, "NMP1 Shroud Repair Hardware Stress Analysis," Revision 0, December 1994; (2) GE Report GENE-B13-01739-05, "Safety Evaluation, GE Core Shroud Repair Design," Revision 1, January 1995; and (3) GE Drawing No. 107E5679, "Modification and Installation Drawings," Revision 2, December 1994. The January 23, 1995, submittal requested that the above documents be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version of the January 23, 1995, submittal was submitted by NMPC's January 26, 1995, letter. Revised GE affidavits were submitted in a letter dated March 24, 1995.

Three affidavits (one for each of the above noted documents), each dated March 13, 1995, by George B. Stramback of GE, 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;
- c. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

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B. Sylvia

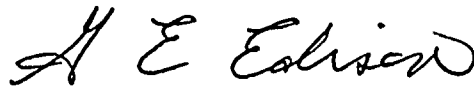
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We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of GE's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary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

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cc: See next page



B. Ralph Sylvia
Niagara Mohawk Power Corporation

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Lycoming, NY 13093



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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

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cc: See next page

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