

50-220



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001
May 5, 1997

Mr. Martin J. McCormick, Jr.
Vice President-Nuclear Engineering
Niagara Mohawk Generation
Business Group
P.O. Box 63
Lycoming, NY 13093

Date
6/19/97

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE -
NINE MILE POINT NUCLEAR STATION UNIT NO. 1

Dear Mr. McCormick:

By your application dated April 8, 1997, as supplemented by letter dated April 25, 1997, and affidavits dated April 7, 1997, and April 5, 1997, executed by George B. Strambach of General Electric Company (GE), and affidavit dated April 24, 1997, executed by Michael A. Smith of GE, you submitted GE-NE 523-B13-01869-043, "Assessment of the Vertical Weld Cracking on the NMP1 Shroud," Revision 1, Class III, dated April 1997; GENE B13-01739-40, "Shroud Repair Anomalies Nine Mile Point Unit 1," RF014, Revision 1, Class III, dated April 1997; and GENE B13-01739-22, "Design Report for Improved Shroud Repair Lower Support Retainers," Revision 1, Class III dated April 1997, and "Reactor Modification/Installation Drawing, 107E5679, Revision 7 and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. Non-proprietary versions were also submitted.

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

1. 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;
2. 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;
3. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.
4. The information identified is classified as proprietary because it contains detailed results of analytical models, methods and processes, including computer codes, which GE has developed and applied to perform evaluations of indications in the core shroud for the BWR.

The development and approval of the BWR Shroud Repair Program was achieved at a significant cost, on the order of one million dollars, to GE.

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The development of the evaluation process contained in the document along with the interpretation and application of the analytical results is derived from the extensive experience database that constitutes a major GE asset.

- 5. The information identified in paragraph (2), above, is classified as proprietary because it constitutes a confidential compilation of information, including detailed design drawing results of a hardware design modification (stabilizer for the shroud horizontal welds, intended to be installed in a reactor to resolve the reactor pressure vessel core shroud weld cracking concern. The development and approval of this including computer codes, which GE has developed and applied to perform evaluations of indications in the core shroud for the BWR.

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

Therefore, the version(s) of the submitted information marked as proprietary will be withheld from 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,

/s/

Darl S. Hood, 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

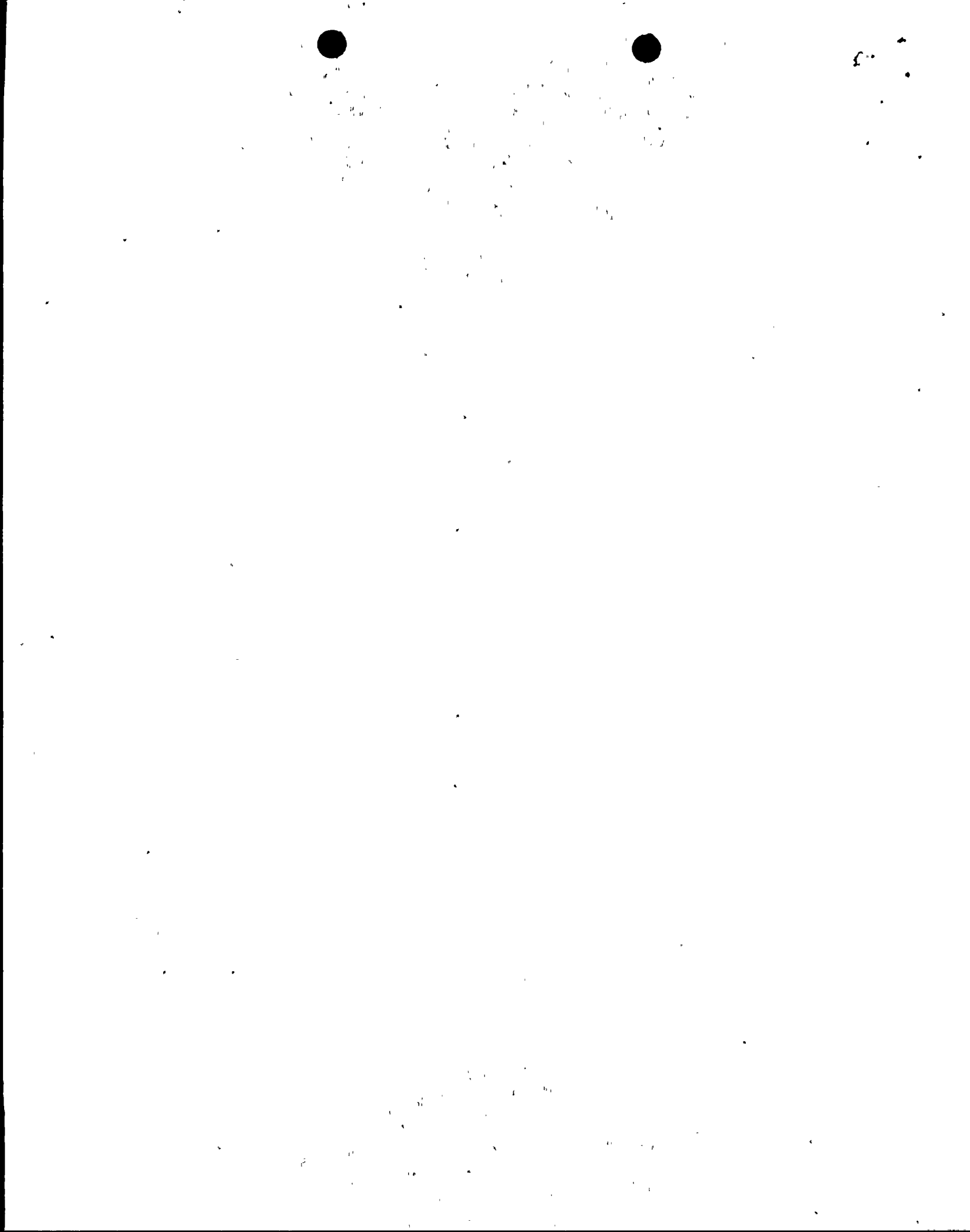
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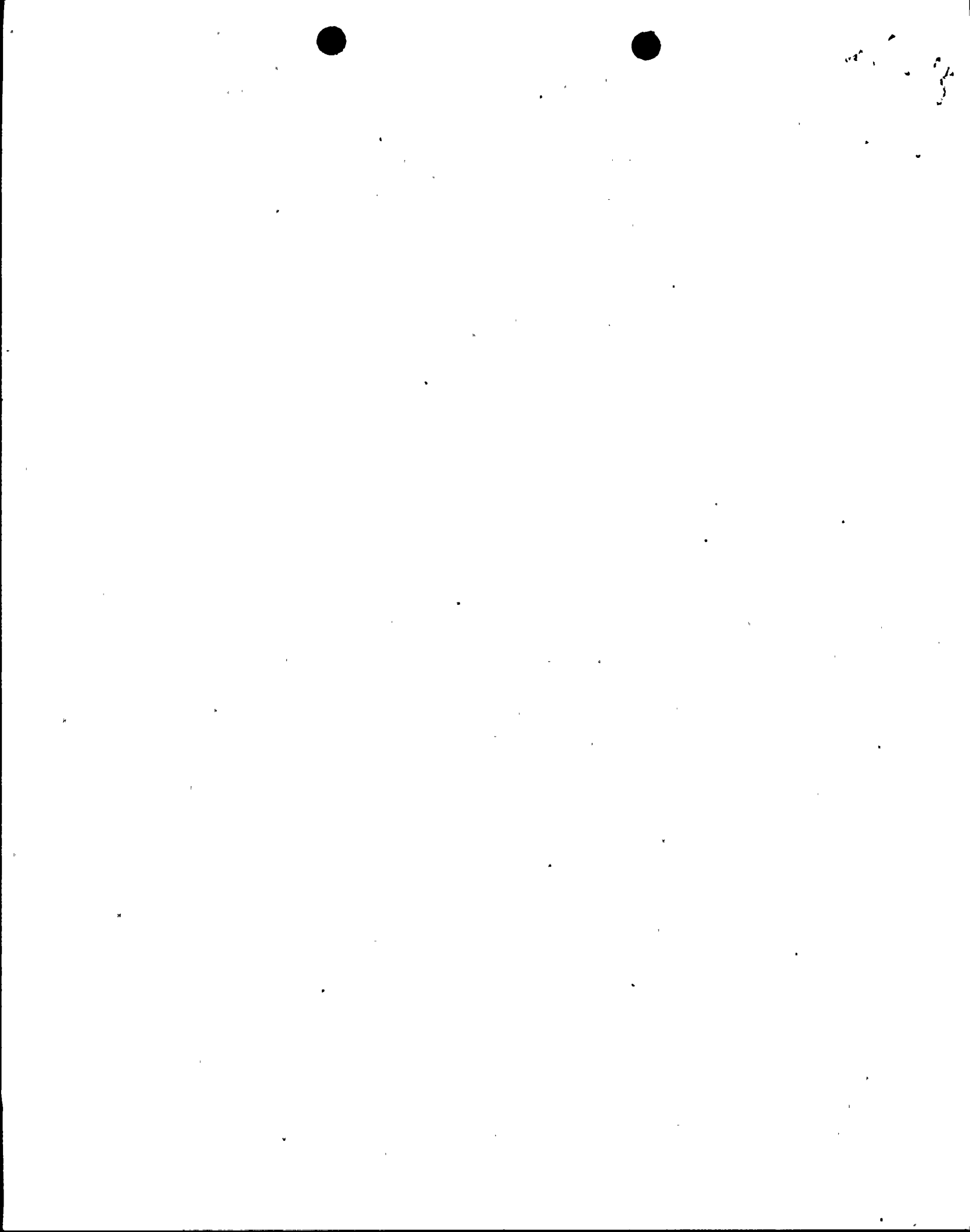
Sincerely,



Darl S. Hood, Senior Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

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