50-220

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

May 20, 1998

Mr. Richard B. Abbott
Vice President - Nuclear Engineering
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

Dear Mr. Abbott:

By your application dated April 16, 1998, and affidavit dated March 23, 1998, executed by George B. Stramback of General Electric (GE), you submitted GE-NE 523-B13-01869-113KKM, "Summary of KernKraftwerk Muehleberg Shroud Sample Metallurgical Evaluation" dated March 1998 and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790.

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. The information identified, is classified as proprietary because it contains detailed plant unique 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.

   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.

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.

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May 20, 1998

Therefore, the GE-NE 523-B13-01869-113KKM, "Summary of KernKraftwerk Muehleberg Shroud Sample Metallurgical Evaluation" dated March 1998 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,
Original Signed by:
Darl S. Hood, Senior Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-220

cc: See next page

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Darl S. Hood

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Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

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Richard B. Abbott
Niagara Mohawk Corporation

cc:

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