



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

November 6, 1989

Docket No. 50-289

Mr. Henry D. Hukill, Vice President
and Director - TMI-1
GPU Nuclear Corporation
P. O. Box 480
Middletown, Pennsylvania 17057

Dear Mr. Hukill:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. 75103)

By your application dated October 4, 1989 you submitted Technical Specification Change Request No. 196 and requested that a portion of it (BAW-2001P) be withheld from public disclosure pursuant to 10 CFR 2.790. Your submittal also transmitted an Affidavit of James H. Taylor of the Babcock & Wilcox Company providing justification for withholding BAW-2001P FROM public disclosure.

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

1. The information reveals data or material concerning research or development plans or programs of present or potential economic advantage to the B & W Owners Group.
2. The use of the information by a non-member would decrease his expenditures, in time or resources, in designing, producing, or marketing 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 the B & W Owners Group statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. Therefore, BAW-2001P dated June 1987, submitted with your October 4, 1989 request and 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.

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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/

Ronald W. Hernan, Senior Project
Manager
Project Directorate I-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page

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Mr. Henry D. Hukill

- 2 -

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Sincerely,


Ronald W. Hernan, Senior Project
Manager
Project Directorate I-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page

Mr. Henry D. Hukill
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Three Mile Island Nuclear Station,
Unit No. 1

cc:

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