



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

October 6, 1998

50-440

Mr. Lew W. Myers  
Vice President - Nuclear, Perry  
Centerior Service Company  
P.O. Box 97, A200  
Perry, OH 44081

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
- PERRY NUCLEAR POWER PLANT, UNIT NO. 1 (TAC NO. M96931)

Dear Mr. Myers:

By letter from FirstEnergy dated July 22, 1998 (PY-CEI/NRR-2299L), and Polestar Applied Technology, Inc.'s affidavit, executed by David E. W. Leaver, dated June 29, 1998, the following proprietary document was submitted:

PSAT 08401T.03 *Perry Plant Total Effective Dose Equivalent (TEDE) Calculations*

Polestar Applied Technology, Inc. requested that the proprietary information be withheld from public disclosure pursuant to 10 CFR 2.790. Polestar Applied Technology, Inc. stated that the information should be considered exempt from mandatory public disclosure for the following reasons:

- (4)a Information that discloses a process or method, including supporting data and analyses, where prevention of its use by Polestar's competitors without license from Polestar constitutes a competitive economic advantage over other companies.
- (4)b Information which, if used by a competitor, would significantly reduce his expenditure of resources or improve his competitive position in the analysis, design, assurance of quality, or licensing of a similar product.
- (8) The information identified [as listed] above, is classified as proprietary because it contains detailed information on models in current software which were developed by Polestar and are justified from numerous benchmark exercises and applications, detailed results of these models and analytical methods, and computer codes which Polestar has developed, documented, and is maintaining under the Polestar 10 CFR 50, Appendix B Quality Assurance Program. The model results are from applications of the revised DBA source term to the Perry Nuclear Plant in support of the Cleveland Electric Illuminating Company.

The development and documentation of the methods, models, and associated Polestar computer codes used in these analyses was achieved at a significant cost to Polestar, on the order of \$50,000, which is a significant fraction of internal research and development resources available to a company the size of Polestar.

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The development of the models and methods, along with the interpretation and application of the results, is derived from the extensive experience database that constitutes a major Polestar asset.

We have reviewed your submittal and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of Polestar Applied Technology, Inc.'s statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. Therefore, the information marked as proprietary in your submittal of July 22, 1998, 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 document. 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 should also 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 needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,



Douglas V. Pickett, Senior Project Manager  
Project Directorate III-3  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

Docket No. 50-440

cc: See next page

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Original signed by:

Douglas V. Pickett, Senior Project Manager  
Project Directorate III-3  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

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RBellamy GGrant, RIII EGA1  
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DATE	09/17/98		09/17/98		09/17/98		09/17/98		09/24/98	

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Douglas V. Pickett, Senior Project Manager  
Project Directorate III-3  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

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NAME	DPickett		EBarnhill	ES	MPSiemien	MS	RBellamy(A)*		CMiller	RE
DATE	09/17/98		09/17/98		09/17/98		09/17/98		09/24/98	

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L. Myers  
Centerior Service Company

Perry Nuclear Power Plant, Units 1 and 2

cc:

Mary E. O'Reilly  
FirstEnergy -- A290  
10 Center Road  
Perry, OH 44081

James R. Williams  
Chief of Staff  
Ohio Emergency Management Agency  
2855 West Dublin Granville Road  
Columbus, OH 43235-7150

Resident Inspector's Office  
U.S. Nuclear Regulatory Commission  
P.O. Box 331  
Perry, OH 44081-0331

Mayor, Village of Perry  
4203 Harper Street  
Perry, OH 44081

Regional Administrator, Region III  
U.S. Nuclear Regulatory Commission  
801 Warrenville Road  
Lisle, IL 60532-4531

Radiological Health Program  
Ohio Department of Health  
P.O. Box 118  
Columbus, OH 43266-0118

Sue Hiatt  
OCRE Interim Representative  
8275 Munson  
Mentor, OH 44060

Ohio Environmental Protection  
Agency  
DERR--Compliance Unit  
ATTN: Mr. Zack A. Clayton  
P.O. Box 1049  
Columbus, OH 43266-0149

Henry L. Hegrat  
Regulatory Affairs Manager  
Cleveland Electric Illuminating Co.  
Perry Nuclear Power Plant  
P.O. Box 97, A210  
Perry, OH 44081

Chairman  
Perry Township Board of Trustees  
3750 Center Road, Box 65  
Perry, OH 44081

FirstEnergy Corporation  
Michael Beiting  
Associate General Counsel  
76 S. Main  
Akron, OH 44308

State of Ohio  
Public Utilities Commission  
East Broad Street  
Columbus, OH 43266-0573

Mayor, Village of North Perry  
North Perry Village Hall  
4778 Lockwood Road  
North Perry Village, OH 44081

William R. Kanda, Jr., Plant Manager  
Cleveland Electric Illuminating Co.  
Perry Nuclear Power Plant  
P.O. Box 97, SB306  
Perry, OH 44081

Donna Owens, Director  
Ohio Department of Commerce  
Division of Industrial Compliance  
Bureau of Operations & Maintenance  
6606 Tussing Road  
P. O. Box 4009  
Reynoldsburg, OH 43068-9009