

50-410



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

February 4, 1998

Mr. B. Ralph Sylvia
Executive Vice President Generation
Business Group and Chief Nuclear Officer
Niagara Mohawk Power Corporation
Nuclear Learning Center
450 Lake Road
Oswego, NY 13126

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
NINE MILE POINT NUCLEAR STATION UNIT NO. 2

Dear Mr. Sylvia:

By your application dated December 15, 1997, and affidavit dated December 5, 1997, executed by Glen A. Waterford of General Electric, you submitted "NMP-2 Cycle 7 SLMCPR," dated December 2, 1997, and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version was 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. The information identified is classified as proprietary because it contains details of GE's Safety Limit MCPR analysis and the corresponding results which GE has applied to this specific plant and cycle's actual core design with GE's fuel.

The development of the methods used in these analysis, along with the testing, development and approval of the supporting critical power correlation was achieved at a significant cost, on the order of several million dollars, to GE.

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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 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.

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February 4, 1998

B. Sylvia

- 2 -

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. 50-410

cc: See next page

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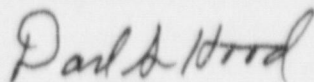
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Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

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