



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 3, 1999

Mr. James W. Langenbach, Vice President  
and Director, TMI  
GPU Nuclear, Inc.  
P.O. Box 480  
Middletown, PA 17057

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,  
THREE MILE ISLAND NUCLEAR STATION, UNIT NO. 1  
(TMI-1) RE: TSCR 272 9/2/99 RESPONSE TO REQUEST FOR ADDITIONAL  
INFORMATION (TAC NO. MA3951)

Dear Mr. Langenbach:

By your letter dated September 2, 1999, containing both proprietary and non-proprietary attachments, you responded to the staff's request for additional information dated July 8, 1999. This relates to your application dated October 19, 1998, for Technical Specification change request (TSCR) 272 to revise reactor coolant system activity levels. You requested that information attached to your September 2, 1999, letter be considered proprietary and requested that it be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations (10 CFR) Section 2.790. You also included an affidavit dated August 11, 1999, executed by David E. W. Leaver, an Officer of Polestar Applied Technology, Inc., in support of the proprietary claim. A non-proprietary version of the attachment was also submitted for placement in the Nuclear Regulatory Commission (NRC) Electronic Reading Room which will be publicly available and accessible electronically from the ADAMS Public Library component on the NRC Web site, <http://www.nrc.gov>.

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

The use of the information 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.

The information, 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.

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 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.

**NRC FILE CENTER COPY**

PDR ADock.

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,



Timothy G. Colburn, Sr. Project Manager, Section 1  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-289

cc: See next page

J. Langenbach

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Original signed by:

Timothy G. Colburn, Sr. Project Manager, Section 1  
 Project Directorate I  
 Division of Licensing Project Management  
 Office of Nuclear Reactor Regulation

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J. Langenbach

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DATE	10/20/99	10/20/99	10/21/99	11/2/99	10/21/99

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Three Mile Island Nuclear Station, Unit No. 1

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