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June 7, 2000
NMP2L 1968

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

RE: Nine Mile Point Unit 2
Docket No. 50-410
NPF-69

Subject: Proprietary Information (FOIA-2000-0206)

Gentlemen:

This is in response to the NRC's letter, dated May 16, 2000, requesting the status of certain proprietary information in the Nine Mile Point Unit 2 (NMP2) Design Assessment Report (DAR) and Final Safety Analysis Report (FSAR). The NRC request was the result of a Freedom of Information Act (FOIA) Request, dated April 6, 2000, which was enclosed with the NRC letter.

The FOIA Request involved Amendment 5, dated October 24, 1983, to the NMP2 operating license and it requested that Niagara Mohawk Power Corporation's (NMPC's) complete response to the NRC's Request for Additional Information (RAI) 460.12 be released. This response related to the offgas system design and was incorporated into the FSAR as proprietary. However, this information is owned by NMPC vendors, and therefore, pursuant to 10 CFR 2.790(b), NMPC cannot identify what portions of the information should remain proprietary. NMPC is forwarding the NRC's request to the vendors for their response and will notify the NRC upon receipt of the response.

The NRC letter of May 16, 2000, also included the DAR for hydrodynamic loads inside the containment in the proprietary record to be reviewed by NMPC. Even though this information was included in Amendment 5, dated October 24, 1983, the subject of hydrodynamic loads is not related to RAI 460.12 or to the FOIA Request of April 6, 2000. By a letter dated May 11, 1994, the NRC updated the proprietary status of the DAR information. Therefore, based on this explanation, no NMPC action is considered necessary regarding the proprietary DAR information.

Very truly yours,

Richard B. Abbott

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RBA/IAA/tmk

xc: Mr. H. J. Miller, NRC Regional Administrator, Region I
Ms. M. K. Gamberoni, Acting Section Chief PD-I, Section 1, NRR
Mr. G. K. Hunegs, NRC Senior Resident Inspector
Mr. P. S. Tam, Senior Project Manager, NRR
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ADDI