

SAFEGUARDS INFORMATION

January 26, 1983

Mr. Harold R. Denton, Director
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In the Matter of
Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Station Unit 2
Docket No. 50-410

Dear Mr. Denton:

On January 31, 1983, Niagara Mohawk Power Corporation will tender its application for an operating license for Nine Mile Point Nuclear Station Unit 2 in accordance with Sections 2.101(a)(2), 50.30(c)(2), 73.55 and 2.790 of the Commission's regulations.

Enclosed are six copies of a document entitled "Physical Security Plan". Pursuant to 10CFR 2.790(d)(1) and of the Commission's regulations, this information is per se prohibited from public disclosure and it is hereby requested that this document be treated by the Commission as confidential and withheld from public disclosure.

Also enclosed is proprietary information pertaining to the safety relief valve discharge which appears in Appendix 6A. Pennsylvania Power & Light Company has advised us that this material contains information which is considered to be proprietary. In connection with Section 2.790(a)(4) of the Commission's regulations, it is hereby requested that this document be treated by the Commission as confidential and proprietary and be withheld from public disclosure. As required by Section 2.790(b)(1), an affidavit of Mr. Norman W. Curtis of Pennsylvania Power & Light Company is attached hereto in support of this request.

Very truly yours,

C. V. Mangano
C. V. Mangano
Vice President
Nuclear Licensing & Engineering

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PDR ADOCK 05000410
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CVM/TRL:djm
Enclosures

SAFEGUARDS INFORMATION

When separated from the enclosures, handle this document as decontrolled.

COMMONWEALTH OF PENNSYLVANIA)

: SS

COUNTY OF LEHIGH)

I, NORMAN W. CURTIS, being duly sworn according to law depose and say that I am Vice President, Engineering & Construction - Nuclear of Pennsylvania Power & Light Company (PP&L), and that:

1. For the reasons listed below, portions of Appendix 6A of the Niagara Mohawk Power Corporation Nine Mile Point Unit Two Final Safety Analysis Report (Appendix 6A of the Nine Mile Point Unit Two FSAR), which is being filed with the U.S. Nuclear Regulatory Commission (NRC) by Niagara Mohawk Power Corporation (NMPC) in connection with its License Application at Docket No. 50-410, contains information considered by PP&L to be confidential information containing trade secrets and should be withheld from public disclosure. .

2.. In support of its averment that the above-mentioned information is confidential, PP&L provides the following reasons:

- a. Kraftwerk Union Aktiengesellschaft (KWU) developed a quencher technology as a means of pressure suppression in a wetwell containment system. This technology was developed by KWU during a research program which cost considerable amounts of time and money. The information developed during this research program is not available to the public. PP&L entered into a contract with KWU for, inter alia, the purchase of an information package that was developed by KWU during its research program. PP&L sent copies of the information package to the NRC. This information was accompanied by an affidavit signed by KWU, requesting the NRC to withhold it from public disclosure.
- b. Part of the contractual arrangement between KWU and PP&L involved KWU performing a full scale test simulating the parameters that exist at PP&L's Susquehanna Steam Electric Station (Susquehanna). The purpose of this test

was to verify the design analyses used to engineer the quencher device. PP&L submitted to the NRC its Susquehanna DAR (See Docket Nos. 50-387 and 50-388) which explained the response of the containment system to safety relief valve (SRV) discharge and loss of coolant accident (LOCA) loads, and contained certain information considered by PP&L as proprietary. These proprietary portions of the Susquehanna DAR concerned the full scale test portion of the PP&L and KWU efforts and the design technique for assessing the containment system margins. The document is of considerable importance because it enables one to define loads associated with SRV discharge. The document, therefore, is a valuable tool in applying the KWU information.

- c. Although the Susquehanna DAR and the KWU information was prepared specifically for application to Susquehanna, it is of value to anyone desiring to apply it to any plant employing a similar pressure suppression system. Because of the value of this information and its market potential, PP&L considers it to be the type that is customarily held in confidence. As a result, PP&L requested and the NRC agreed to withhold this information from public disclosure pursuant to 10 CFR. §2.790.
- d. Appendix 6A of the Nine Mile Point Unit Two FSAR is based on the Susquehanna DAR and the KWU information. It was developed as a result of significant effort and expense by PP&L. PP&L has spent considerable time and money in obtaining a contract with KWU, and developing the test plan and test matrix. PP&L thus far has paid KWU approximately \$4.5 million in connection with the KWU contract.
- e. Pursuant to an agreement dated August 10, 1978, PP&L sold to NMPC the right to use the KWU information described herein for

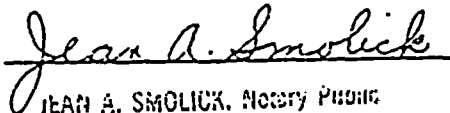
NMPC's Nine Mile Point Unit Two Nuclear Generating Station. Pursuant to the agreement, NMPC is required to maintain the proprietary and confidential nature of the information contained in Appendix 6A of the Nine Mile Point Unit Two FSAR.

- f. The information contained in Appendix 6A of the Nine Mile Point Unit Two FSAR has been and will continue to be held in strict confidence. External distribution of this information is restricted. Each of the recipients of this information has promised to honor the proprietary value of the information and is precluded from using this information for any purpose other than certain specific enumerated applications. These recipients limit the access of the information to those persons in their employ who have a need to use the information in the performance of their duties.
- g. None of the information provided therein will be found in any public sources.
- h. Because of the expense it has incurred in the development of this information, the marketability of this information, which will enable it to recoup a portion of these expenses, and the economic harm that PP&L would suffer from its inability to sell the information, the need for protecting PP&L's interest outweighs the interest involved in public disclosure.



Norman W. Curtis
Vice President,
Engineering & Construction - Nuclear
Pennsylvania Power & Light Company

Sworn and subscribed
before me this 26th
day of January, 1983



JEAN A. SMOLICK, Notary Public
Allentown, Lehigh County, Pa.
My Commission Expires May 14, 1984

8 Rids

Final Review
Acceptance Review
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L001 - General Info
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X005 - Emergency Plan
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S001 - Physical Security Plan
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ZZZZ - Appendix 6A Design
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ZZZZ - Appendix 6A Design Assessment
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