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6710-96-2309

October 1, 1996

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

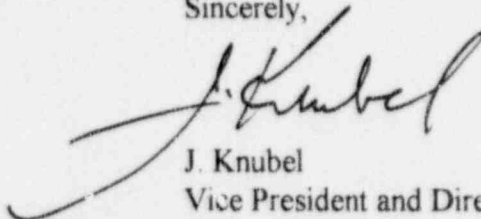
Gentlemen:

Subject: Three Mile Island Nuclear Station, Unit 1 (TMI-1)
Operating License No. DPR-50
Docket No. 50-289
Core Reload Methodology

In accordance with previous discussions, this letter provides additional affidavits from both GPU Nuclear and Framatome Technologies, Inc. (FTI) certifying the basis for application for withholding GPU Nuclear Topical Report TR-092P, Revision 0, dated December 8, 1995 from public disclosure. It is our understanding that the enclosed individual affidavits from both GPU Nuclear and FTI, each identifying the specific proprietary material within TR-092P, Revision 0 and basis, is required in order to further process GPU Nuclear's original request to withhold this topical report from public disclosure. TR-092P, Revision 0 was previously submitted for NRC review and approval on February 27, 1996 (6710-96-2033) with a GPU Nuclear affidavit certifying the basis for request from public disclosure due to material in the topical report being proprietary to both GPU Nuclear and FTI.

If any additional information is required, please contact Mr. David J. Distel, GPU Nuclear Regulatory Affairs at (201) 316-7955.

Sincerely,



J. Knubel
Vice President and Director, TMI

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JK/DJD/plp

Attachments: Affidavit of J. H. Taylor
Affidavit of G. R. Bond
Exhibit A & B

c: Administrator, Region I
NRC TMI Senior Resident Inspector
NRC Senior Project Manager, TMI

AP01/1

change distribution NRC PDR: 1 1 NP

AFFIDAVIT OF JAMES H. TAYLOR

- A. My name is James H. Taylor. I am Manager of Licensing Services for Framatome Technologies, Inc. (FTI). Framatome Cogema Fuels is administratively responsible to Framatome Technologies, Inc. Therefore, I am authorized to execute this Affidavit.
- B. I am familiar with the criteria applied by FTI to determine whether certain information of FTI is proprietary and I am familiar with the procedures established within FTI to ensure the proper application of these criteria.
- C. In determining whether an FTI document is to be classified as proprietary information, an initial determination is made by the Unit Manager, who is responsible for originating the document, as to whether it falls within the criteria set forth in Paragraph D hereof. If the information falls within any one of these criteria, it is classified as proprietary by the originating Unit Manager. This initial determination is reviewed by the cognizant Section Manager. If the document is designated as proprietary, it is reviewed again by Licensing personnel and other management within FTI as designated by the Manager of Licensing Services to assure that the regulatory requirements of 10 CFR Section 2.790 are met.
- D. The following information is provided to demonstrate that the provisions of 10 CFR Section 2.790 of the Commission's regulations have been considered:
 - (i) The information has been held in confidence by FTI. Copies of the document are clearly identified as proprietary. In addition, whenever FTI transmits the information to a customer, customer's agent, potential customer or regulatory agency, the transmittal requests the recipient to hold the information as proprietary. Also, in order to strictly limit any potential or actual customer's use of proprietary information, the substance of the following provision is included in all agreements entered into by FTI, and an equivalent version of the proprietary provision is included in all of FTI's proposals:

AFFIDAVIT OF JAMES H. TAYLOR (Cont'd.)

"Any proprietary information concerning Company's or its Supplier's products or manufacturing processes which is so designated by Company or its Suppliers and disclosed to Purchaser incident to the performance of such contract shall remain the property of Company or its Suppliers and is disclosed in confidence, and Purchaser shall not publish or otherwise disclose it to others without the written approval of Company, and no rights, implied or otherwise, are granted to produce or have produced any products or to practice or cause to be practiced any manufacturing processes covered thereby.

Notwithstanding the above, Purchaser may provide the NRC or any other regulatory agency with any such proprietary information as the NRC or such other agency may require; provided, however, that Purchaser shall first give Company written notice of such proposed disclosure and Company shall have the right to amend such proprietary information so as to make it non-proprietary. In the event that Company cannot amend such proprietary information, Purchaser shall, prior to disclosing such information, use its best efforts to obtain a commitment from NRC or such other agency to have such information withheld from public inspection.

Company shall be given the right to participate in pursuit of such confidential treatment."

AFFIDAVIT OF JAMES H. TAYLOR (Cont'd.)

- (ii) The following criteria are customarily applied by FTI in a rational decision process to determine whether the information should be classified as proprietary. Information may be classified as proprietary if one or more of the following criteria are met:
- a. Information reveals cost or price information, commercial strategies, production capabilities, or budget levels of FTI, its customers or suppliers.
 - b. The information reveals data or material concerning FTI research or development plans or programs of present or potential competitive advantage to FTI.
 - c. The use of the information by a competitor would decrease his expenditures, in time or resources, in designing, producing or marketing a similar product.
 - d. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a competitive advantage to FTI.
 - e. The information reveals special aspects of a process, method, component or the like, the exclusive use of which results in a competitive advantage to FTI.
 - f. The information contains ideas for which patent protection may be sought.

The document(s) listed on Exhibit "A", which is attached hereto and made a part hereof, has been evaluated in accordance with normal FTI procedures with respect to classification and has been found to contain information which falls within one or

AFFIDAVIT OF JAMES H. TAYLOR (Cont'd.)

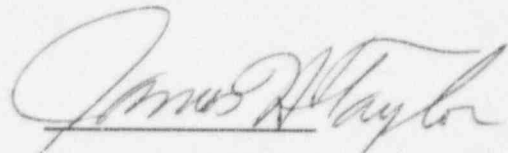
more of the criteria enumerated above. Exhibit "B", which is attached hereto and made a part hereof, specifically identifies the criteria applicable to the document(s) listed in Exhibit "A".

- (iii) The document(s) listed in Exhibit "A", which has been made available to the United States Nuclear Regulatory Commission was made available in confidence with a request that the document(s) and the information contained therein be withheld from public disclosure.
- (iv) The information is not available in the open literature and to the best of our knowledge is not known by Combustion Engineering, EXXON, General Electric, Westinghouse or other current or potential domestic or foreign competitors of Framatome Technologies, Inc.
- (v) Specific information with regard to whether public disclosure of the information is likely to cause harm to the competitive position of FTI, taking into account the value of the information to FTI; the amount of effort or money expended by FTI developing the information; and the ease or difficulty with which the information could be properly duplicated by others is given in Exhibit "B".

E. I have personally reviewed the document(s) listed on Exhibit "A" and have found that it is considered proprietary by FTI because it contains information which falls within one or more of the criteria enumerated in Paragraph D, and it is information which is customarily held in confidence and protected as proprietary information by FTI. This report comprises information

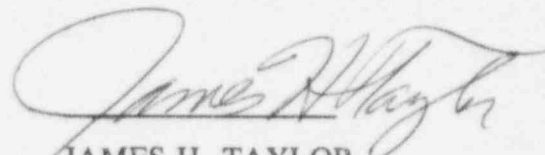
AFFIDAVIT OF JAMES H. TAYLOR (Cont'd.)

utilized by FTI in its business which afford FTI an opportunity to obtain a competitive advantage over those who may wish to know or use the information contained in the document(s).

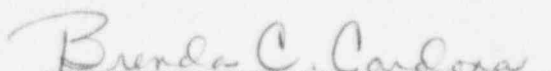

JAMES H. TAYLOR

State of Virginia) SS. Lynchburg
City of Lynchburg)

James H. Taylor, being duly sworn, on his oath deposes and says that he is the person who subscribed his name to the foregoing statement, and that the matters and facts set forth in the statement are true.


JAMES H. TAYLOR

Subscribed and sworn before me
this 13th day of May 1996.


Notary Public in and for the City
of Lynchburg, State of Virginia.

My Commission Expires July 31, 1999

AFFIDAVIT OF G. R. BOND

- A. My name is G. R. Bond. I am Manager of Nuclear Fuels for GPU Nuclear, Inc. (GPUN).
- B. I am making this affidavit in conformance with the provisions of 10 CFR 2.790 of the regulations of the Nuclear Regulatory Commission ("NRC") and in conjunction with GPUN's application for withholding which accompanies this affidavit.
- C. I have knowledge of the criteria used by GPUN in designating information as proprietary or confidential.
- D. Pursuant to the provisions of paragraph (b)(4) of 10 CFR 2.790, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
 - (i). The information sought to be withheld from public disclosure is either owned by GPUN or is information owned by Framatome Technologies, Inc. (FTI) for which GPUN is contractually obligated to protect from public disclosure, and has been held in confidence by GPUN and its consultants.
 - (ii). The proprietary information sought to be withheld is that which is contained in the proprietary version of the attached Topical Report TR-092P, Revision 0, dated December 8, 1995, "TMI-1 Reload Design and Setpoint Methodology," as indicated and omitted from the non-proprietary version, both of which were submitted to NRC via GPUN letter dated February 27, 1996 (6710-96-2033).
 - (iii). The information is of a type that would customarily be held in confidence by GPUN, portions of which GPUN is contractually obligated to protect from public disclosure. The information consists of analysis methodology details, analysis results, supporting data, and aspects of development programs, relative to a method of analysis that provides a competitive advantage to GPUN. Information may be classified as proprietary if one or more of the following criteria are met:
 - a. Information reveals cost or price information, commercial strategies, production capabilities, or budget levels of GPUN, its customers or suppliers.
 - b. The information reveals data or material concerning GPUN research or development plans or programs of present or potential competitive advantage to GPUN.
 - c. The use of the information by a competitor would decrease his expenditures, in time or resources, in designing, producing or marketing a similar product.

AFFIDAVIT OF G. R. BOND

(Continued)

- d. The information consists of test data or other similar data concerning a process, method or component, the application of which results in a competitive advantage to GPUN.
- e. The information reveals special aspects of a process, method, component or the like, the exclusive use of which results in a competitive advantage to GPUN.
- f. The information contains ideas for which patent protection may be sought.

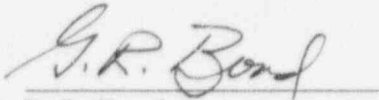
The document(s) listed on Exhibit "A", which is attached hereto and made a part hereof, has been evaluated in accordance with normal GPUN procedures with respect to classification and has been found to contain information which falls within one or more of the criteria enumerated above. Exhibit "B", which is attached hereto and made a part hereof, specifically identifies the criteria applicable to the document(s) listed in Exhibit "A".

- (iv). The document(s) listed in Exhibit "A", which has been made available to the United States Nuclear Regulatory Commission was made available in confidence with a request that the document(s) and the information contained therein be withheld from public disclosure.
 - (v). The information sought to be protected is not available in public to the best of our knowledge and belief.
 - (vi). Specific information with regard to whether public disclosure of the information is likely to cause harm to the competitive position of GPUN, taking into account the value of the information to GPUN; the amount of effort or money expended by GPUN developing the information; and the ease or difficulty with which the information could be properly duplicated by others is given in Exhibit "B".
- E. I have personally reviewed the document(s) listed on Exhibit "A" and have found that it is considered proprietary by GPUN because it contains information which falls within one or more of the criteria enumerated in Paragraph D. Public disclosure of this information is likely to cause harm to GPUN because it would allow competitors in the nuclear industry to benefit from the results of a significant development program without requiring a commensurate expense or allowing GPUN to recoup a portion of its expenditures or benefit from the sale of the information.

AFFIDAVIT OF G. R. BOND

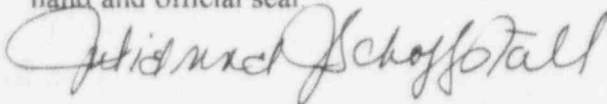
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G. R. Bond, being duly sworn, on his oath deposes and says that he is the person who subscribed his name to the foregoing statement, and that the matters and facts set forth in the statement are true.



G. R. Bond

Sworn to and subscribed before me this 13 day of SEPT 1996. Witness my hand and official seal



My commission expires

JULIENNE J. SCHOFFSTALL
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires JUNE 27, 1997