

50-440



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

December 2, 1996

Mr. David E.W. Leaver, President
Polestar Applied Technology, Inc.
One First Street, Suite 4
Los Altos, CA 94022

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
PERRY NUCLEAR POWER PLANT - POLESTAR PROPRIETARY AFFIDAVIT

Dear Mr. Leaver:

By your application and affidavit dated July 18, 1996, to Emin Ortalan, Cleveland Electric Illuminating Company, you submitted Attachment 7, "Dose Calculation Data Base for Application of the Revised DBA Source Term to the CEI Perry Nuclear Power Plant," PSAT04202U.03 and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790.

Section 2.790(b)(1)(ii) of 10 CFR Part 2 of the Commission's regulations requires that each supporting affidavit contain a full statement of the reasons on the basis of which it is claimed that the information should be withheld from public disclosure. The section further requires the statement to "address with specificity" the considerations listed in 10 CFR 2.790(b)(4).

Your affidavit has been reviewed in light of the aforementioned paragraphs of the regulations and the above document (PSAT04202U.03) was not listed as one of the proprietary documents in the affidavit. Therefore, we are unable at this time to fully review your request to withhold this document from public disclosure pursuant to 10 CFR 2.790.

Therefore, please submit another affidavit that includes all the documents to be withheld pursuant to 10 CFR 2.790 in your July 18, 1996, letter. In accordance with 10 CFR 2.790(c), the information sought to be withheld will be placed in the Commission's Public Document Room 30 days after your receipt of this letter unless you either seek to withdraw the information requested to be withheld or provide the Nuclear Regulatory Commission with an amended affidavit meeting the requirements of 10 CFR 2.790(b). If you request that

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the information be withdrawn, your request will be considered in the light of applicable statutes and regulations and a determination made whether the documents will be withheld from public disclosure and returned to you.

Sincerely,

Original signed by:

Jon B. Hopkins, Senior Project Manager
Project Directorate III-3
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-440

Distribution: ✓

Docket File ✓

PUBLIC

PDIII-3 READING

J. Roe

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M. P. Siemien, OGC

J. Caldwell, RIII

DOCUMENT NAME: G:\PERRY\PROPAFFI.RAI

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Perry Nuclear Power Plant
Centerior Service Company

Unit Nos. 1 and 2

cc:

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