

January 19, 2000

Mr. Michael P. McNamara
Vice President, Nuclear Projects
Holtec International
Holtec Center
555 Lincoln Drive West
Marlton, NJ 08053

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
VERMONT YANKEE NUCLEAR POWER STATION (TAC NO. MA3490)

Dear Mr. McNamara:

By letter dated November 17, 1999, the Vermont Yankee Nuclear Power Corporation submitted your affidavit dated November 10, 1999, requesting that the information contained in the revision 4 pages to the original document entitled "Vermont Yankee Nuclear Power Station Spent Fuel Storage Expansion Project" Holtec Report HI-981932, be withheld from public disclosure pursuant to 10 CFR 2.790.

The affidavit stated that the information submitted should be considered exempt from mandatory public disclosure since it constitutes:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies;
- b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product;
- c. Information which reveals aspects of past, present, or future Holtec International customer-funded development plans and programs of potential commercial value to Holtec International;
- d. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection.

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 trade secrets or proprietary commercial information.

Therefore, the information submitted and 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.

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,

/RA/

Richard P. Croteau, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-271

cc: See next page

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Richard P. Croteau, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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Vermont Yankee Nuclear Power Station

cc:

Mr. Samuel L. Newton
Vice President Operations
Vermont Yankee Nuclear Power Corp.
185 Old Ferry Road
Brattleboro, VT 05301

Regional Administrator, Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Mr. David R. Lewis
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Washington, DC 20037-1128

Mr. Richard P. Sedano, Commissioner
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620-2601

Mr. Michael H. Dworkin, Chairman
Public Service Board
State of Vermont
112 State Street
Montpelier, VT 05620-2701

Chairman, Board of Selectmen
Town of Vernon
P.O. Box 116
Vernon, VT 05354-0116

Mr. Richard E. McCullough
Operating Experience Coordinator
Vermont Yankee Nuclear Power Station
P.O. Box 157
Governor Hunt Road
Vernon, VT 05354

G. Dana Bisbee, Esq.
Deputy Attorney General
33 Capitol Street
Concord, NH 03301-6937

Chief, Safety Unit
Office of the Attorney General
One Ashburton Place, 19th Floor
Boston, MA 02108

Ms. Deborah B. Katz
Box 83
Shelburne Falls, MA 01370

Mr. Raymond N. McCandless
Vermont Department of Health
Division of Occupational
and Radiological Health
108 Cherry Street
Burlington, VT 05402

Mr. Gautam Sen
Licensing Manager
Vermont Yankee Nuclear Power
Corporation
185 Old Ferry Road
Brattleboro, VT 05301

Resident Inspector
Vermont Yankee Nuclear Power Station
U. S. Nuclear Regulatory Commission
P.O. Box 176
Vernon, VT 05354

Director, Massachusetts Emergency
Management Agency
ATTN: James Muckerheide
400 Worcester Rd.
P.O. Box 1496
Framingham, MA 01701-0317

Jonathan M. Block, Esq.
Main Street
P. O. Box 566
Putney, VT 05346-0566