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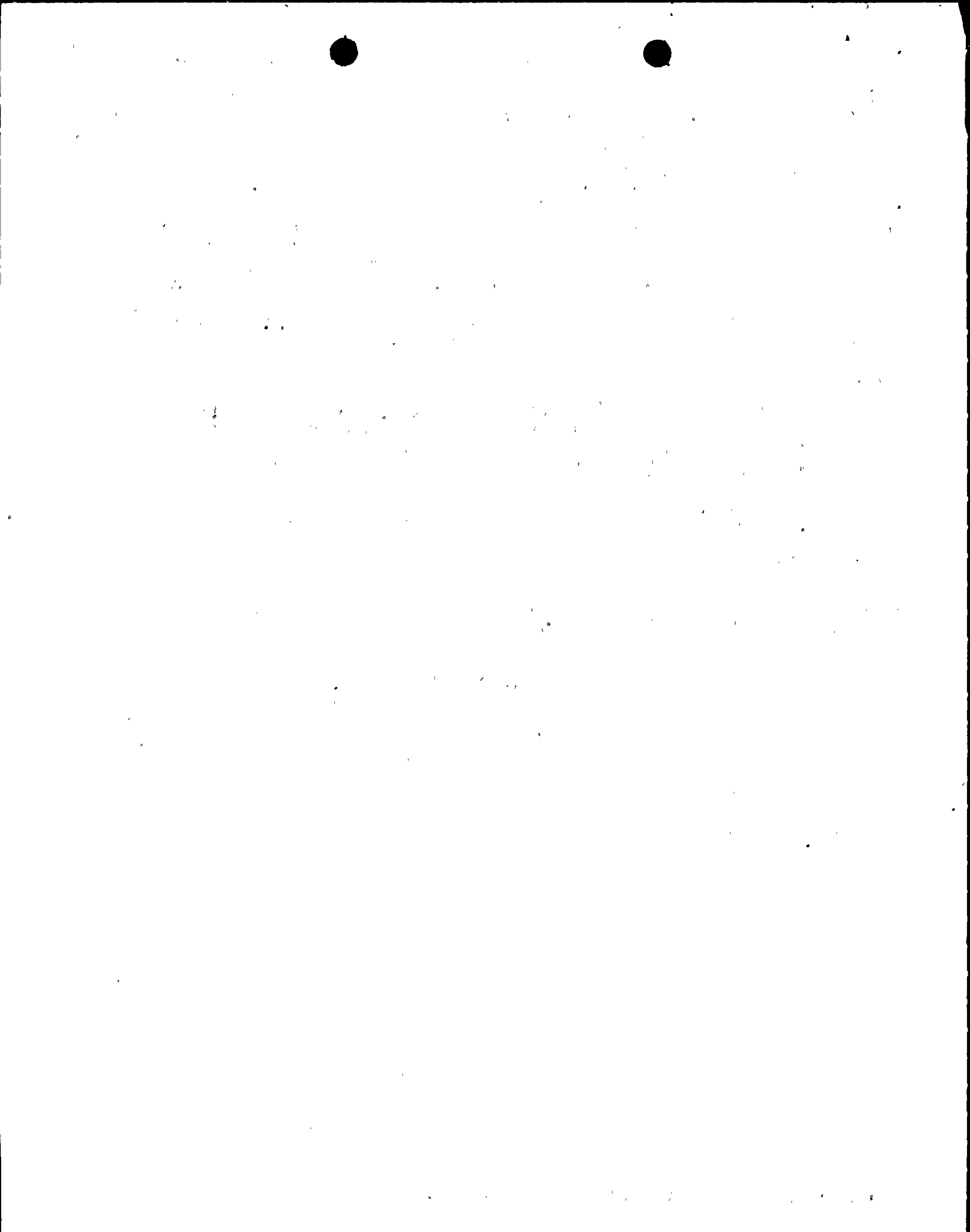
SUBJECT: Forwards application for amend to License DPR-63, revising
 Tech Specs 2.1.1 refuel cladding & 3.1.7 on fuel rods. GE Rev
 0 to 23A5862 & Nonproprietary NEDO-31446-1 & Proprietary
 NEDC-31446-1 encl. Proprietary rept withheld. Fee paid.

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December 18, 1987
(NMP1L 0210)

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

Re: Nine Mile Point Unit 1
Docket No. 50-220
DPR-63

Gentlemen:

Niagara Mohawk Power Corporation hereby transmits an application for an amendment to Nine Mile Point Unit 1 Operating License DPR-63. Also enclosed are the proposed changes to the Technical Specifications in Appendix A of the above mentioned license. Supporting information and analyses demonstrating that the proposed changes involve no significant hazards consideration pursuant to 10 CFR 50.92 are included as Attachment B. Pursuant to 10 CFR 170.12, a one hundred fifty dollar (\$150.00) application fee is enclosed.

The proposed Technical Specifications contained herein represent revisions to Specifications 2.1.1, Fuel Cladding Integrity, and 3.1.7, Fuel Rods, and their associated Bases. This proposed technical specification change is required for the reload fuel scheduled for insertion into the reactor during the Spring 1988 refueling and maintenance outage. Therefore, approval of this technical specification change is requested prior to the Nine Mile Point Unit 1 shutdown for the Spring 1988 refueling and maintenance outage which is scheduled to begin on March 5, 1988.

The attached revised pages 64b, 64c, 70, 70b and 70d of our Technical Specifications reflect changes proposed in our August 21, 1987 Technical Specification Amendment Application. Our application of August 21, 1987, requires approval prior to or concurrent with the application contained herein.

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Attached to this submittal is a copy of General Electric Report NEDC-31446P-1, September 1987, "SUPPLEMENT 1 TO NINE MILE POINT UNIT 1 SAFER/CORECOOL/GESTR-LOCA LOSS-OF-COOLANT ACCIDENT ANALYSIS." The information contained in this report is considered by General Electric to be proprietary information exempt from public disclosure in accordance with Section 2.790(a)(4) of the Commission's regulations. Accordingly, pursuant to Section 2.790(b)(1) of the Commission's regulations, Niagara Mohawk Power Corporation requests that this document be withheld from public disclosure. In support of this request, enclosed is an Affidavit containing a full statement of the reasons for this request for withholding from public disclosure executed by Mr. Rudolph Villa, Manager, Consulting Services, General Electric Company. In addition, a non-proprietary copy of "SUPPLEMENT 1 TO NINE MILE POINT UNIT 1 SAFER/CORECOOL/GESTR-LOCA LOSS-OF-COOLANT ACCIDENT ANALYSIS" is attached for your information and use.

Pursuant to 10 CFR 50.91(b)(1), Niagara Mohawk has provided a copy of this license amendment request and the associated analysis regarding no significant hazard consideration to the appropriate state representative.

Very truly yours,

NIAGARA MOHAWK POWER CORPORATION

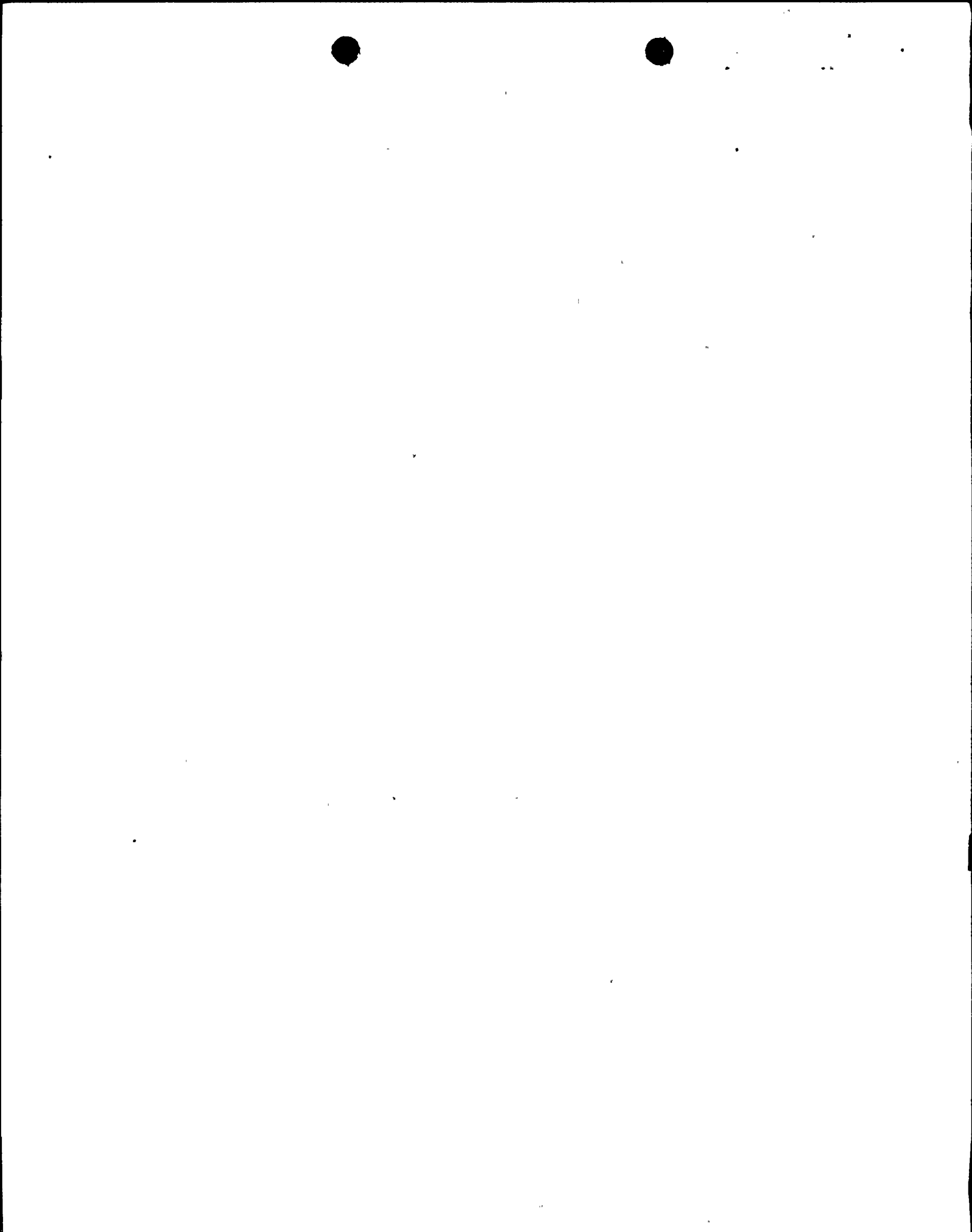


T. E. Lemppes
Vice President
Nuclear Generation

AER/pns
4045G
Attachments

cc: Regional Administrator, Region I
Mr. R. A. Capra, Director
Mr. R. A. Benedict, Project Manager
Mr. W. A. Cook, Resident Inspector

Mr. Jay Dunkleberger
Division of Policy Analysis and Planning
New York State Energy Office
Agency Building 2
Empire State Plaza
Albany, NY 12223



GENERAL ELECTRIC COMPANY

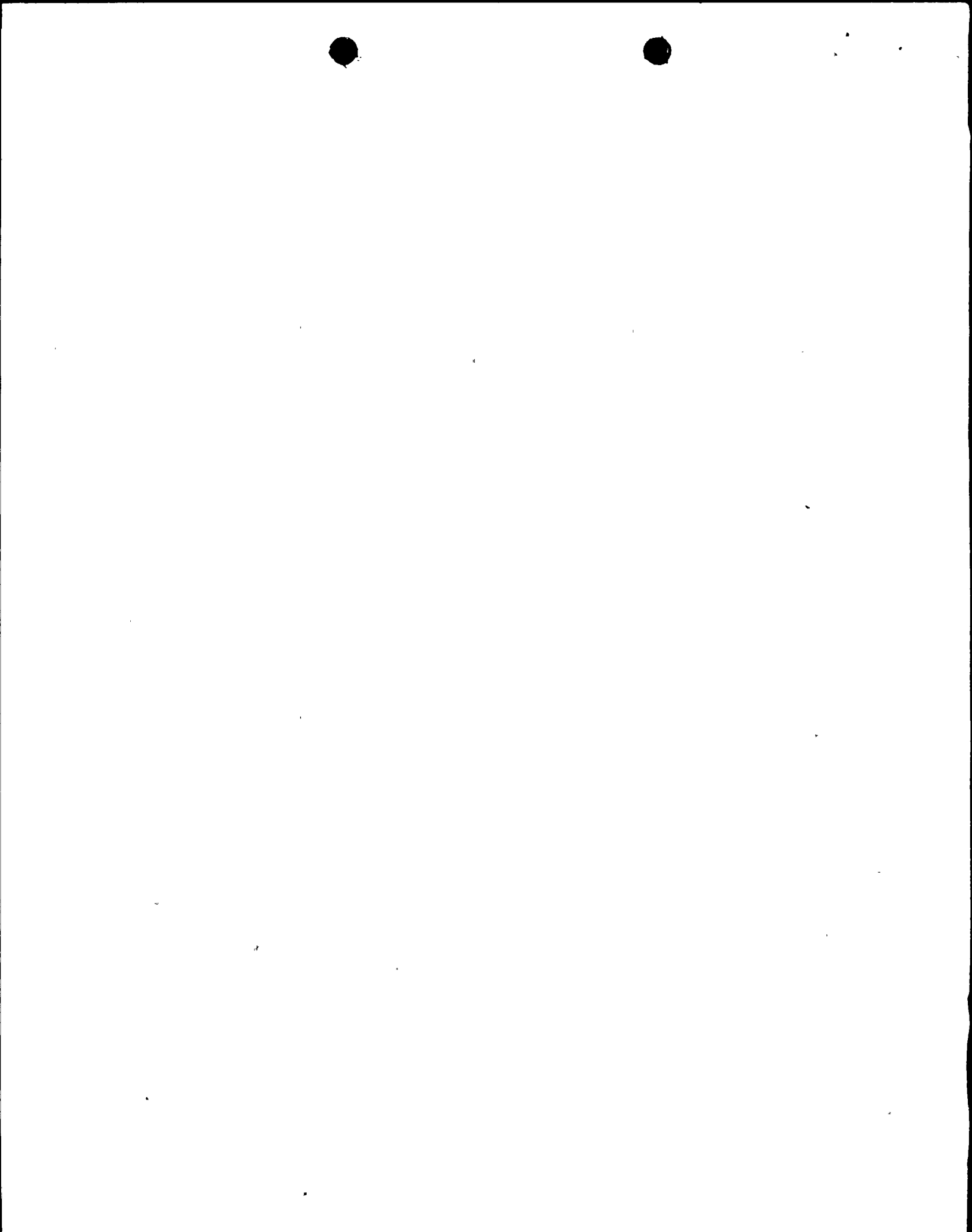
AFFIDAVIT

I, Rudolph Villa, being duly sworn, depose and state as follows:

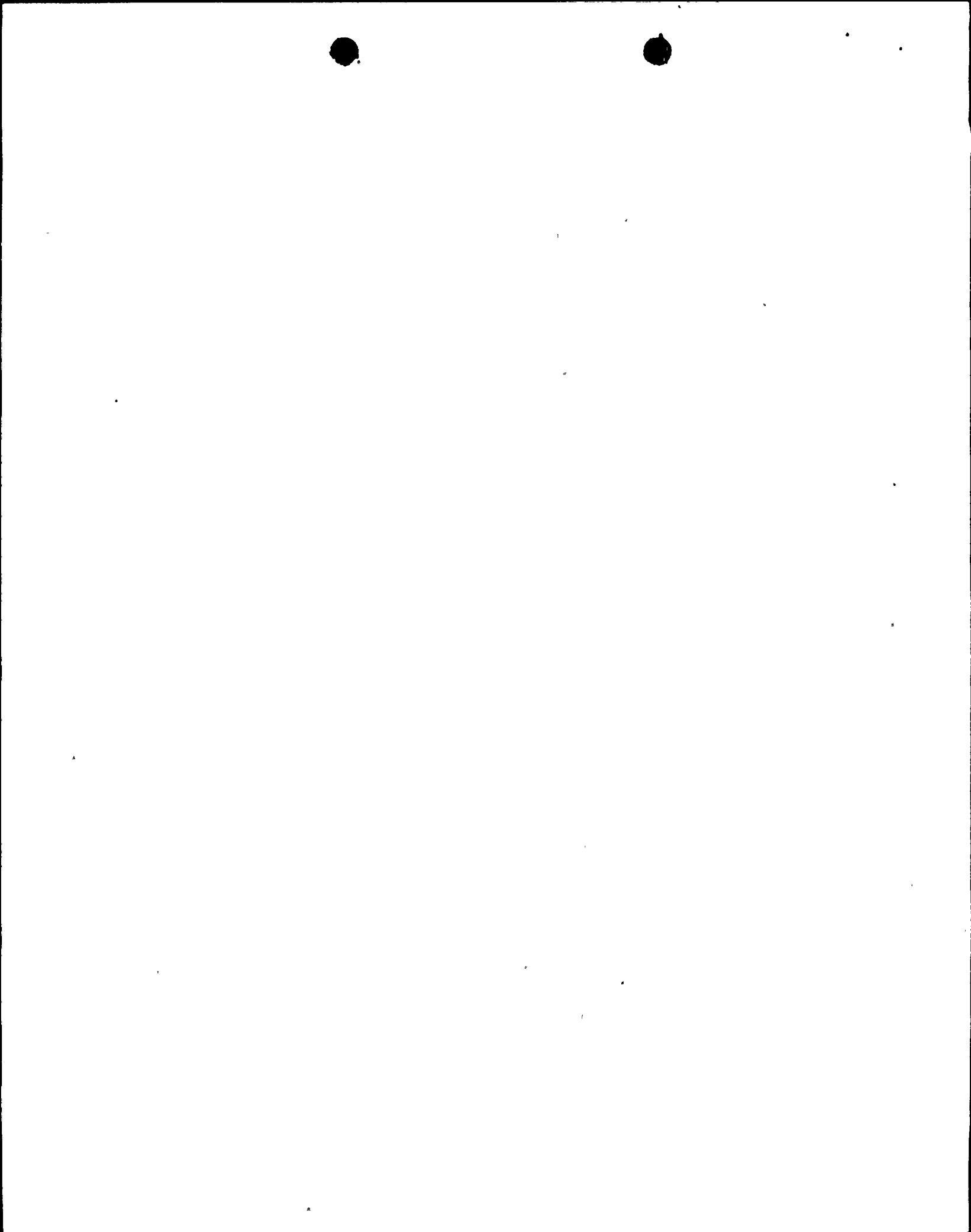
1. I am Manager, Consulting Services, General Electric Company, and have been delegated the function of reviewing the information described in paragraph 2 which is sought to be withheld and have been authorized to apply for its withholding.
2. The information sought to be withheld is contained in "Supplement 1 to Nine Mile Point Unit 1 SAFER/CORECOOL/GESTR-LOCA Loss-of-Coolant Accident Analysis," NEDC-31446P-1, September 1987.
3. In designating material as proprietary, General Electric utilizes the definition of proprietary information and trade secrets set forth in the American Law Institute's Restatement of Torts, Section 757. This definition provides:

"A trade secret may consist of any formula, pattern, device or compilation of information which is used in one's business and which gives him an opportunity to obtain an advantage over competitors who do not know or use it.... A substantial element of secrecy must exist, so that, except by the use of improper means, there would be difficulty in acquiring information.... Some factors to be considered in determining whether given information is one's trade secret are: (1) the extent to which the information is known outside of his business; (2) the extent to which it is known by employees and others involved in his business; (3) the extent of measures taken by him to guard the secrecy of the information; (4) the value of the information to him and to his competitors; (5) the amount of effort or money expended by him in developing the information; (6) the ease or difficulty with which the information could be properly acquired or duplicated by others."

4. Some examples of categories of information which fit into the definition of proprietary information are:
 - a. Information that discloses a process, method or apparatus where prevention of its use by General Electric's competitors without license from General Electric constitutes a competitive economic advantage over other companies;
 - b. Information consisting of supporting data and analyses, including test data, relative to a process, method or apparatus, the application of which provide a competitive economic advantage, e.g., by optimization or improved marketability;



- c. 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;
 - d. Information which reveals cost or price information, production capacities, budget levels or commercial strategies of General Electric, its customers or suppliers;
 - e. Information which reveals aspects of past, present or future General Electric customer-funded development plans and programs of potential commercial value to General Electric;
 - f. Information which discloses patentable subject matter for which it may be desirable to obtain patent protection;
 - g. Information which General Electric must treat as proprietary according to agreements with other parties.
5. Initial approval of proprietary treatment of a document is typically made by the Subsection manager of the originating component, the person who is most likely to be acquainted with the value and sensitivity of the information in relation to industry knowledge. Access to such documents within the Company is limited on a "need to know" basis and such documents are clearly identified as proprietary.
 6. The procedure for approval of external release of such a document typically requires review by the Subsection Manager, Project Manager, Principal Scientist or other equivalent authority, by the Subsection Manager of the cognizant Marketing function (or delegate) and by the Legal Operation for technical content, competitive effect and determination of the accuracy of the proprietary designation in accordance with the standards enumerated above. Disclosures outside General Electric are generally limited to regulatory bodies, customers and potential customers and their agents, suppliers and licensees then only with appropriate protection by applicable regulatory provisions or proprietary agreements.
 7. The document mentioned in paragraph 2 above has been evaluated in accordance with the above criteria and procedures and has been found to contain information which is proprietary and which is customarily held in confidence by General Electric.
 8. The information to the best of my knowledge and belief has consistently been held in confidence by the General Electric Company, no public disclosure has been made, and it is not available in public sources. All disclosures to third parties have been made pursuant to regulatory provisions of proprietary agreements which provide for maintenance of the information in confidence.



9. Public disclosure of the information sought to be withheld is likely to cause substantial harm to the competitive position of the General Electric Company and deprive or reduce the availability of profit making opportunities because it would provide other parties, including competitors, with valuable information regarding General Electric transient analysis, which were obtained at considerable cost to the General Electric Company.

STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA) ss:

Rudolph Villa, being duly sworn, deposes and says:

That he has read the foregoing affidavit and the matters stated therein are true and correct to the best of his knowledge, information, and belief.

Executed at San Jose, California, this 25th day of September, 1987.

Rudolph Villa
Rudolph Villa
General Electric Company

Subscribed and sworn before me this 25th day of September 1987.

Paula F. Hussey
NOTARY PUBLIC, STATE OF CALIFORNIA

