

November 27, 2000

Mr. H. A. Sepp
Manager
Regulatory and Licensing Engineering
Westinghouse Electric Company
Box 355
Pittsburgh, PA 15230-0355

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2 -
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
PER 10 CFR 2.790 CONCERNING THE USE OF LASER WELDED SLEEVING
FOR STEAM GENERATOR TUBE REPAIR (TAC NOS. MA9950 AND MA9951)

Dear Mr. Sepp:

As part of the TXU Electric license amendment request dated September 6, 2000 (TXX-00014), two affidavits dated September 1, 2000 (CAW-00-1420 and CAW-00-1421), and executed by you and Mr. John S. Galembush, were submitted. The affidavits addressed Westinghouse reports WCAP-13698, Revision 3 (Proprietary), "Laser Welded Sleeves for 3/4 Inch Diameter Tube Feeding-Type and Westinghouse Preheater Steam Generators Generic Sleeving Report," July 1998 (Enclosure 1 to TXX-00014), and WCAP-15090, Revision 1 (Proprietary), "Specific Application of Laser Welded Sleeves for Comanche Peak Units 1 and 2 Steam Generators," March 1999 (Enclosure 3 to TXX-00014), and requested that they be withheld from public disclosure pursuant to 10 CFR 2.790. Nonproprietary versions WCAP-13699, Revision 3 and WCAP-15091, Revision 1, respectively were submitted with TXX-00014 as Enclosures 2 and 4, respectively, for placement in the U.S. Nuclear Regulatory Commission Public Document Room, which also includes scanning the reports into ADAMS (Accession Number ML003748681), which is the Nuclear Regulatory Commission's (NRC) publicly available electronic database.

As stated in affidavit CAW-00-1420, certain information in WCAP-13698, Revision 3 should be considered exempt from public disclosure. Superscripts (a), (c), and (e) in the report correspond to reasons (a), (c), and (e) in the affidavit (and below) as the basis for withholding the information from public disclosure. Also, as stated in affidavit CAW-00-1421, certain information in WCAP-15090, Revision 1 should be considered exempt from public disclosure. Superscripts (a), (b), (c), (d), and (e) in the report correspond to reasons (a), (b), (c), (d), and (e) in the affidavit (and below) as the basis for withholding the information from public disclosure.

- (a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
- (b) It is information which is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.

- (c) Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.
- (d) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving Westinghouse of a competitive advantage.
- (e) Unrestricted disclosure would jeopardize the position of prominence of Westinghouse in the World market, and thereby give a market advantage to the competition of those countries.

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 proprietary commercial information and should be withheld from public disclosure.

Therefore, the version of the submitted information 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.

If you have any questions regarding this matter, I may be reached at 301-415-1439.

Sincerely,

/RA/

David H. Jaffe, Senior Project Manager, Section 1
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

cc: See next page

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 proprietary commercial information and should be withheld from public disclosure.

Therefore, the version of the submitted information 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.

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Docket Nos. 50-445 and 50-446

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Comanche Peak Steam Electric Station

cc:

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