

January 12, 2001

Mr. J. S. Galembush
Regulatory And Licensing Engineering
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, Pennsylvania 15230-0355

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE, WATTS BAR NUCLEAR PLANT, UNIT 1, (TAC NO. MA6780)

Dear Mr. Galembush:

By your application and affidavits dated July 22, 1999, (CAW-99-1346), you requested that certain information contained in the report attached to Tennessee Valley Authority's letter dated September 30, 1999, WCAP-15088, Revision 1, "Safety Evaluation Supporting a More Negative EOL Moderator Temperature Coefficient Technical Specification for the Watts Bar Nuclear Plant," July 1999, be withheld from public disclosure pursuant to Title 10, *Code of Federal Regulation* (10 CFR) 2.790. A nonproprietary copy of this document, Enclosure 5 to TVA's letter of September 30, 1999, identified as WCAP-15089 of the same title, has been placed in the NRC public document room.

The affidavit stated that the submitted information should be considered exempt from public disclosure for the following reasons:

- (4)(ii)(a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- (4)(ii)(c) Its use 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 a similar product.

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 proprietary version of the submitted information contained in the Tennessee Valley Authority's application, Enclosure 4, dated September 30, 1999, WCAP-15088, Revision 1, "Safety Evaluation Supporting a More Negative EOL Moderator Temperature Coefficient Technical Specification for the Watts Bar Nuclear Plant," July 1999, 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/

Robert E. Martin, Senior Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-390

cc: See next page

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/RA/

Robert E. Martin, Senior Project Manager, Section 2
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Office of Nuclear Reactor Regulation

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