

June 5, 2001

Mr. Philip W. Richardson
Licensing Project Manager
Windsor Nuclear Licensing
Westinghouse Electric Company
2000 Day Hill Road
Windsor, CT 06095

SUBJECT: SAN ONOFRE NUCLEAR GENERATING STATION (SONGS) UNITS 2 AND 3 -
REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NOS. MB1623 AND MB1624)

Dear Mr. Richardson:

In support of a license amendment request, by letter dated April 23, 2001, Southern California Edison Company (SCE or the licensee) transmitted a copy of proprietary Westinghouse Electric Company (WEC) calculation A-SG-PS-0002, Revision 000, "Steam Flow Uncertainty Based on the Warranted Crossflow Flow Uncertainties at SCE SONGS Units 2 and 3," dated November 17, 2000 (SONGS number 1814-M023-C0024-0). By an affidavit dated April 19, 2001, you requested that certain portions of the proprietary Westinghouse calculation be withheld from public disclosure pursuant to Section 2.790 of Title 10 of the *Code of Federal Regulations* (10 CFR). SCE also submitted a copy of the nonproprietary version of the Westinghouse calculation which has been placed in the NRC public document room and added to the Agency-wide Documents Access and Management Systems Publically Available Records System (ADAMS PARS Library).

You stated that those portions of the Westinghouse calculation A-SG-PS-0002, Revision 000, "Steam Flow Uncertainty Based on the Warranted Crossflow Flow Uncertainties at SCE SONGS Units 2 and 3," dated November 17, 2000, should be considered exempt from mandatory public disclosure for the following reason:

1. Public disclosure of the information is likely to cause substantial harm to the competitive position of WEC because:
 - a. A similar product is manufactured and sold by major pressurized water reactor competitors of WEC.
 - b. Development of this information by WEC required hundreds of thousands of dollars and hundreds of man-hours of effort. A competitor would have to undergo similar expense in generating equivalent information.
 - c. In order to acquire such information, a competitor would also require considerable time and inconvenience to develop specific design uncertainty values, methodologies, and performance information for the Crossflow UFM System.

- d. The information consists of specific design uncertainty values, methodologies, and performance information for the Crossflow UFM System, the application of which provides a competitive economic advantage. The availability of such information to competitors would enable them to modify their product to better compete with WEC, take marketing or other actions to improve their product's position or impair the position of WEC's product, and avoid developing similar data and analyses in support of their processes, methods or apparatus.
- e. In pricing WEC's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of WEC's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.
- f. Use of the information by competitors in the international marketplace would increase their ability to market nuclear steam supply systems by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on WEC's potential for obtaining or maintaining foreign licensees.

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 Westinghouse calculation "Steam Flow Uncertainty Based on the Warranted Crossflow Flow Uncertainties at SCE SONGS Units 2 and 3," Westinghouse Electric Company, CE Engineering Technology - Plant Systems, calculation number A-SG-PS-0002, Revision 000, dated November 17, 2000, SONGS number 1814-M023-C0024-0 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.

P. W. Richardson

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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) 415-1131.

Sincerely,
/RA/

Joseph E. Donoghue, Senior Project Manager,
Project Directorate IV/Section 2
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-361 and 50-362

cc: See next page

P. W. Richardson

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Docket Nos. 50-361 and 50-362

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*See previous concurrence

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cc:

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