

July 27, 2001

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

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(AW-01-1472)

Dear Mr. Sepp:

By letter dated July 13, 2001, and affidavit dated July 16, 2001, executed by John S. Galembush, Westinghouse Electric Company submitted presentation material entitled "3-D Rod Ejection Methodology" and requested that they be withheld from public disclosure pursuant to 10 CFR 2.790. The slides were used at the July 17, 2001, meeting with the NRC staff. A non-proprietary version of the presentation material has been placed in the NRC public document room and added to the Agencywide Documents Access and Management Systems Publicly Available Records System (ADAMS PARS) Library.

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

- (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.
- (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 trade secrets or proprietary commercial information and should be withheld from public disclosure.

Therefore, we have determined that the presentation material transmitted by your July 13, 2001, letter entitled, "3-D Rod Ejection Methodology," used at the July 17, 2001, meeting with the NRC staff, 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/

Michael L. Scott, Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Project No. 694

cc: Mr. Andrew Drake, Project Manager
Westinghouse Owners Group
Westinghouse Electric Company
Mail Stop ECE 5-16
P. O. Box 355
Pittsburgh, PA 15230-0355

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Michael L. Scott, Project Manager, Section 2
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