

August 30, 2001

Mr. Philip W. Richardson  
Licensing Project Manager  
Windsor Nuclear Licensing  
Westinghouse Electric Company  
CE Nuclear Power, LLC  
P.O. Box 500  
2000 Day Hill Road  
Windsor, CT 06095-0500

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC  
DISCLOSURE - CE NUCLEAR POWER LLC

Dear Mr. Richardson:

By your affidavit dated February 19, 2001, you requested that CE NPSD-1198-P, "Low-Alloy Steel Component Corrosion Analyses Supporting Small-Diameter Alloy 600/690 Nozzle Repair/Replacement Programs, CEOG Task 1131," be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version 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 February 19, 2001, affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- a. A similar service is provided by major competitors of CENP.
- b. Development of this information by CENP required hundreds of thousands of dollars and hundreds of manhours of effort. A competitor would have to undergo similar expense in generating equivalent information. In order to acquire such information, a competitor would also require considerable time and inconvenience to develop a suitable analyses methodology and the supporting test data.
- c. The information consists of an assessment of the effects of various corrosion mechanisms on the integrity of certain small-diameter Alloy 600/690 nozzle repair/replacement methods. The availability of such information to competitors would enable them to better compete with CENP, take marketing or other actions to improve their product's position or impair the position of CENP's product, and avoid developing similar technical analysis in support of their processes, methods or apparatus.
- d. In pricing CENP's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality

assurance and other costs and expenses must be included. The ability of CENP's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.

- e. Use of the information by competitors in the international marketplace would increase their ability to market similar services by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on CENP's potential for obtaining or maintaining foreign licenses.

By letter dated July 24, 2001, the Combustion Engineering Owners Group (CEOG) submitted a response to a staff request for additional information regarding CE NPSD-1198-P. By your affidavit dated July 23, 2001, you requested that the following documents contained in the CEOG response be withheld from public disclosure pursuant to 10 CFR 2.790:

- Calculation A-GEN-PS-0003, Rev 00, "Evaluation of Fatigue Crack Growth Associated With Small Diameter Nozzles in CEOG Plants," May 09, 2000.
- Calculation A-CEOG-9449-1242, Rev 00, "Evaluation of the Corrosion Allowance for Reinforcement and Effective Weld to Support Small Alloy 600 Nozzle Repairs," June 12, 2000.
- Responses to staff questions on CE NPSD-1198-P.

A nonproprietary version 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 July 23, 2001, affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

Please note that CENP is owned by Westinghouse.

- a. A similar product is manufactured and sold by major competitors of Westinghouse.
- b. Development of this information by Westinghouse required tens of thousands of dollars and hundreds of manhours of effort. In order to acquire equivalent information, a competitor would need to invest considerable time, expense and inconvenience to develop, verify and secure regulatory approval of the subject methodology.

- c. The information consists of calculational methodology and evaluation results, the application of which provides Westinghouse a competitive economic advantage. The availability of such information to competitors would enable them to design their product to better compete with Westinghouse, take marketing or other actions to improve their product's position or impair the position of Westinghouse's product, and avoid developing similar technical analysis in support of their processes, methods or apparatus.
- d. In pricing Westinghouse's products and services, significant research, development, engineering, analytical, manufacturing, licensing, quality assurance and other costs and expenses must be included. The ability of Westinghouse's competitors to utilize such information without similar expenditure of resources may enable them to sell at prices reflecting significantly lower costs.
- e. Use of the information by competitors in the international marketplace would increase their ability to market services by reducing the costs associated with their technology development. In addition, disclosure would have an adverse economic impact on Westinghouse's potential for obtaining or maintaining foreign licenses.

We have reviewed your applications 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 documents entitled (1) CE NPSD-1198-P, "Low-Alloy Steel Component Corrosion Analyses Supporting Small-Diameter Alloy 600/690 Nozzle Repair/Replacement Programs, CEOG Task 1131," (2) Calculation A-GEN-PS-0003, Rev 00, "Evaluation of Fatigue Crack Growth Associated With Small Diameter Nozzles in CEOG Plants," May 09, 2000, (3) Calculation A-CEOG-9449-1242, Rev 00, "Evaluation of the Corrosion Allowance for Reinforcement and Effective Weld to Support Small Alloy 600 Nozzle Repairs," June 12, 2000, and (4) responses to staff questions on CE NPSD-1198-P, 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.

Mr. Phillip W. Richardson

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If you have any questions regarding this matter, I may be reached at 301-415-1424.

Sincerely,

/RA/

Jack Cushing, Project Manager, Section 2  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Project No. 692

cc: See next page

Mr. Phillip W. Richardson

- 4 -

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CE Owners Group

Project No. 692

cc:

Mr. Gordon C. Bischoff, Project Director  
CE Owners Group  
Westinghouse Electric Company  
CE Nuclear Power, LLC, MS 9615-1932  
2000 Day Hill Road, PO Box 500  
Windsor, CT 06095

Mr. Richard Bernier, Chairman  
CE Owners Group  
Mail Stop 7868  
Arizona Public Service Company  
Palo Verde Nuclear Generating Station  
P.O. Box 52034  
Phoenix, Arizona 85072-2034

Mr. Charles B. Brinkman, Manager  
Washington Operations  
Westinghouse Electric Company  
CE Nuclear Power, LLC  
12300 Twinbrook Parkway, Suite 330  
Rockville, MD 20852

Mr. Virgil Paggen  
CE Nuclear Power LLC  
M. S. 9383-1922  
2000 Day Hill Road  
Windsor, CT 06095-1922