

August 14, 2003

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

SUBJECT: SOUTH TEXAS PROJECT, UNIT 1 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE CONCERNING
WESTINGHOUSE FIELD SERVICE PROCEDURE STD-FP-1998-8202 REV 0,
FIGURE 6 .1 (TAC NO. MB8435)

Dear Mr. Sepp:

By letter dated July 28, 2003, STP Nuclear Operating Company submitted the affidavit CAW-03-1672 dated July 22, 2003, to the U. S. Nuclear Regulatory Commission (NRC), executed by Mr. H. A. Sepp, Manager, Regulatory Compliance and Plant Licensing, Westinghouse Electric Company LLC (Westinghouse). The affidavit addressed the proprietary information related to the Westinghouse Field Service Procedure STD-FP-1998-8202 Rev 0, Figure 6 .1, Reactor Vessel Bottom Mounted Instrumentation and Lower Internals Design Data concerning the Bottom Mounted Instrumentation Forced Outage, and requested that the information be withheld from public disclosure.

The affidavit, pursuant to the provisions of paragraph (b)(4) of Section 2.790 of Title 10 of the *Code of Federal Regulations* (10 CFR), included the following reasons for the submitted information to be considered exempt from mandatory public disclosure:

- (a) Westinghouse plans to sell the use of similar information to its customers for purposes of providing engineering services, inspection services, and repair services for reactor vessel bottom mounted instrumentation.
- (b) The information requested to be withheld, reveals the distinguishing aspects of a design which was developed by Westinghouse.

The NRC staff has reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, has determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the submitted information 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, the NRC staff may send

H. Sepp

- 2 -

copies of this information to consultants working in this area. In this event, the NRC staff will 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, Westinghouse should promptly notify the NRC. Westinghouse should also 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, please contact me at 301-415-1476.

Sincerely,

/RA by Robert A. Gramm for/

Mohan C. Thadani. Senior Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-498

cc: See next page

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-2-

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-2-

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