August 27, 2003

Mr. Hank 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-03-1665)

Dear Mr. Sepp:

By letter dated July 31, 2003, Westinghouse submitted an affidavit dated July 31, 2003, executed by Ian C. Rickard, requesting that the information in the enclosure to the July 31, 2003, letter entitled, "Extension of CROSSFLOW Signal Conditioning Unit Re-Calibration Period," be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790. This information is being provided by you to keep the NRC apprised of a change to material discussed in CENPD-397-P-A, Rev. 01, "Improved Flow Measurement Accuracy Using CROSSFLOW Ultrasonic Flow Measurement Technology."

A non-proprietary version of the document was provided for placement in the NRC's Public Document Room and adding 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:

(i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.

(ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public.

(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 enclosure to the July 31, 2003, letter entitled, "Extension of CROSSFLOW Signal Conditioning Unit Re-Calibration Period," 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.

If you have any questions regarding this matter, I may be reached at (301) 415-3764.

Sincerely,

/RA/

Brian Benney, Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Project No. 700

cc:
Mr. Gordon Bischoff, Manager
Owners Group Program Management Office
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, PA 15230-0355

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Brian Benney, Project Manager, Section 2
Project Directorate IV
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Project No. 700

cc:
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Westinghouse Electric Company
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