

May 27, 2005

Mr. J. A. Gresham, Manager
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company
Nuclear Services
P.O. Box 355
Pittsburgh, Pennsylvania 15230-0355

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY (WESTINGHOUSE), REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR WATERFORD STEAM ELECTRIC STATION, UNIT 3 (WATERFORD 3) (TAC NO. MC1355)

Dear Mr. Gresham:

By letter dated February 5, 2005, Entergy Operations Inc. (Entergy), submitted your letter dated February 4, 2005, with an affidavit dated February 4, 2005, executed by Ian C. Rickard, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

Enclosure 1 to the Waterford 3, Supplement to Amendment Request NPF-38-249, Extended Power Uprate, dated February 5, 2005, "Supplemental Long Term Cooling Evaluation."

A nonproprietary copy of this document was submitted to the U. S. Nuclear Regulatory Commission (NRC) on March 10, 2005, and it has been placed in the NRC's Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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.
- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (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 2.390 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, Enclosure 1 to the Waterford 3, Supplement dated February 5, 2005, "Supplemental Long Term Cooling Evaluation," marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(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 301-415-1480.

Sincerely,

/RA/

N. Kalyanam, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-382

cc: See next page

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 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, Enclosure 1 to the Waterford 3, Supplement dated February 5, 2005, "Supplemental Long Term Cooling Evaluation," marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(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 301-415-1480.

Sincerely,

/RA/
N. Kalyanam, Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-382

cc: See next page

DISTRIBUTION

PUBLIC	RidsAcrsAcnwMailCenter	RidsNrrLADJohnson
PDIV-1 r/f	RidsNrrDlpmLpdiv1 (DTerao)	RidsRgn4MailCenter (AHowell)
RidsOgcRp	RidsNrrPMNKalyanam	

Accession No.: ML051520571

OFFICE	PDIV-1/PM	PDIV-1/LA	DSSA/SRXB	PDIV-1/SC
NAME	NKalyanam	DJohnson	JWermiel	DTerao
DATE	03/2/05	3/2/05	3/3/05	5/27/05

Waterford Steam Electric Station, Unit 3

cc:

Mr. Michael E. Henry, State Liaison Officer
Department of Environmental Quality
Permits Division
P.O. Box 4313
Baton Rouge, Louisiana 70821-4313

Vice President Operations Support
Entergy Operations, Inc.
P. O. Box 31995
Jackson, MS 39286-1995

Director
Nuclear Safety Assurance
Entergy Operations, Inc.
17265 River Road
Killona, LA 70066-0751

Wise, Carter, Child & Caraway
P. O. Box 651
Jackson, MS 39205

General Manager Plant Operations
Waterford 3 SES
Entergy Operations, Inc.
17265 River Road
Killona, LA 70066-0751

Licensing Manager
Entergy Operations, Inc.
17265 River Road
Killona, LA 70066-0751

Winston & Strawn
1700 K Street, N.W.
Washington, DC 20006-3817

Resident Inspector/Waterford NPS
P. O. Box 822
Killona, LA 70066-0751

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011

Parish President Council
St. Charles Parish
P. O. Box 302
Hahnville, LA 70057

Executive Vice President
& Chief Operating Officer
Entergy Operations, Inc.
P. O. Box 31995
Jackson, MS 39286-1995

Chairman
Louisiana Public Services Commission
P. O. Box 91154
Baton Rouge, LA 70825-1697

Mr. Joseph E. Venable
Vice President Operations
Entergy Operations, Inc.
17265 River Road
Killona, LA 70066-0751

May 2005