

February 15, 2006

Mr. B. F. Maurer  
Acting Manager  
Regulatory Compliance and Plant Licensing  
Westinghouse Electric Company LLC  
P.O. Box 355  
Pittsburgh, PA 15230-0355

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY, REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE FOR SAN ONOFRE NUCLEAR  
GENERATING STATION, UNITS 2 AND 3 (TAC NOS. MC5773 AND MC5774)

Dear Mr. Maurer:

By letter dated January 12, 2006, Westinghouse Electric Company submitted an affidavit dated December 15, 2005, executed by Mr. I. 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:

LTR-RCPL-05-153, Attachment 1: "Response to NRC [U.S. Nuclear Regulatory Commission] Request for Additional Information on WCAP-16005-NP, Rev. 03, "San Onofre Nuclear Generating Station, Unit 2, RCS [Reactor Coolant System] Pressure and Temperature Limits Report"; and WCAP-16167-NP, Rev. 0, "San Onofre Nuclear Generating Station, Unit 3, RCS Pressure and Temperature Limits Report"

A nonproprietary copy of this document 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:

- (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 the 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 2.390 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, the information in the document entitled, "Response to NRC Request for Additional Information on WCAP-16005-NP, Rev. 03, "San Onofre Nuclear Generating Station, Unit 2, RCS Pressure and Temperature Limits Report"; and WCAP-16167-NP, Rev. 0, "San Onofre Nuclear Generating Station, Unit 3, RCS Pressure and Temperature Limits Report," 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  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-361 and 50-362

cc: See next page

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N. Kalyanam, Project Manager  
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November 2005