

October 12, 2006

Mr. I. C. Rickard, Licensing Project Manager  
Systems and Safety Analysis, Nuclear Services  
Westinghouse Electric Company, LLC  
P.O. Box 355  
Pittsburgh, PA 15230-0355

SUBJECT: WATERFORD STEAM ELECTRIC STATION, UNIT 3 – REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
(CAW-06-2118) (TAC NO. MC6421)

Dear Mr. Rickard:

By letter dated March 22, 2006, Entergy Operations, Inc. (Entergy), submitted an affidavit dated March 21, 2006, executed by you, 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:

Responses to NRC Requests for Additional Information on WCAP-16208-P,  
Rev. 1, "NDE Inspection Length for CE [Combustion Engineering] Steam  
Generator Tubesheet Region Explosive Expansions," for Waterford Steam  
Electric Station Unit 3

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (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:

- (4)(i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
- (4)(ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitutes Westinghouse policy and provides the rational basis required.
  - (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.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
- (f) It contains patentable ideas, for which patent protection may be desirable.

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 version of the submitted information 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.

I. Rickard

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If you have any questions regarding this matter, I may be reached at 301-415-3062.

Sincerely,

*/RA/*

Mel B. Fields, Senior Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-382

cc: See next page

I. Rickard

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***/RA/***

Mel B. Fields, Senior Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-382

cc: See next page

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**NRR-084**

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Waterford Steam Electric Station, Unit 3

cc:

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 LLP  
1700 K Street, N.W.  
Washington, DC 20006

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

Richard Penrod, Senior Environmental Scientist  
State Liaison Officer  
Office of Environmental Services  
Northwestern State University  
Russell Hall, Room 201  
Natchitoches, LA 71497

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

May 2006