

January 16, 2007

Ms. Nancy B. Parr
Licensing Project Manager
Westinghouse Electric Company, LLC
Commercial Nuclear Fuel Division
Drawer R
Columbia, SC 29250

SUBJECT: CRITICALITY VALIDATION PROCEDURES PUBLIC DISCLOSURE
DETERMINATION (TAC L31911)

Dear Ms. Parr:

This is in response to your letter and affidavit dated December 11, 2006, signed by Cary D. Alstadt, requesting that nuclear criticality safety procedures that support the Nuclear Criticality Safety program, per Westinghouse Electric Company, LLC (WEC) letter number LTR-RAC-06-90, be withheld from public disclosure pursuant to 10 CFR 2.390.

You stated that portions of these procedures should be withheld from public disclosure as confidential commercial information under 10 CFR 2.390(a)(4) for the following reasons:

1. The information contained in the subject document is confidential commercial information in accordance with 10 CFR 2.390(a)(4).
2. The information provided is routinely withheld from public disclosure.
3. The public disclosure of the information contained in the document would harm the competitive position of WEC, since this report contains substantial sensitive information related to the company's nuclear criticality safety program.

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.

Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(a)(4) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

Withholding this information from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents.

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, WEC should promptly notify the Nuclear Regulatory Commission (NRC).

You 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 Mary Adams of my staff at (301) 415-7249, or via e-mail to mta@nrc.gov. Please reference the above TAC No. in future correspondence related to this determination.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter; your December 11, 2006, letter and affidavit; and the redacted version of the NCS procedures will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Robert C. Pierson, Director
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-1151
License No.: SNM-1107

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Sincerely,

/RA/

Robert C. Pierson, Director
 Division of Fuel Cycle Safety
 and Safeguards
 Office of Nuclear Material Safety
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Docket No.: 70-1151
 License No.: SNM-1107

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