



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 23, 1994

Docket Nos. 50-390
and 50-391

Mr. N. J. Liparulo, Manager
Nuclear Safety Regulatory and Licensing Activities
Westinghouse Electric corporation
P. O. Box 355
Pittsburgh, Pennsylvania 15230-0355

Dear Mr. Liparulo:

8/14/94

SUBJECT: WATTS BAR NUCLEAR PLANT, UNITS 1 AND 2 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (TAC MM89390)

By letter dated July 29, 1994, the Tennessee Valley Authority submitted a report on setpoint methodology. The submittal includes a Westinghouse affidavit CAW-94-616 dated June 20, 1994, and Westinghouse document WCAP-12096, Revision 6, "Westinghouse Setpoint Methodology for Protection Systems, Watts Bar Units 1 and 2, Eagle 21 Version". The affidavit requested that the material be withheld from public disclosure pursuant to Title 10 of the Code of Federal Regulations, Part 2, Section 790 (10 CFR 2.790).

The submittal stated that the 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 based on the requirements and criteria of 10 CFR 2.790, and, on the basis of Westinghouse's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. Therefore, the version of the submitted information 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.

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Mr. N. J. Liparulo, Manager

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Withholding information from public disclosure 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 the 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 should also understand that the NRC may have cause to review this determination in the future, such as, if the scope of a Freedom of Information Act request includes your information. If the NRC determines that the information should be made publicly available as a result of future review, you will be notified in advance of any public disclosure.

Sincerely,

Original signed by

Peter S. Tam, Senior Project Manager
Project Directorate II-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page

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Docket

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DATE	8/16/94	8/16/94	8/20/94	8/23/94

DOCUMENT NAME: P:PROPRIET

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