



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555

July 21, 1992

Docket Nos. 50-390
and 50-391

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

Dear Mr. Liparulo:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
WATTS BAR NUCLEAR PLANT, UNIT 1 (TAC M83837 and M83838)

By letter dated June 22, 1992, the Tennessee Valley Authority submitted Westinghouse affidavit CAW-92-306 dated May 20, 1992, and Westinghouse document WCAP-12774, "Technical Justification for Eliminating Pressurizer Surge Line Rupture As The Structural Design Basis For Watts Bar Units 1 and 2". The letter 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) 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.
- (c) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

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Mr. N. J. Liparulo

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We have reviewed your application and the material 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.

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 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. In all review situations, if the NRC makes a determination adverse to the above, 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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OFC	PDII-4/LA	PDII-4/PM	OGC	PDII-4/D
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DATE	7/16/92	7/16/92	7/20/92	7/21/92

Mr. N. J. Liparulo

Watts Bar Nuclear Plant

cc:

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The Honorable Robert Aikman
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The Honorable Johnny Powell
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