



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 13, 2009

Mr. Rafael Flores
Senior Vice President and
Chief Nuclear Officer
Luminant Generation Company LLC
P.O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2 – REQUEST
FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (TAC
NOS. ME1446 AND ME1447)

Dear Mr. Flores:

By letter dated June 8, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML091670158), Luminant Generation Company LLC submitted an affidavit dated May 21, 2009, executed by J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing, Westinghouse Electric Company LLC (Westinghouse), requesting that information designated proprietary in the following document be withheld from public disclosure pursuant to paragraph (a)(4) of Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390:

- WCAP-17072-P, "H*: Alternate Repair Criteria for the Tubesheet Expansion Region in Steam Generators with Hydraulically Expanded Tubes (Model D5)," May 2009

The affidavit stated that the submitted information should be considered withheld from public disclosure for the following reasons:

- (i) 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.
- (ii) 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.
- (iii) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

Section 2.390(b)(1)(iii) of 10 CFR Part 2 of the Commission's regulations requires that each supporting affidavit contain a full statement of the reason for claiming the information should be

R. Flores

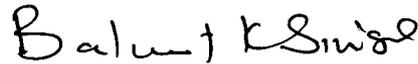
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withheld from public disclosure. The section further requires the statement to "address with specificity" the considerations listed in 10 CFR 2.390(b)(4).

The affidavit has been reviewed in light of the aforementioned paragraphs of the regulations and the general public availability of some of this information. The U.S. Nuclear Regulatory Commission staff requests clarification regarding how each of the information items listed in the enclosure meets the considerations of 10 CFR 2.390(b)(4) so that we may make the required determination under 10 CFR 2.390(b). Your response is requested within 30 days from the date of this letter.

If you have any questions regarding this matter, please contact me at 301-415-3016.

Sincerely,



Balwant K. Singal, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosure
As stated

cc w/encl: Distribution via Listserv

REQUEST FOR CLARIFICATION

COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2

LUMINANT GENERATION COMPANY LLC

DOCKET NOS. 50-445 AND 50-446

Provide clarification regarding how the classification of the following items meet the criteria of 10 CFR 2.390(b)(4).

1. Pages 1-5 and 1-6, equations 1-1, 1-2, and 1-3.
2. Page 1-13, numerical values in fourth row of Table 1-1.
3. Page 5-3, operating conditions in first column of the table.
4. Pages 5-5 through 5-10, Tables 5-1, 5-2, 5-3, 5-4, 5-5, and 5-6, all rows and columns.
5. Page 6-10, information in first row and first two columns of the table. Also provide reference 6-5.
6. Page 6-18, information in brackets claimed as proprietary, as well as similar types of information throughout the report.
7. Page 6-21, Table 6-6, information in first column.
8. Page 6-22, Table 6-7, information in first and third columns.
9. Page 6-30, information in first column of Tables 6-11, 6-12, and 6-13.
10. Page 9-24, information in Table 9-1.
11. Pages 9-26 and 9-27, information in first column of Tables 9-3 and 9-4.
12. Page 9-28, information in Table 9-5.
13. Page 9-29, information in first column of Table 9-6.
14. Page 9-30, information in first column of Table 9-7.

Enclosure

R. Flores

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/RA/

Balwant K. Singal, Senior Project Manager
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