

October 14, 2009

Gerard Couture, Licensing Project Manager
Westinghouse Electric Company
Nuclear Fuel - Columbia Site
5801 Bluff Rd.
Columbia, SC 29250

SUBJECT: REPLY TO REQUEST FOR WITHHOLDING LTR-RAC-09-52P

Dear Mr. Couture:

This letter is in response to your affidavit, signed by Cary D. Alstadt, dated September 21, 2009, (LTR-RAC-09-66), requesting that the letter "Controlled Access Area Expansion Project – September 21, 2009, (Proprietary)," and, (LTR-RAC-09-52P), may be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390.

The affidavit states that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information sought to be withheld is owned and has been held in confidence by the owner.
2. The information is of a type customarily held in confidence by the owner and not disclosed to the public.
3. The information was transmitted and received by the Commission in confidence.
4. Public disclosure of the information contained in the documents would harm the competitive position of Westinghouse Electric Company, LLC, since the documents contain substantial sensitive information related to the company's modifications and product processes.

We have reviewed your affidavit and the submitted information in accordance with the requirements of 10 CFR 2.390. On the basis of your statements, determined that the submitted information, contains proprietary commercial information and should be withheld from public disclosure.

Therefore, letter LTR-RAC-09-52-P 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 this information from public inspection will 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, you should promptly notify the U.S. 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 me at (301) 492-3189, or via e-mail to Christopher.Ryder@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your January 27, 2009, letter LTR-RAC-09-13 will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of agency-wide Documents Access and Management 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/

Christopher Ryder, Project Manager
Fuel Manufacturing Branch
Fuel Facility Licensing Directorate
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

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

Enclosures:

1. Controlled Access Area Expansion
Project (Public)
2. License Application Revision
(Non-public)
3. License Application Revision
(Public)

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Sincerely,

/RA/

Christopher Ryder, Project Manager
 Fuel Manufacturing Branch
 Fuel Facility Licensing Directorate
 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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1. Controlled Access Area Expansion Project (Public)
2. License Application Revision (Non-public)
3. License Application Revision (Public)

DISTRIBUTION:

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