



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

November 25, 2009

Vice President of Operations  
Entergy Operations, Inc.  
Waterford Steam Electric Station, Unit 3  
17265 River Road  
Killona, LA 70057-3093

SUBJECT: WATERFORD STEAM ELECTRIC STATION, UNIT 3 - REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (TAC  
NO. ME2401)

Dear Sir or Madam:

By letter dated November 2, 2009, you submitted an affidavit dated October 23, 2009, executed by Mr. J. A. Gresham of Westinghouse Electric Company LLC, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

WCAP-15815, Revision 1, "Structural Integrity Evaluation of Reactor Vessel Upper Head Penetrations to Support Continued Operation: Waterford Unit 3 and ANO Unit 2," (Proprietary).

The proprietary document is the Enclosure to the November 2, 2009, letter from Entergy Operations, Inc. (the licensee), to the U.S. Nuclear Regulatory Commission (NRC) for Waterford Steam Electric Station, Unit 3. The affidavit stated that the submitted 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.
- (c) Its use by 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.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse/

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

Therefore, the WCAP-15815, Rev. 1, "Structural Integrity Evaluation of Reactor Vessel Upper Head Penetrations to Support Continued Operation: Waterford Unit 3 and ANO Unit 2," dated March 2002, marked as proprietary 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 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 also should 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, I may be reached at 301-415-1480 or by electronic mail at [kaly.kalyanam@nrc.gov](mailto:kaly.kalyanam@nrc.gov).

Sincerely,



N. Kalyanam, Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No: 50-382

cc: J. A. Gresham  
Manager, Regulatory Compliance and Plant Licensing  
Westinghouse Electric Company, LLC  
P. O. Box 355  
Pittsburgh, PA 15230-0355

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Sincerely,  
/RA/

N. Kalyanam, Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

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Manager, Regulatory Compliance and Plant Licensing  
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