March 31, 2010

Mr. Cary Alstadt, Manager
Westinghouse Electric Company
Nuclear Fuel - Columbia Site
5801 Bluff Road
Columbia, SC 29250

SUBJECT: APPROVAL OF REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE — RESPONSE TO NOTICE OF VIOLATION CAPS-RCA-09-321 C013 REV. 0

Dear Mr. Alstadt:

By letter LTR-RAC-10-20 dated March 9, 2010, you requested that the subject information be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390. Your affidavit stated that the information should be considered exempt from mandatory public disclosure for the following reasons:

1. The information contained in the document has been held in confidence by the licensee in that it contains trade secrets or commercial information as defined in 10 CFR 2.390(a).

2. The information contained in the document is the intellectual property of the licensee, and is held in confidence by the licensee. This information has not been made public by the licensee, nor has it authorized its public release.

3. The disclosure of this information to the public would likely cause substantial harm to the competitive advantage held by the licensee because it contains distinguishing aspects of a process, methodology, or components which provide a competitive advantage in product optimization or marketability.

4. The information is security related.

We have reviewed your application and submittal in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the information sought to be withheld contains proprietary, commercial information. Therefore, the version of the submitted information marked as proprietary will be withheld from the public disclosure pursuant to 10 CFR 2.390(b) 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 basis for withholding this information from public inspection should changed 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.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

If you have any questions regarding this letter, please contact me at (301) 492-3189 or via e-mail to Christopher.Ryder@nrc.gov.

Sincerely,

/RA/

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

Docket: 70-1151
License: SNM-1107

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