



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

May 6, 2010

Mr. Mark A. Schimmel
Site Vice President
Prairie Island Nuclear Generating Plant
Northern States Power Company - Minnesota
1717 Wakonade Drive East
Welch, MN 55089-9642

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR PRAIRIE ISLAND NUCLEAR GENERATING PLANT, UNITS 1 AND 2
(TAC NOS. ME2976 AND ME2977)

Dear Mr. Schimmel:

By letter dated December 22, 2009 (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML100200129), you submitted an affidavit dated December 21, 2009, executed by J. A. Gresham of Westinghouse Electric Company, 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-15379, "Technical Justification for Eliminating Pressurizer Surge Line Rupture as the Structural Design Basis for Prairie Island Unit 2 Nuclear Plant," dated March 2000.

A nonproprietary version of the document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the ADAMS Public Electronic Reading Room (ADAMS Accession No. ML100200133).

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 advantage over other companies.
- (c) 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.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

Additionally, the affidavit stated that the information was transmitted to the NRC in confidence, has been held in confidence, is of a type customarily held in confidence, and is not available in public sources.

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.

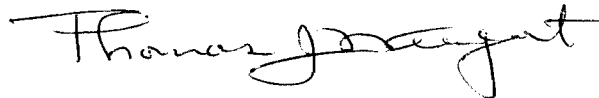
Therefore, the applicable portions of the document marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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 301-415-4037.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Wengert", with a stylized, cursive script.

Thomas J. Wengert, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-282 and 50-306

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/

Thomas J. Wengert, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-282 and 50-306

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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