



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

July 30, 2010

Mr. Timothy J. O'Connor
Site Vice President
Monticello Nuclear Generating Plant
Nuclear Management Company, LLC
2807 West County Road 75
Monticello, MN 55362-9637

**SUBJECT: MONTICELLO NUCLEAR GENERATING PLANT – WITHHOLDING
SUBMITTED PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. MD9990)**

Dear Mr. O'Connor:

By letter dated June 30, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML102010479), you submitted information about the replacement steam dryer for extended power uprate operation. Among other things, the submittal includes:

Enclosure 2, Westinghouse Report WCAP-17085-P, "Monticello Replacement Steam Dryer Structural Evaluation for High-Cycle Acoustic Loads," Revision 1 (Accession No. ML102010473).

Enclosure 3, Westinghouse Report SES 09-127-P, "Monticello Steam Dryer Replacement – Structural Verification of Steam Dryer," Revision 2 (Accession No. ML102010474).

Enclosure 4, Westinghouse Report, SES 09-129-P, "Monticello – Steam Dryer Replacement Moisture Carryover Analysis," Revision 2 (Accession No. ML102010475).

Enclosure 5, Westinghouse Report, WCAP-17251-P, "Monticello Replacement Steam Dryer Four-Line Acoustic Subscale Testing Report," Revision 0 (Accession No. ML102010476).

Enclosure 6, Westinghouse Report, WCAP-17252-P, "Acoustic Loads Definition for the Monticello Steam Dryer Replacement Project," Revision 0 (Accession No. ML102010477).

Enclosure 7, Westinghouse Letter, LTR-A&SA-09-32, "Limit Curves for Monticello Power Ascension During 2011 Outage," Revision 2 (Accession No. ML102010477).

Enclosure 8, Westinghouse Letter, LTR-EP-10-059, "Monticello Replacement Steam Dryer Differential Pressure Methodology Discussion," Revision 1 (Accession No. ML102010477).

Enclosure 9, Westinghouse Letter, LTR-EP-10-062, "Monticello Replacement Steam Dryer Regulatory Guide 1.20, Compliance Matrix," Revision 1 (Accession No. ML102010477).

You included affidavits executed by Westinghouse Electric Company personnel, requesting that the above listed documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390, as follows:

<u>Affidavit Executed by</u>	<u>Date</u>	<u>For Document</u>
R. M. Span, Principal Engineer	June 24, 2010	Enclosure 2
J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing	June 29, 2010	Enclosure 3
J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing	June 18, 2010	Enclosure 4
J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing	June 16, 2010	Enclosure 5
J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing	June 16, 2010	Enclosure 6
J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing	June 24, 2010	Enclosure 7
J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing	June 29, 2010	Enclosure 8
J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing	June 29, 2010	Enclosure 9

The affidavits stated that the Enclosures listed above should be considered exempt from mandatory public disclosure because:

- (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.
- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (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.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.

- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
- (f) It contains patentable ideas, for which patent protection may be desirable.

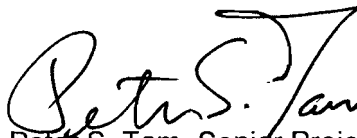
We have reviewed Westinghouse's affidavit in accordance with the requirements of 10 CFR 2.390, and on the basis of its statements, we have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the above listed documents, which are 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 301-415-1451.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter S. Tam". The signature is fluid and cursive, with the first name "Peter" and last name "Tam" clearly distinguishable.

Peter S. Tam, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-263

cc: See next page

Monticello Nuclear Generating Plant

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

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- (f) It contains patentable ideas, for which patent protection may be desirable.

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Sincerely,

/RA/

Peter S. Tam, Senior Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-263
cc: See next page

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