



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

October 25, 2010

Mr. John T. Conway
Senior Vice President – Energy Supply
and Chief Nuclear Officer
Pacific Gas and Electric Company
Diablo Canyon Power Plant
77 Beale Street, Mail Code B32
San Francisco, CA 94105

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR DIABLO CANYON POWER PLANT, UNIT NO. 2 (TAC NO. ME4577)

Dear Mr. Conway:

By letter dated August 12, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML102350295), you submitted an affidavit dated June 14, 2010 (CAW-10-2851), executed by J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing, Westinghouse Electric Company LLC, requesting that the information contained in the following document (Enclosure 2 of the August 12, 2010, letter) be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

WDI-TJ-1044-P, Revision 1, "Demonstration Report/Technical Basis Document:
Ultrasonic Examination of Diablo Canyon Unit 2 Reactor Pressure Vessel Nozzle
to Safe End Welds from ID Surface Through Welded Protective Layer"
(Proprietary), dated June 1, 2010

A non-proprietary copy, provided as Enclosure 3 to the letter dated August 12, 2010, has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the ADAMS Public Electronic Reading Room at ADAMS Accession No. ML102350297.

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

The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.

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.

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.

It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.

It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

It contains patentable ideas, for which patent protection may be desirable.

The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.

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 version of the submitted information 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.

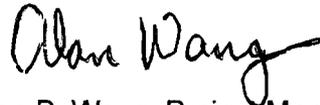
If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the Nuclear Regulatory Commission (NRC). You also should understand that the NRC may have cause to 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.

J. Conway

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If you have any questions regarding this matter, I may be reached at 301-415-1445.

Sincerely,

A handwritten signature in black ink that reads "Alan Wang". The signature is written in a cursive style with a long horizontal stroke at the end.

Alan B. Wang, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323

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

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J. Conway

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Sincerely,

/RA/

Alan B. Wang, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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