



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

February 28, 2011

Mr. David A. Heacock
President and Chief Nuclear Officer
Dominion Nuclear Connecticut, Inc.
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR MILLSTONE POWER STATION, UNIT NO. 3 (TAC NO. ME2978)

Dear Mr. Heacock:

By letter dated November 23, 2009 (Agencywide Document Access and Management System (ADAMS) Accession No. ML093620085), Dominion Nuclear Connecticut, Inc. (DNC), submitted a license amendment request for the one-time alternate repair criteria (H*) at Millstone Power Station, Unit No. 3 (MPS3). By letter dated May 3, 2010 (ADAMS Accession No. ML100770358), this request was approved by the U.S. Nuclear Regulatory Commission (NRC). As part of the request, DNC submitted affidavit CAW-09-2569, dated May 4, 2009, executed by J. A. Gresham, Manager, Regulatory Compliance and Plant Licensing, in Nuclear Services, Westinghouse Electric Company LLC (Westinghouse), 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), Section 2.390:

WCAP-17071-P, "H*: Alternate Repair Criteria for the Tubesheet Expansion Region in Steam Generators with Hydraulically Expanded Tubes (Model F)," dated April 2009 (Proprietary)

The November 23, 2009, letter, also submitted affidavit CAW-09-2632, dated August 13, 2009, executed by J. A. Gresham, requesting that the information contained in the following document be withheld from public disclosure pursuant to 10 CFR 2.390:

LTR-SGMP-09-100 P-Attachment, "Response to NRC Request for Additional Information on H*; Model F and Model D5 Steam Generators," dated August 2009 (Proprietary)

In addition, the November 23, 2009, letter submitted affidavit CAW-09-2659, dated August 27, 2009, executed by J. A. Gresham, requesting that the information contained in the following document be withheld from public disclosure pursuant to 10 CFR 2.390:

LTR-SGMP-09-109 P-Attachment, "Response to NRC Request for Additional Information on H*; RAI # 4; Model F and Model D5 Steam Generators," dated August 2009 (Proprietary)

By letter dated September 22, 2010 (ADAMS Accession No. ML102160749), the NRC informed DNC of deficiencies associated with their request for withholding. By letter dated October 7, 2010 (ADAMS Accession No. ML1028504350), DNC resubmitted their requests for

withholding which addressed the deficiencies noted in the November 23, 2009, submittal. Included in the October 7, 2010, letter is a new affidavit dated September 28, 2010, executed by J. A. Gresham, requesting the information in the following document be withheld from public disclosure pursuant to 10 CFR 2.390:

WCAP-17071-P, Revision 2, "H*: Alternate Repair Criteria for the Tubesheet Expansion Region in Steam Generators with Hydraulically Expanded Tubes (Model F)," (Proprietary) dated September 2010

A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the ADAMS Public Electronic Reading Room (ADAMS Accession No. ML102850438).

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.
- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, methods, etc.), the application of which data secures a competitive economic advantage, e.g. by optimization or improved marketability.
- (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.

Also included in the October 7, 2010, letter is a new affidavit dated September 9, 2010, executed by J. A. Gresham, requesting the information in the following document be withheld from public disclosure pursuant to 10 CFR 2.390:

LTR-SGMP-09-100 P-Attachment, Rev 1, "Response to NRC Request for Additional Information on H*; Model F and Model D5 Steam Generators," (Proprietary) dated September 7, 2010

A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the ADAMS Public Electronic Reading Room (ADAMS Accession No. ML102850438).

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.

Neither the proprietary copy nor the nonproprietary copy of LTR-SGMP-09-109 P needed to be resubmitted; therefore the original affidavit is still applicable. A nonproprietary copy of this document has been placed in the NRC's Public Document Room and added to the ADAMS Public Electronic Reading Room (ADAMS Accession No. ML093620086).

Affidavit CAW-09-2659 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 applications and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in these affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore the versions 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 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

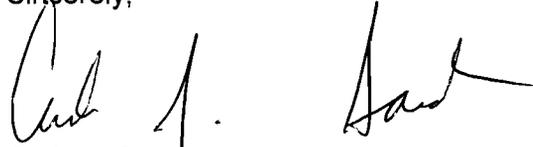
D. Heacock

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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 301-415-1603.

Sincerely,

A handwritten signature in black ink, appearing to read "Carleen Sanders". The signature is fluid and cursive, with a large initial "C" and "S".

Carleen Sanders, Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-423

cc:

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

Additional Distribution via Listserv

D. Heacock

- 4 -

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If you have any questions regarding this matter, I may be reached at 301-415-1603.

Sincerely,
/ra/

Carleen Sanders, Project Manager
Plant Licensing Branch, I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-423

cc:

J.A Gresham
Manager, Regulatory Compliance
And Plant Licensing
Westinghouse Electric Company LLC
P.O. Box 355
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OFFICE	LPL1-2/PM	LPL1-2/LA	NRR/DCI/CSGB	LPL1-2/BC
NAME	CSanders	ABaxter (MO'Brien for)	RTaylor	HChernoff
DATE	2/24/11	2/24/11	2/25/11	2/28/11

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