



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

July 24, 2012

Mr. Edward D. Halpin
Senior Vice President and
Chief Nuclear Officer
Pacific Gas and Electric Company
Diablo Canyon Power Plant
P.O. Box 56, Mail Code 104/6
Avila Beach, CA 93424

SUBJECT: DIABLO CANYON POWER PLANT, UNITS 1 AND 2 - REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (TAC
NOS. ME7522 AND ME7523)

Dear Mr. Halpin:

By letter dated June 6, 2012 (LTR-DCL-12-050, Agencywide Documents Access and Management System (ADAMS) Accession No. ML121700592), Pacific Gas and Electric (PG&E) submitted additional information to support a license amendment request. The additional information included an affidavit executed by Mr. J. A. Gresham of Westinghouse Electric Company, LLC, dated May 25, 2012 (CAW-12-3485), requesting that information contained in the following document be withheld from public disclosure pursuant to the Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Westinghouse document, "PGE-12-52 P-Attachment, Westinghouse Input to Diablo Canyon Digital Process Protection System Replacement Uncertainty Calculations Summary LAR," June 2012 (Proprietary)

A nonproprietary version of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and is available in ADAMS at Accession No. ML12170A840.

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 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.

We have reviewed your submittal 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

E. Halpin

- 2 -

sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

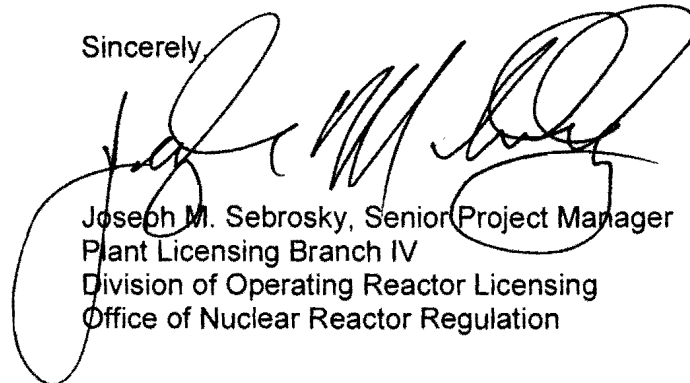
Therefore, the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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 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 301-415-1132.

Sincerely,

A large, stylized handwritten signature in black ink, likely belonging to Joseph M. Sebrosky, is written over the typed name and title.

Joseph M. Sebrosky, Senior 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. A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company
Suite 428, 1000 Westinghouse Drive
Cranberry Township, PA 16066

Additional distribution via Listserv

E. Halpin

- 2 -

sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, 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 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 301-415-1132.

Sincerely,
/RA/

Joseph M. Sebrosky, Senior 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. A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company
Suite 428, 1000 Westinghouse Drive
Cranberry Township, PA 16066

Additional distribution via Listserv

DISTRIBUTION:

PUBLIC

LPL4 R/F

RidsAcraAcnw_MailCTR Resource

RidsNrrDorLpL4 Resource

RidsNrrLAJBurkhardt Resource

RidsNrrPMDiabloCanyon Resource

RidsOgcRp Resource

RidsRgn4MailCenter Resource

ADAMS Accession No. ML12178A115

OFFICE	NRR/LPL4/PM	NRR/DORL/LAit	NRR/LPL4/LA	NRR/DE/EICB/BC	NRR/LPL4/BC	NRR/LPL4/PM
NAME	JSebrosky	CDorsey	JBurkhardt	JThorp	MMarkley	JSebrosky
DATE	7/24/12	6/29/12	6/29/12	7/12/12	7/24/12	7/24/12

OFFICIAL RECORD COPY