



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

October 15, 2014

Vice President, Operations
Entergy Nuclear Operations, Inc.
Indian Point Energy Center
450 Broadway, GSB
P.O. Box 249
Buchanan, NY 10511-0249

SUBJECT: INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3 – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (TAC NOS. MD5407 AND MD5408)

Dear Sir or Madam:

By letter dated September 8, 2014, (see Agencywide Documents Access and Management System [ADAMS] Accession No. ML14267A270), you submitted an affidavit dated August 25, 2014, executed by James A. Gresham of Westinghouse Electric Company, requesting that some information contained in Enclosure 1 to your September 8, 2014, letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.390.

A nonproprietary copy of this document (see ADAMS Accession No. ML14267A270) has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS.

The reasons given for requesting our withholding of this information were that:

(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, and

(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.

Additionally, the affidavit explains that the information is part of that which will enable Westinghouse to support reactor vessel internals aging management; and further, this information as substantial commercial value as follows: (i) Westinghouse plans to sell the use of similar information to its customers for the purpose of supporting reactor internals aging

management, and (ii) the information requested to be withheld reveals the distinguishing aspects of a methodology which was developed by Westinghouse.

We have reviewed your request 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 information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

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, please call me at 301-415-1627.

Sincerely,

/RA/

Kimberly Green, Sr. Mechanical Engineer
Aging Management of Structures, Electrical
and Systems Branch
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-247 and 50-286

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HARD COPY:

Mr. James A. Gresham, Manager, Regulatory Compliance
Westinghouse Electric Company
Suite 300
1000 Westinghouse Drive
Cranberry Township, PA 16066

E-MAIL:

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