



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 17, 1995

Docket File
50-315

Mr. E. E. Fitzpatrick, Vice President
Indiana Michigan Power Company
c/o American Electric Power Service Corporation
1 Riverside Plaza
Columbus, OH 43215

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(DONALD C. COOK NUCLEAR PLANT, UNIT NO. 1)

Dear Mr. Fitzpatrick:

By your application dated April 13, 1995, and Westinghouse Electric Corporation's affidavit dated March 13, 1995 (CAW-95-786), you submitted an application to amend the technical specifications for the Donald C. Cook Nuclear Plant, Unit 1, to allow use of laser-welded sleeves to repair defective steam generator tubes and requested that Attachment 4, WCAP-13088, Revision 3, "Westinghouse Series 44 and 51 Steam Generator Sleeving Report, Laser Welded Sleeves," be withheld from public disclosure pursuant to 10 CFR 2.790. Your application also included as Attachment 5, WCAP-13089, Revision 3, a nonproprietary version of Attachment 4.

You 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) The information consist 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) The information, if used 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) The information reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
- (e) The information 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 application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information.

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Therefore, the version of the submitted information marked as proprietary (WCAP-13088, Rev. 3, Attachment 4 to your April 13, 1995, application) will be withheld from public disclosure pursuant to 10 CFR 2.790(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.

Sincerely,

Original signed by

John B. Hickman, Project Manager
Project Directorate III-1
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

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cc: See next page

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Mr. E. E. Fitzpatrick
Indiana Michigan Power Company

Donald C. Cook Nuclear Plant

cc:

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, Illinois 60532-4351

Mr. S. Brewer
American Electric Power Service
Corporation
1 Riverside Plaza
Columbus, Ohio 43215

Attorney General
Department of Attorney General
525 West Ottawa Street
Lansing, Michigan 48913

Mr. Nicholas J. Liparulo, Manager
Nuclear Safety Regulatory
& Licensing Activities
Westinghouse Electric Corporation
Box 355
Pittsburgh, PA 15230-0355

Township Supervisor
Lake Township Hall
P.O. Box 818
Bridgman, Michigan 49106

Al Blind, Plant Manager
Donald C. Cook Nuclear Plant
1 Cook Place
Bridgman, Michigan 49106

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
7700 Red Arrow Highway
Stevensville, Michigan 49127

Gerald Charnoff, Esquire
Shaw, Pittman, Potts and Trowbridge
2300 N Street, N. W.
Washington, DC 20037

Mayor, City of Bridgman
Post Office Box 366
Bridgman, Michigan 49106

Special Assistant to the Governor
Room 1 - State Capitol
Lansing, Michigan 48909

Nuclear Facilities and Environmental
Monitoring Section Office
Division of Radiological Health
Department of Public Health
3423 N. Logan Street
P. O. Box 30195
Lansing, Michigan 48909