



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

March 26, 2018

Mr. Joel P. Gebbie
Senior Vice President and
Chief Nuclear Officer
Indiana Michigan Power Company
Nuclear Generation Group
One Cook Place
Bridgman, MI 49106

SUBJECT: DONALD C. COOK NUCLEAR PLANT, UNIT NO. 1 – REQUEST FOR
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(EPID L-2018-LLA-0054)

Dear Mr. Gebbie:

By letter dated March 7, 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18072A010), you submitted three affidavits. Two affidavits were dated January 16, 2018, and one affidavit was dated January 17, 2018. The affidavits were executed by James A. Gresham, Manager, Regulatory Compliance of Westinghouse Electric Company LLC, requesting that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

- WCAP-18295-P, Revision 0, "Technical Justification for Eliminating Accumulator Line Rupture as the Structural Design Basis for D.C. Cook Units 1 and 2, Using Leak-Before-Break Methodology" (Proprietary)
- WCAP-18302-P, Revision 0, "Technical Justification for Eliminating Residual Heat Removal Line Rupture as the Structural Design Basis for D.C. Cook Units 1 and 2, Using Leak-Before-Break Methodology" (Proprietary)
- WCAP-18309-P, Revision 0, "Technical Justification for Eliminating Safety Injection Line Rupture as the Structural Design Basis for D.C. Cook Units 1 and 2, Using Leak-Before-Break Methodology" (Proprietary)

A nonproprietary copy of these documents has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS (ADAMS Accession Nos. ML18072A013, ML18072A014, and ML18072A015, respectively).

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

- (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.

- (ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitute Westinghouse policy and the rational basis required.

Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

- (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, method, etc.), the application of which data secures a competitive economic advantage (e.g., by optimization or improved marketability).
- (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.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
- (f) It contains patentable ideas, for which patent protection may be desirable.

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 documents listed above, 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 U.S. 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.

If you have any questions regarding this matter, I may be reached at by phone at 301-415-1530 or by email at Jennivine.Rankin@nrc.gov.

Sincerely,



Jennivine K. Rankin, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No.: 50-315

cc: James A. Gresham
Manager, Regulatory Compliance
Westinghouse Electric Company
1000 Westinghouse Drive
Building 2, Suite 259
Cranberry Township, PA 16066

Listserv

SUBJECT: DONALD C. COOK NUCLEAR PLANT, UNIT NOS. 1 – REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (EPID L-2018-LLA-0054) DATED MARCH 26, 2018

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NAME	JRankin	SRohrer	DAlley (JTsao for)	DWrona
DATE	3/19/2018	3/19/2018	3/19/2018	3/22/2018
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DATE	3/26/2018			

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