

UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555

March 29, 1993

Docket Nos. 50-272 and 50-311

Mr. Nicholas J. Liparulo
Manager, Nuclear Safety and
Regulatory Activities
Westinghouse Electric Corporation
P.O. Box 355
Pittsburgh, Pennsylvania 15230-0355

Dear Mr. Liparulo:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE, SALEM

NUCLEAR GENERATING STATION, UNITS 1 AND 2 (TAC NOS. M85782 AND

M85783)

By your application and affidavit dated January 12, 1993, CAW-93-392, you submitted WCAP-13502, "Advanced Digital Feedwater Control System Median Signal Selector for Public Service Electric and Gas Company," and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790.

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

- 1. 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.
- 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.
- 3. 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.
- 4. It reveals aspects of past, present, or future Westinghouse or customerfunded development plans and programs of potential commercial value to Westinghouse.
- 5. It contains patentable ideas, for which patent protection may be desirable.

9303310327 930329 PDR ADUCK 05000272 PDR PDR

NRC FILE CENTER COPY

Mr. Nicholas J. Liparulo -2 - March 29, 1993

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 trade secrets or proprietary commercial information. Therefore, the version of the submitted information marked as proprietary will be withheld from pubic 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 of 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,

James C. Stone, Project Manager

James C. Stone

Project Directorate I-2

Division of Reactor Projects - I/II Office of Nuclear Reactor Regulation

cc: See next page

Salem Nucle Generating Station, Units 1 and 2

cc:

Mark J. Wetterhahn, Esquire Winston & Strawn 1400 L Street NW Washington, DC 20005-3502

Richard Fryling, Jr., Esquire Law Department - Tower 5E 80 Park Place Newark, NJ 07101

Mr. Calvin A. Vondra General Manager - Salem Operations Salem Generating Station P.O. Box 236 Hancocks Bridge, NJ 08038

Mr. J. Hagan Vice President - Nuclear Operations Nuclear Department P.O. Box 236 Hancocks Bridge, New Jersey 08038

Mr. Thomas P. Johnson, Senior Resident Inspector Salem Generating Station U.S. Nuclear Regulatory Commission Drawer I Hancocks Bridge, NJ 08038

Dr. Jill Lipoti, Asst. Director Radiation Protection Programs NJ Department of Environmental Protection and Energy CN 415 Trenton, NJ 08625-0415

Maryland People's Counsel American Building, 9th Floor 231 East Baltimore Street Baltimore, Maryland 21202

Mr. J. T. Robb, Director Joint Owners Affairs Philadelphia Electric Company 955 Chesterbrook Blvd., 51A-13 Wayne, PA 19087

Mr. Steven E. Miltenberger
Vice President and Chief Nuclear
Officer
Public Service Electric and Gas
Company
Post Office Box 236
Hancocks Bridge, New Jersey 08038

Richard Hartung Electric Service Evaluation Board of Regulatory Commissioners 2 Gateway Center, Tenth Floor Newark, NJ 07102

Regional Administrator, Region I U. S. Nuclear Regulatory Commission 475 Allendale Road King of Prussia, PA 19406

Lower Alloways Creek Township c/o Mary O. Henderson, Clerk Municipal Building, P.O. Box 157 Hancocks Bridge, NJ 08038

Mr. Frank X. Thomson, Jr., Manager Licensing and Regulation Nuclear Department P.O. Box 236 Hancocks Bridge, NJ 08038

Mr. David Wersan Assistant Consumer Advocate Office of Consumer Advocate 1425 Strawberry Square Harrisburg, PA 17120

Mr. J. A. Isabella MGR. - Generation Department Atlantic Electric Company P.O. Box 1500 1199 Black Horse Pike Pleasantville, NJ 08232

Carl D. Schaefer External Operations - Nuclear Delmarva Power & Light Company P.O. Box 231 Wilmington, DE 19899

Public Service Commission of Maryland Engineering Division ATTN: Chief Engineer 231 E. Baltimore Street Baltimore, MD 21202-3486

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 trade secrets or proprietary commercial information. Therefore, the version of the submitted information marked as proprietary will be withheld from pubic 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 of 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: James C. Stone, Project Manager Project Directorate I-2 Division of Reactor Projects - I/II Office of Nuclear Reactor Regulation

cc: See next page

DISTRIBUTION

Docket File

JStone

JWhite, RGN-I

NRC & Local PDRs PDI-2 Reading

MO'Brien

MPSiemien, OGC OGC

SVarga JCalvo

JWermiel

CMiller

EWenzinger, RGN-I

PDI-2/PM PDI-2 OFFICE PDI-2/PE OGC MPSiemien APelletier:rb MO'Brien JWermiel. NAME JStone 3 /22/93 3 /23/93 3/23/93 DATE

OFFICIAL RECORD COPY

DOCUMENT NAME: SA85782.GEN