



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

October 22, 1990

Docket No. 50-348
and 50-364

R. A. Wiesemann, Manager
Regulatory & Legislative Affairs
Westinghouse Electric Corporation
P. O. Box 355
Pittsburgh, Pennsylvania 15230-0355

Dear Mr. Wiesemann:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

By your application and affidavit dated August 14, 1990 (CAW-90-063), you submitted WCAP-12672, "Steam Generator Sleeving Report - Laser Welded Sleeves," 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:

- (a) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
- (b) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
- (c) It is information which is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.
- (d) Use by a competitor would put Westinghouse at a competitive disadvantage by reducing their expenditure of resources at Westinghouse's expense.
- (e) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component may be the key to the entire puzzle, thereby depriving Westinghouse of a competitive advantage.
- (f) Unrestricted disclosure would jeopardize the position of prominence of Westinghouse in the world market, and thereby give a market advantage to the competition of those countries.

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- (g) The Westinghouse capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.
- (h) The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of Westinghouse's knowledge and belief.

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(s) of the submitted information marked as proprietary 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 the public inspection should change in the future so 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 the public disclosure.

Sincerely,
 Original signed by
 Stephen T. Hoffman, Project Manager
 Project Directorate II-1
 Division of Reactor Projects I/II
 Office of Nuclear Reactor Regulation

cc: See next page
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Mr. W. G. Hairston, III
Alabama Power Company

Joseph M. Farley Nuclear Plant

cc:

Mr. R. P. McDonald
Executive Vice President
Nuclear Operations
Alabama Power Company
P. O. Box 1295
Birmingham, Alabama 35201

Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 24 - Route 2
Columbia, Alabama 36319

Mr. B. L. Moore
Manager, Licensing
Alabama Power Company
P. O. Box 1295
Birmingham, Alabama 35201

Regional Administrator, Region II
U.S. Nuclear Regulatory Commission
101 Marietta Street, Suite 2900
Atlanta, Georgia 30323

Mr. Louis B. Long, General Manager
Southern Company Services, Inc.
Houston County Commission
P. O. Box 2625
Birmingham, Alabama 35202

Chairman
Houston County Commission
Dothan, Alabama 36301

Mr. D. N. Morey
General Manager - Farley Nuclear Plant
P. O. Box 470
Ashford, Alabama 36312

Claude Earl Fox, M.D.
State Health Officer
State Department of Public Health
State Office Building
Montgomery, Alabama 36130

Mr. J. D. Woodward
Vice-President - Nuclear
Farley Project
Alabama Power Company
P. O. Box 1295
Birmingham, Alabama 35201

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