



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

February 20, 1991

Docket No. 50-334  
Serial No. BV-91-004

Mr. Robert A. Weisemann, Manager  
Regulatory and Legislative Affairs  
Westinghouse Electric Corporation  
Box 355  
Pittsburgh, Pennsylvania 15230-0355

Dear Mr. Weisemann:

SUBJECT: BEAVER VALLEY UNIT 1 - REQUEST FOR WITHHOLDING INFORMATION  
FROM PUBLIC DISCLOSURE (TAC 72110) - CAW-90-086

By your application and affidavit (CAW-90-086) dated November 8, 1990, you submitted Westinghouse Electric Corporation Reports designated as WCAP-12727 (Proprietary) and WCAP-12728 (Non-proprietary). Each of these reports is titled "Evaluation of Thermal Stratification for the Beaver Valley Unit 1 Pressurizer Surge Line." You requested certain information contained in WCAP-12727 be withheld from public disclosure pursuant to 10 CFR 2.790. Your application and affidavit were submitted as enclosures to Duquesne Light Company's submittal dated January 18, 1991.

Your affidavit asserted that the identified 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 by Westinghouse constitutes a competitive economic advantage over other companies.
- (2) 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.
- (3) It 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 affidavit and the referenced reports submitted with regard to the requirements and criteria of 10 CFR 2.790. On the basis of the statements made in your affidavit, I have determined that the information sought to be withheld contains trade secrets or proprietary commercial information.

Therefore, the version of the submitted information marked as proprietary, viz., "Evaluation of Thermal Stratification for the Beaver Valley Unit 1

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Mr. R. Weisemann

Beaver Valley Power Station  
Units 1 & 2

cc:

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Pressurizer Surge Line", WCAP-12727, 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 disclosure 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 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 such that the information could then be made available for public inspection, you should notify the NRC promptly. You should also understand that the NRC may have cause to review this determination in the future, such as, 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,

Albert W. De Agazio, Sr. Project Manager  
Project Directorate I-4  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

cc: See next page

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