



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

50-434/456

November 7, 1995

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

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(CAW-95-892)

Dear Mr. Liparulo:

By letter dated October 13, 1995, Commonwealth Edison Company (ComEd) submitted the Westinghouse report, "Technical Support for Alternate Plugging Criteria with Tube Expansion at Tube Support Plate Intersections for Braidwood-1 and Byron-1 Model D4 Steam Generators, (Addendum 1) Tube Support Plate Analysis Using "RELAP5" Loads" WCAP-14273 (Proprietary), October 1995 and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. Non-proprietary version WCAP-14274 (Addendum 1) was also included in the submittal.

An affidavit executed by Henry A. Sepp and a letter dated October 12, 1995, from Westinghouse, the owner of the information, was included in the submittal. Westinghouse 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) 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.
- "(e) 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 application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of Westinghouse's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information.

000005

9511090249 951107
PDR ADOCK 05000454
P PDR

NRC FILE CENTER COPY

LF01
1/0

cc:

Mr. William P. Poirier, Director
Westinghouse Electric Corporation
Energy Systems Business Unit
Post Office Box 355, Bay 236 West
Pittsburgh, Pennsylvania 15230

Joseph Gallo
Gallo & Ross
1250 Eye St., N.W.
Suite 302
Washington, DC 20005

Michael I. Miller, Esquire
Sidley and Austin
One First National Plaza
Chicago, Illinois 60603

Howard A. Learner
Environmental Law and Policy
Center of the Midwest
203 North LaSalle Street
Suite 1390
Chicago, Illinois 60601

U.S. Nuclear Regulatory Commission
Byron Resident Inspectors Office
4448 North German Church Road
Byron, Illinois 61010-9750

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

Ms. Lorraine Creek
Rt. 1, Box 182
Manteno, Illinois 60950

Chairman, Ogle County Board
Post Office Box 357
Oregon, Illinois 61061

Mrs. Phillip B. Johnson
1907 Stratford Lane
Rockford, Illinois 61107

George L. Edgar
Morgan, Lewis and Bochius
1800 M Street, N.W.
Washington, DC 20036

Ms. Bridget Little Rorem
Appleseed Coordinator
117 North Linden Street
Essex, Illinois 60935

Attorney General
500 South Second Street
Springfield, Illinois 62701

EIS Review Coordinator
U.S. Environmental Protection Agency
77 W. Jackson Blvd.
Chicago, Illinois 60604-3590

Illinois Department of
Nuclear Safety
Office of Nuclear Facility Safety
1035 Outer Park Drive
Springfield, Illinois 62704

Commonwealth Edison Company
Byron Station Manager
4450 North German Church Road
Byron, Illinois 61010

Kenneth Graesser, Site Vice President
Byron Station
Commonwealth Edison Station
4450 N. German Church Road
Byron, Illinois 61010

U.S. Nuclear Regulatory Commission
Braidwood Resident Inspectors Office
Rural Route #1, Box 79
Braceville, Illinois 60407

Mr. Ron Stephens
Illinois Emergency Services
and Disaster Agency
110 East Adams Street
Springfield, Illinois 62706

Chairman
Will County Board of Supervisors
Will County Board Courthouse
Joliet, Illinois 60434

Commonwealth Edison Company
Braidwood Station Manager
Rt. 1, Box 84
Braceville, Illinois 60407

Mr. D. L. Farrar
Manager, Nuclear Regulatory Services
Commonwealth Edison Company
Executive Towers West III
1400 Opus Place, Suite 500
Downers Grove, Illinois 60515

Therefore, we have determined that the document entitled, "Technical Support for Alternate Plugging Criteria with Tube Expansion at Tube Support Plate Intersections for Braidwood-1 and Byron-1 Model D4 Steam Generators, (Addendum 1) Tube Support Plate Analysis Using "RELAP5" Loads," 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 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 should also 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

M. David Lynch, Project Manager
Project Directorate III-2
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-454, STN 50-456

cc: see next page

DISTRIBUTION:

Docket Files	PUBLIC	PDI-2 r/f
JRoe	RCapra	CMoore
MDLynch	MFerber, RIII	RAssa
M.P. Siemien, OGC	GDick	

DOCUMENT NAME: A:\CAW95892

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	LA:PDIII-2	<input checked="" type="checkbox"/>	PM:PDIII-2	OGC	<input checked="" type="checkbox"/>	D:PDIII-2	<input checked="" type="checkbox"/>		
NAME	CMOORE		MDLYNCH	MPSIEMIEN	<input checked="" type="checkbox"/>	RCAPRA	<input checked="" type="checkbox"/>		
DATE	11/2/95		11/02/95	11/6/95		11/7/95			

OFFICIAL RECORD COPY