



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

April 28, 1992

Docket No. 50-443

R. P. DiPiazza, Manager  
Nuclear Safety Licensing  
Energy Systems  
Westinghouse Electric Company  
P.O. Box 355  
Pittsburgh, Pennsylvania 15230-0355

Dear Mr. DiPiazza:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE -  
WCAP-13181, "RTD BYPASS ELIMINATION REPORT FOR SEABROOK NUCLEAR  
STATION"

By your application CAW-92-255 and affidavit dated January 17, 1992, you submitted WCAP-13181, "RTD Bypass Elimination Licensing Report for Seabrook Nuclear Station," and requested it be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version, WCAP-13193, "RTD Bypass Elimination Licensing Report for Seabrook Nuclear Station," was also submitted.

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

The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. 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 contains patentable ideas, for which patent protection may be desirable. Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar analytical documentation and licensing defense services for commercial power reactors without commensurate expenses.

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.

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Therefore, the version 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 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

Gordon Edison, Senior Project Manager  
Project Directorate I-3  
Office of Nuclear Reactor Regulation

cc:  
See next page

*AEE*

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