

Docket File



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

May 6, 1992

Docket Nos. STN 50-454, STN 50-455
and STN 50-456, STN 50-457

Mr. Nicholas J. Liparulo
Manager of 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
(CAW-92-277)

By letter dated March 16, 1992, Commonwealth Edison Company (CECo) submitted the Westinghouse report, "Evaluation of Thermal Stratification For The Byron and Braidwood Units 1 and 2 Residual Heat Removal Lines," WCAP-12387, and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790.

A letter and an affidavit dated March 10, 1992, 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.
- "(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.

9205210257 920506
PDR ADOCK 05000454
P PDR

NRC FILE CENTER COPY

DFOL
1/10

Mr. Nicholas J. Liparulo

- 2 -

May 6, 1992

Therefore, we have determined that the document entitled, "Evaluation of Thermal Stratification For The Byron and Braidwood Units 1 and 2 Residual Heat Removal Lines", WCAP-12387, (Proprietary) February, 1992 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:
Robert M. Pulsifer

Robert M. Pulsifer, Project Manager
Project Directorate III-2
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

cc: See next page

DISTRIBUTION:

Docket Files
NRC & Local PDRs
PDIII-2 r/f
BBoger
RBarrett
RPulsifer
M.P. Siemien, OGC
PDIII-2 Gray

JZwolinski
CMoore
AHsia
BClayton RIII

OFC
NAME
DATE

LA: PDIII-2
CMOORE
5/11/92

PM: PDIII-2
RPULSIFER
5/11/92

D: PDIII-2
RBARRETT
5/16/92

OGC
MPSIFMIEN
5/14/92

OFFICIAL RECORD COPY: CAW92277

Mr. Nicholas J. Liparulo

Byron/Braidwood Power Stations

cc:

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

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

Joseph Gallo, Esquire
Hopkins and Sutter
888 16th Street, N.W., Suite 700
Washington, D.C. 20006

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

Regional Administrator
U. S. NRC, Region III
799 Roosevelt Road, Bldg. #4
Glen Ellyn, Illinois 60137

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

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

Douglass Cassel, Esquire
17 East Monroe Street, Suite 212
Chicago, Illinois 60603

Mr. Edward R. Crass
Nuclear Safeguards and Licensing
Division
Sargent & Lundy Engineers
55 East Monroe Street
Chicago, Illinois 60603

Michael Miller, Esquire
Sidley and Austin
One First National Plaza
Chicago, Illinois 60690

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

George L. Edgar
Newman & Holtzinger, P.C.
1615 L Street, N.W.
Washington, D.C. 20036

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

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

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

Robert Neumann
Office of Public Counsel
State of Illinois Center
100 W. Randolph, Suite 11-300
Chicago, Illinois 60601

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

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

EIS Review Coordinator
Environmental Protection Agency
Region V
230 S. Dearborn Street
Chicago, Illinois 60604

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

Attorney General
500 South 2nd Street
Springfield, Illinois 62701

Mr. Thomas J. Kovach
Nuclear Licensing Manager
Commonwealth Edison Company-Suite 300
OPUS West III
1400 OPUS Place
Downers Grove, Illinois 60515