



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

May 14, 1992

Docket Nos. 50-348
and 50-364

Mr. W. G. Hairston, III
Senior Vice President
Southern Nuclear Operating
Company, Inc.
Post Office Box 1295
Birmingham, Alabama 35201-1295

Dear Mr. Hairston:

SUBJECT: REJECTION OF REQUEST FOR WITHHOLDING OF PROPRIETARY INFORMATION
REGARDING JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2
(TAC NOS. M79818 AND M79819)

By letter dated April 10, 1992, you submitted the following Westinghouse Electric Corporation (Westinghouse) documents in conjunction with your requested steam generator tube alternate plugging criteria (APC) amendments:

1. WCAP-13237, Preliminary Data on Voltage/Burst/Leakage of 3/4 Inch Diameter Tubing for ODSCC at TSPs, March 1992 (Proprietary).
2. WCAP-13238, Preliminary Data on Voltage/Burst/Leakage of 3/4 Inch Diameter Tubing for ODSCC at TSPs, March 1992 (Non-Proprietary).

You indicated that Item 1 contained proprietary information and submitted a Westinghouse affidavit which set forth the basis on which the information should be withheld from public disclosure in accordance with 10 CFR 2.790. The affidavit and document indicated the following reason as the basis for withholding:

It is not the property of Westinghouse, but must be treated as proprietary by Westinghouse according to agreements with the owner (Item (4)(ii)(g) of the affidavit).

Only the owner of the information is authorized to execute an affidavit for withholding of a document under 10 CFR 2.790(b)(1)(ii). Therefore, your request for withholding of the document pursuant to 10 CFR 2.790 is denied. All copies of the document that have been submitted or made by the Nuclear Regulatory Commission for its use will be destroyed and the document removed from our document control system.

Our Office of General Counsel has discussed this issue by telephone with Mr. Nicholas J. Liparulo at Westinghouse. Mr. Liparulo has been informed that the basis cited is unacceptable and should not be used in future submittals.

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Mr. W. G. Hairston, III

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The information contained in the subject documents was requested by us in conjunction with our review of your requested APC amendments. Therefore, you are requested to revise the documents to delete reference to Item g of the affidavit and resubmit them as soon as possible.

Sincerely,

Original signed by:

Elinor G. Adensam for:

Stephen T. Hoffman, Project Manager
Project Directorate II-i
Division of Reactor Projects - 1/II
Office of Nuclear Reactor Regulation

cc: See next page

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FARPROP.LTR

Mr. W. G. Hairston, III
Southern Nuclear Operating
Company, Inc.

Joseph M. Farley Nuclear Plant

cc:

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