



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

May 21, 1992

Docket No. 50-338

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

Dear Mr. Liparulo:

SUBJECT: NORTH ANNA UNIT 1 - REQUEST FOR WITHHOLDING INFORMATION
FROM PUBLIC DISCLOSURE (CAW-92-300)

By Virginia Electric and Power Company's application dated May 1, 1992 and your affidavit dated May 1, 1992, you submitted WCAP-13326, "North Anna Unit 1 1992 Steam Generator Operating Cycle Evaluation" dated April 1992 and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790.

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

1. The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse;
2. The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public;
3. The information has been transmitted to and received by the Commission in confidence;
4. The information sought to be protected is not available in public sources; and
5. Public disclosure of the information sought to be withheld is likely to cause substantial harm to the competitive position of Westinghouse because the information is expected to be applicable in other licensee submittals in response to certain NRC requirements for justification of plant operation with steam generator tubes which are experiencing both axial and/or circumferentially oriented cracking at the top of the tubesheet and tube support plant locations. Use by a competitor would put Westinghouse at a competitive disadvantage because it would enhance the ability of competitors to provide similar steam generator information and licensing defense services for commercial power reactors without commensurate expenses.

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Mr. Nicholas J. Liparulo

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May 21, 1992

We have reviewed your affidavit and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information.

Therefore, WCAP-13326, "North Anna Unit 1 1992 Steam Generator Operating Cycle Evaluation" dated April 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, 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, 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

Leon B. Engle, Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page
Licensee

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Mr. Nicholas J. Liparulo
Virginia Electric & Power Company

North Anna Power Station
Units 1 and 2

cc:

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