



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 7, 1997

Mr. Nicholas J. Liparulo, Manager
Regulatory & Engineering Networks
Westinghouse Electric Corporation
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

Dear Mr. Liparulo:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

By letter dated November 21, 1996, (NSD-NRC-96-4889) you responded to four NRC letters dated October 16, 1996, and one dated November 5, 1996, regarding your request for withholding certain information from public disclosure. In the NRC letters we identified a number of instances where the NRC disagreed with the Westinghouse position that the identified information be withheld from public disclosure pursuant to 10 CFR 2.790. In a letter dated December 4, 1996, (NSD-NRC-96-4899) you provided clarification that Westinghouse authorized public disclosure of all of NRC's non-proprietary classification of the noted phrases with the exception of one statement identified in the attachment to the November 21, 1996, letter and in the December 4, 1996, letter.

We have carefully reviewed the information Westinghouse still considers proprietary and have determined the information identified in the attachment to the November 21, 1996, letter and in the December 4, 1996, letter will remain proprietary and will not be disclosed to the public. In order to allow the public to be fully apprised of the information that is considered non-proprietary and to comply with the regulations, please submit a revised proprietary and non-proprietary version of the report titled "Wolf Creek Incomplete Rod Insertion During Cycle 8, Interim Report on Inspection Plan, Inspection Results and Root Cause," dated March 1996. The revised report must include the information that was deemed releasable as identified in the staff's November 5, 1996, letter. It is requested that the report be submitted within 20 days of the date of this letter. See 10 CFR 2.790(b)(1).

The forwarding letter should note that the revised report is a resubmittal that supersedes the March 1996 report and should include a request to withdraw the March 1996 proprietary version.

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.

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If the basis for withholding this information from public disclosure 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 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 withheld 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.

If you have any questions regarding this matter, please contact the Wolf Creek Project Manager, Mr. James C. Stone at (301) 415-3063.

Sincerely,
Original signed by
Frank J. Miraglia
Frank J. Miraglia, Acting Director
Office of Nuclear Reactor Regulation

cc: See next page

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OFC	PDIV-2/PM ^{JCS}	PDIV-2/LA	PDIV-2/D ^{JCS}	OGC ^{RBT for}	DRPW:D ^{1/2/97 #1}
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OFC	ADP	NRR (A) D ^{dt}
NAME	RZimmerman	FMiraglia
DATE	12/3/96	12/1/96

AS MARKED

cc:

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