



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 15, 1997

Mr. Nicholas J. Liparulo, Manager
Equipment Design and Regulatory Engineering
Westinghouse Electric Corporation
Mail Stop ECE 4-15
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

Dear Mr. Liparulo:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,
WESTINGHOUSE LETTER OF JUNE 30, 1997

By your letter (NSD-NRC-97-5189) dated June 30, 1997, you submitted both proprietary and non-proprietary versions of the response to the NRC request for information regarding the design modifications to the Wolf Creek fuel. In letter AW-97-1122, also dated June 30, 1997, you requested the proprietary material be withheld from public disclosure in accordance with 10 CFR 2.790. This is the response to that request.

In the affidavit dated July 2, 1997, Mr. Henry A. Sepp stated that Westinghouse considered certain information proprietary and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. The affidavit states that this 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.
- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (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.

NRC FILE CENTER COPY

9708190174 970815
PDR TOPRP EMVWEST
C PDR

150015



TOPRP

97-165

DF03/1

RD-8-2
Westinghouse

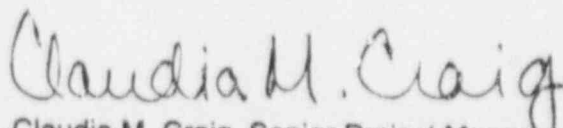
August 15, 1997

We have carefully reviewed your June 30, 1997, request and the information contained in your request. We have concluded that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. 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 document. 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 included your information. In all review situations, if the NRC needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,



Claudia M. Craig, Senior Project Manager
Generic Issues and Environmental
Projects Branch
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

cc:

Mr. Andrew Drake, Project Manager
Westinghouse Owners Group
Westinghouse Electric Corporation
Mail Stop ECE 5-16
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

August 15, 1997

We have carefully reviewed your June 30, 1997, request and the information contained in your request. We have concluded that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. 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 document. 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 included your information. In all review situations, if the NRC needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

Original Signed By:

Claudia M. Craig, Senior Project Manager
Generic Issues and Environmental
Projects Branch
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

cc:

Mr. Andrew Drake, Project Manager
Westinghouse Owners Group
Westinghouse Electric Corporation
Mail Stop ECE 5-16
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

Distribution:

Central File

PGEB r/f

CMCraig

MSiemien, OGC

PUBLIC

MSlosson

DMatthews

MCase

JStone

MChatterton

DOCUMENT NAME: G:\CMC1\6 30 97.PRP #605KA

OFFICE	PGEB	(A)SC:PGEB	(A)BC:SRXB	OGC	BC:PGEB
NAME	CCraig	MCase	JLyons	MSiemien	DMatthews
DATE	8/15/97	7/11/97	8/11/97	8/8/97	8/15/97

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20565-0001

August 15, 1997

Mr. Nicholas J. Liparulo, Manager
Equipment Design and Regulatory Engineering
Westinghouse Electric Corporation
Mail Stop ECE 4-15
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

Dear Mr. Liparulo:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,
WESTINGHOUSE LETTER OF JUNE 30, 1997

By your letter (NSD-NRC-97-5189) dated June 30, 1997, you submitted both proprietary and non-proprietary versions of the response to the NRC request for information regarding the design modifications to the Wolf Creek fuel. In letter AW-97-1122, also dated June 30, 1997, you requested the proprietary material be withheld from public disclosure in accordance with 10 CFR 2.790. This is the response to that request.

In the affidavit dated July 2, 1997, Mr. Henry A. Sepp stated that Westinghouse considered certain information proprietary and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. The affidavit states that this 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.
- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (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.

9708190174 3pp.

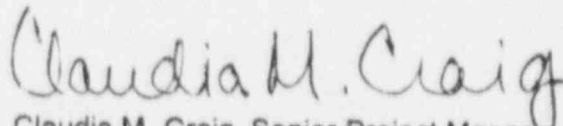
August 15, 1997

We have carefully reviewed your June 30, 1997, request and the information contained in your request. We have concluded that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. 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 document. 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 included your information. In all review situations, if the NRC needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,



Claudia M. Craig, Senior Project Manager
Generic Issues and Environmental
Projects Branch
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

cc:

Mr. Andrew Drake, Project Manager
Westinghouse Owners Group
Westinghouse Electric Corporation
Mail Stop ECE 5-16
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

August 15, 1997

We have carefully reviewed your June 30, 1997, request and the information contained in your request. We have concluded that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. 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 document. 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 included your information. In all review situations, if the NRC needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

Sincerely,

Original Signed By:
Claudia M. Craig, Senior Project Manager
Generic Issues and Environmental
Projects Branch
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

cc:

Mr. Andrew Drake, Project Manager
Westinghouse Owners Group
Westinghouse Electric Corporation
Mail Stop ECE 5-16
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

Distribution:

Central File

PUBLIC

JStone

PGEB r/f

MSlosson

MChatterton

CiMcraig

DMatthews

MSiemien, OGC

MCase

DOCUMENT NAME: G:\CMC1\6_30_97.PRP 1675KA

OFFICE	PGEB	(A)SC:PGEB	(A)BC:SRXB	OGC	BC:PGEB
NAME	CCraig	MCase	JLyons	MSiemien	DMatthews
DATE	7/1/97	7/7/97	7/1/97	8/8/97	8/15/97

OFFICIAL RECORD COPY