



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

August 10, 1989

Docket No. 50-445

Mr. Robert A. Wieseemann
Manager
Regulatory and Legislative Affairs
Westinghouse Electric Corporation
P. O. Box 355
Pittsburgh, PA 15230-0355

Dear Mr. Wieseemann:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(CAW-89-068)

By your application dated May 4, 1989 and affidavit dated November 7, 1988, you requested that WCAP-12267, entitled "Technical Basis for Eliminating Rupture of the Accumulator Injection Nozzles as a Structural Design Basis for Comanche Peak Unit 1," be withheld from public disclosure pursuant to 10 CFR 2.790. TU Electric submitted this topical report, using information proprietary to Westinghouse Electric Corporation on May 12, 1989 (TXX-89249) for NRC review.

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

1. It reveals the distinguishing aspects of a process where prevention of its use by any of Westinghouse's competitors without a license from Westinghouse constitutes a competitive advantage over other companies.
2. Its use by a competitor would reduce the competitor's expenditure of resources or improve the competitor's competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed your application 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, 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 the public 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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PDR ADCK 05000445
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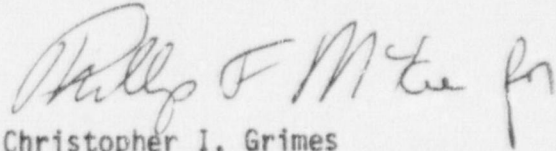
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Mr. Robert A. Wieseemann

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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 also 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 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,

A handwritten signature in cursive script, appearing to read "Chris I. Grimes".

Christopher I. Grimes
Comanche Peak Project Division
Office of Nuclear Reactor Regulation

cc: See next page

cc:

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Mr. Robert A. Wieseemann

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Sincerely,

Original signed by
P. F. McKee

for Christopher I. Grimes
Comanche Peak Project Division
Office of Nuclear Reactor Regulation

cc: See next page

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