



Docket

UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

October 29, 1999

Mr. H. A. Sepp, Manager  
Regulatory and Licensing Engineering  
Westinghouse Electric Corporation  
P.O. Box 355  
Pittsburgh, PA 15230-0355

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC  
DISCLOSURE - PROPRIETARY MATERIAL PROVIDED AT MEETING  
ON OCTOBER 14, 1999 (AW-99-1362)

Dear Mr. Sepp:

By your letter dated October 6, 1999, and affidavit dated October 12, 1999, you submitted "Spent Fuel Pool (SFP) Rack Stacking System Presentation to NRC," and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. A nonproprietary version was submitted for placement in the NRC public document room.

The affidavit stated that the submitted 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.
- (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.

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 and should be withheld from public disclosure.

Therefore, "Spent Fuel Pool (SFP) Rack Stacking System Presentation to NRC," 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 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.

PDR PROJ.

Mr. H. A. Sepp

- 2 - October 29, 1999

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 a 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:

Steven D. Bloom, Project Manager, Section 2  
Project Directorate IV and Decommissioning  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Project No. 694

cc: Mr. Andrew Drake, Project Manager  
Westinghouse Owners Group  
Westinghouse Electric Corporation  
Mail Stop ECE 5-16  
P.O. Box 355  
Pittsburgh, PA 15230-0355

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Mr. Jack Bastin, Director  
Regulatory Affairs  
Westinghouse Electric Corporation  
11921 Rockville Pike  
Suite 107  
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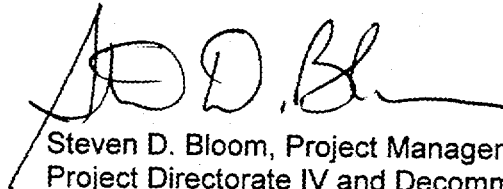
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Mr. H. A. Sepp

- 2 - October 29, 1999

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Sincerely,

A handwritten signature in black ink, appearing to read 'S.D. Bloom', with a horizontal line extending to the right.

Steven D. Bloom, Project Manager, Section 2  
Project Directorate IV and Decommissioning  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

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