



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

November 2, 1999

Mr. H. A. Sepp  
Manager, Regulatory and Licensing Engineering  
Westinghouse Electric Company  
P.O. Box 355  
Pittsburg, Pennsylvania 15239-0355

SUBJECT: CRYSTAL RIVER, UNIT 3 - REQUEST FOR WITHHOLDING INFORMATION  
FROM PUBLIC DISCLOSURE

Dear Mr. Sepp:

By letter dated September 16, 1999, Florida Power Corporation (FPC) submitted a license amendment request, which included a Westinghouse Electric Company LLC (Westinghouse) report titled "Crystal River Unit 3 Enhanced Spent Fuel Storage Project Engineering Input to License Amendment Request No. 239," and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. FPC forwarded a nonproprietary version of this report for placement in the public document room.

An affidavit dated August 27, 1999, executed by yourself for Westinghouse, the owner of the information, was included in the application. You stated that the submitted information, as identified in the report, should be considered exempt from mandatory public disclosure. The reasons for withholding this information, as stated in your affidavit, were as follows:

- (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) 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.

The U.S. Nuclear Regulatory Commission (NRC) staff 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 trade secrets or proprietary commercial information and should be withheld from public disclosure.

Therefore, we have determined that the Westinghouse report entitled "Crystal River Unit 3 Enhanced Spent Fuel Storage Project Engineering Input to License Amendment Request No. 239," 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.

NRC FILE CENTER

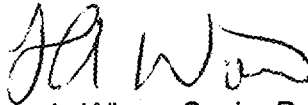
DF01

H. Sepp

- 2 -

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 needs additional information from you or 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, I may be reached on (301) 415-1495.

A handwritten signature in dark ink, appearing to read 'L. A. Wiens', is positioned above the printed name.

L. A. Wiens, Senior Project Manager, Section 2  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-302

cc: See next page

Florida Power Corporation

CRYSTAL RIVER UNIT NO. 3  
GENERATING PLANT

cc:

Mr. John Paul Cowan, Vice President  
Nuclear Operations (NA1B)  
ATTN: Manager Nuclear Licensing  
Florida Power Corporation  
Crystal River Energy Complex  
15760 W. Power Line Street  
Crystal River, Florida 34428-6708

Mr. R. Alexander Glenn  
Corporate Counsel (MAC-BT15A)  
Florida Power Corporation  
P.O. Box 14042  
St. Petersburg, Florida 33733-4042

Mr. Charles G. Pardee, Director  
Nuclear Plant Operations (PA4A)  
Florida Power Corporation  
Crystal River Energy Complex  
15760 W. Power Line Street  
Crystal River, Florida 34428-6708

Mr. Michael A. Schoppman  
Framatome Technologies Inc.  
1700 Rockville Pike, Suite 525  
Rockville, Maryland 20852

Mr. William A. Passetti, Chief  
Department of Health  
Bureau of Radiation Control  
2020 Capital Circle, SE, Bin #C21  
Tallahassee, Florida 32399-1741

Attorney General  
Department of Legal Affairs  
The Capitol  
Tallahassee, Florida 32304

Mr. Joe Myers, Director  
Division of Emergency Preparedness  
Department of Community Affairs  
2740 Centerview Drive  
Tallahassee, Florida 32399-2100

Chairman  
Board of County Commissioners  
Citrus County  
110 North Apopka Avenue  
Inverness, Florida 34450-4245

Ms. Sherry L. Bernhoft, Director  
Nuclear Regulatory Affairs (NA2H)  
Florida Power Corporation  
Crystal River Energy Complex  
15760 W. Power Line Street  
Crystal River, Florida 34428-6708

Senior Resident Inspector  
Crystal River Unit 3  
U.S. Nuclear Regulatory Commission  
6745 N. Tallahassee Road  
Crystal River, Florida 34428

Mr. Gregory H. Halnon  
Director, Quality Programs (SA2C)  
Florida Power Corporation  
Crystal River Energy Complex  
15760 W. Power Line Street  
Crystal River, Florida 34428-6708

H. Sepp

- 2 -

November 2, 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 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 needs additional information from you or 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, I may be reached on (301) 415-1495.

Original signed by:

L. A. Wiens, Senior Project Manager, Section 2  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-302

cc: See next page

DISTRIBUTION:

File Center

PUBLIC

CR-3 R/F

PDII-2\SC (A)

SBlack

HBerkow

LWiens

BClayton

KManoly

LBerry

OGC

ACRS

LWert, RII

MPSiemien

DOCUMENT NAME: G:\PDII-2\CRYSTAL\PROA6754.WPD

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PDII-2\PM	C	PDII-2\LA		EMEB\SC		OGC	C	PDII-2\SC (A)	
NAME	LWiens	<i>AW</i>	BClayton	<i>BC</i>	KManoly	<i>KM</i>	MPSiemien	<i>MS</i>	<i>KMS</i>	
DATE	10/1/99		10/1/99		10/1/99		11/1/99		11/2/99	

OFFICIAL RECORD COPY