



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

December 13, 1999

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

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
DONALD C. COOK NUCLEAR PLANT, UNITS 1 AND 2 (TAC NO. MA6766
AND MA6767)

Dear Mr. Sepp:

By application dated November 10, 1999, Indiana Michigan Power Company submitted additional information to an amendment request that included WCAP-15131, "Technical Justification for Eliminating Large Primary Loop Pipe Rupture As the Structural Design Basis for the D. C. Cook, Units 1 and 2," dated October 1999, 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.

An affidavit, dated November 2, 1999, executed by you on behalf of Westinghouse Electric Company, the owner of the information, was included in the application. Westinghouse 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."
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse."

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.

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PDR ADOCK

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Mr. H. Sepp

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December 13, 1999

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 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.

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.

If you have any questions regarding this matter, I may be reached at 301-415-1345.

Sincerely,

Original signed by:

John F. Stang, Senior Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

cc: See next page

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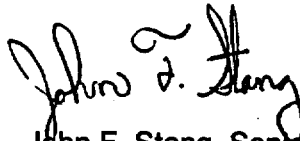
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Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

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Donald C. Cook Nuclear Plant, Units 1 and 2

cc:

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