

March 5, 2001

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

SUBJECT: SOUTH TEXAS PROJECT, UNIT 2 - REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE PER 10 CFR 2.790  
CONCERNING THE ALTERNATE REPAIR CRITERIA APPLICATION OF  
BOUNDING ANALYSES AND TUBE EXPANSIONS, (TAC NO. MA8271)

Dear Mr. Sepp:

As part of the South Texas Project, Unit 2, license amendment request dated February 21, 2000, and by letter dated January 30, 2001, you submitted an addendum to WCAP-15163, Revision 1 (proprietary) and an addendum to WCAP-15164, Revision 1 (non-proprietary). You also included an affidavit dated January 30, 2001, and executed by Mr. J. J. Sheppard, which addressed the Westinghouse report, "Addendum to WCAP-15163, Revision 1, (proprietary), "South Texas Unit 2: 3V Alternate Repair Criteria Application of Bounding Analyses and Tube Expansions," January 2001," and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. The non-proprietary version of this document has been placed NRC public document room and added to the Agency-wide Documents Access and Management Systems Publically Available Records system (ADAMS PARS Library).

As stated in your letter of January 30, 2001, certain information in Addendum to WCAP-15163, Revision 1, should be considered exempt from public disclosure. Superscripts (a), (b), (c), and (e) in the report correspond to reasons (a), (b), (c), and (e) in the affidavit (and below) as the basis for withholding the information from public disclosure.

- (a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
- (b) It is information which is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.
- (c) Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.
- (e) Unrestricted disclosure would jeopardize the position of prominence of Westinghouse in the World market, and thereby give a market advantage to the competition of those countries.

Mr. H. A. Sepp

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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, 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 301-415-1476.

Sincerely,

*/RA/*

Mohan C, Thadani, Senior Project Manager, Section 1  
Project Directorate IV & Decommissioning  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-499

cc: See next page

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, 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.

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Sincerely,

**/RA/**

Mohan C, Thadani, Senior Project Manager, Section 1  
Project Directorate IV & Decommissioning  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-499

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South Texas, Units 1 & 2

cc:

Mr. Cornelius F. O'Keefe  
Senior Resident Inspector  
U.S. Nuclear Regulatory Commission  
P. O. Box 910  
Bay City, TX 77414

A. Ramirez/C. M. Canady  
City of Austin  
Electric Utility Department  
721 Barton Springs Road  
Austin, TX 78704

Mr. M. T. Hardt  
Mr. W. C. Gunst  
City Public Service Board  
P. O. Box 1771  
San Antonio, TX 78296

Mr. G. E. Vaughn/C. A. Johnson  
Central Power and Light Company  
P. O. Box 289  
Mail Code: N5012  
Wadsworth, TX 74483

INPO  
Records Center  
700 Galleria Parkway  
Atlanta, GA 30339-3064

Regional Administrator, Region IV  
U.S. Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 400  
Arlington, TX 76011

D. G. Tees/R. L. Balcom  
Houston Lighting & Power Co.  
P. O. Box 1700  
Houston, TX 77251

Judge, Matagorda County  
Matagorda County Courthouse  
1700 Seventh Street  
Bay City, TX 77414

A. H. Gutterman, Esq.  
Morgan, Lewis & Bockius  
1800 M Street, N.W.  
Washington, DC 20036-5869

Mr. J. J. Sheppard, Vice President  
Engineering & Technical Services  
STP Nuclear Operating Company  
P. O. Box 289  
Wadsworth, TX 77483

S. M. Head, Supervisor, Licensing  
Quality & Licensing Department  
STP Nuclear Operating Company  
P. O. Box 289  
Wadsworth, TX 77483

Office of the Governor  
ATTN: John Howard, Director  
Environmental and Natural  
Resources Policy  
P. O. Box 12428  
Austin, TX 78711

Jon C. Wood  
Matthews & Branscomb  
112 East Pecan, Suite 1100  
San Antonio, TX 78205

Arthur C. Tate, Director  
Division of Compliance & Inspection  
Bureau of Radiation Control  
Texas Department of Health  
1100 West 49th Street  
Austin, TX 78756

Jim Calloway  
Public Utility Commission of Texas  
Electric Industry Analysis  
P. O. Box 13326  
Austin, TX 78711-3326

Mr. William T. Cottle  
President and Chief Executive Officer  
STP Nuclear Operating Company  
South Texas Project Electric  
Generating Station  
P. O. Box 289  
Wadsworth, TX 77483