

February 4, 2002

Mr. Philip W. Richardson, Manager
Windsor Nuclear Licensing
Westinghouse Electric Company
CE Nuclear Power, LLC
P.O. Box 500
2000 Day Hill Road
Windsor, CT 06095-0500

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Richardson:

By letter and affidavit dated December 18, 2001, executed by you, the Combustion Engineering Owners Group (CEOG) submitted supplemental information contained in Topical Report WCAP-15691, Supplement 1, entitled, "Application of the Joint Applications Report for to Calvert Cliffs Nuclear Power Plant (CCNPP), Units 1 and 2," and requested that it be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790. A non-proprietary version of the topical report (WCAP-15715, Supplement 1, December 2001), has been placed in the Nuclear Regulatory Commission's (NRC) Public Document Room and added to the Agencywide Documents Access and Management Systems Publicly Available Records System (ADAMS PARS) Library.

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

- a. A similar product is manufactured and sold by major competitors of Westinghouse.
- b. Westinghouse has invested substantial funds and engineering resources in the development of this information. A competitor would have to invest similar expense and resources to generate the equivalent information.
- c. The information consists of risk-informed methodology and evaluation results concerning extension of the containment integrated leak rate test interval at Calvert Cliffs 1 & 2, the application of which provides Westinghouse a competitive economic advantage. The availability of such information to competitors would enable them to design their product to better compete with Westinghouse, take marketing or other actions to improve their product's position or impair the position of Westinghouse's product, and avoid developing similar technical analysis in support of their processes, methods or apparatus.

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 trade secrets or proprietary commercial information and should be withheld from public disclosure.

Therefore, we have determined that the supplemental information contained in Topical Report WCAP-15691, Supplement 1, entitled, "Application of the Joint Applications Report for to Calvert Cliffs Nuclear Power Plant (CCNPP), Units 1 and 2," 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.

Sincerely,

/RA/

Jack Cushing, Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Project No. 692

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Sincerely,

/RA/

Jack Cushing, Project Manager, Section 2
Project Directorate IV
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CE Owners Group

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