

June 27, 2003

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

SUBJECT: DONALD C. COOK NUCLEAR PLANT, UNIT 1 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE
(TAC NOS. MB7162 AND MB7163)

Dear Mr. Sepp:

By letter dated December 10, 2002, the Indiana Michigan Power Company submitted an affidavit dated November 14, 2002, executed by H. A. Sepp of the Westinghouse Electric Company, LLC (Westinghouse), requesting that the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 2.790: "Westinghouse Letter LTR-EMT-02-316, "Thermal Stress Intensity Factors for D.C. Cook Unit 1 PT Curves."

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

The numerical values reveal information about the Westinghouse pressure temperature analysis for D. C. Cook Unit 1, where prevention of the use of these values without a license from Westinghouse constitutes a competitive economic advantage over other companies.

The application of the numerical values related to the thermal stress intensity factors for D. C. Cook Unit 1 pressure temperature curves secures a competitive economic advantage over other companies. The information, which if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, application, assurance of quality, or licensing of 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.

H. A. Sepp

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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,

/RA/

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

Docket No. 50-315

cc: See next page

H. A. Sepp

- 2 -

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John F. Stang, Senior Project Manager, Section 1
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Donald C. Cook Nuclear Plant, Units 1 and 2

cc:

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4351

Attorney General
Department of Attorney General
525 West Ottawa Street
Lansing, MI 48913

Township Supervisor
Lake Township Hall
P.O. Box 818
Bridgman, MI 49106

U.S. Nuclear Regulatory Commission
Resident Inspector's Office
7700 Red Arrow Highway
Stevensville, MI 49127

David W. Jenkins, Esquire
Indiana Michigan Power Company
One Cook Place
Bridgman, MI 49106

Mayor, City of Bridgman
P.O. Box 366
Bridgman, MI 49106

Special Assistant to the Governor
Room 1 - State Capitol
Lansing, MI 48909

Mr. John B. Giessner
Director, Technical Projects
Indiana Michigan Power Company
Nuclear Generation Group 500 Circle Drive
Buchanan, MI 49107

Michigan Department of Environmental
Quality
Waste and Hazardous Materials Div.
Hazardous Waste & Radiological
Protection Section
Nuclear Facilities Unit
Constitution Hall, Lower-Level North
525 West Allegan Street
P. O. Box 30241
Lansing, MI 48909-7741

David A. Lochbaum
Union of Concerned Scientists
1616 P Street NW, Suite 310
Washington, DC 20036-1495

Michael J. Finissi
Plant Manager
Indiana Michigan Power Company
Nuclear Generation Group
One Cook Place
Bridgman, MI 49106

Joseph E. Pollock
Site Vice President
Indiana Michigan Power Company
Nuclear Generation Group
One Cook Place
Bridgman, MI 49106