

July 2, 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 2 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE
(TAC NOS. MB5699 AND MB6948)

Dear Mr. Sepp:

By letter dated November 15, 2002, the Indiana Michigan Power Company submitted an affidavit dated October 25, 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-02-298, "Thermal Stress Intensity Factors for D.C. Cook Unit 2 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 2, 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 2 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. 50-316

cc: See next page

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Donald C. Cook Nuclear Plant, Units 1 and 2

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