

November 28, 2005

Mr. B. F. Maurer  
Acting Manager, Regulatory Compliance  
and Plant Licensing  
Westinghouse Electric Company LLC  
P.O. Box 355  
Pittsburgh, PA, 15230-0355

SUBJECT: FPL ENERGY SEABROOK, LLC, REQUEST FOR WITHHOLDING  
INFORMATION FROM PUBLIC DISCLOSURE FOR SEABROOK STATION  
(TAC NO. MC4907)

Dear Mr. Maurer:

By letter dated September 29, 2005, FPL Energy Seabrook, LLC (FPLE) submitted an affidavit executed by you, dated September 7, 2005, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

LTR-CDME-05-170-P, "Limited Inspection of the Steam Generator Tube Portion  
Within the Tubesheet at Seabrook Generating Station," dated August 2005

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:

- (1) This information is of the type typically held in confidence by Westinghouse Electric Company LLC (Westinghouse), and is in fact so held.
- (2) The information is being transmitted to the NRC in confidence.
- (3) The information has not been publically disclosed, nor is it available in public sources.
- (4) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.), where prevention of its use by Westinghouse's competitors constitutes a competitive economic advantage over other companies.
- (5) The information, if used 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 of a similar product.

- (6) The information reveals aspects of past, present, or future Westinghouse or customer-funded development plans and programs of potential commercial value to Westinghouse.
- (7) Use of the information by a competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at Westinghouse's expense.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 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 2.390(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 should also 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 301-415-2481.

Sincerely,

*/RA/*

G. Edward Miller, Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-443

cc: See next page

Seabrook Station, Unit No. 1

cc:

Mr. J. A. Stall  
Senior Vice President, Nuclear and  
Chief Nuclear Officer  
Florida Power & Light Company  
P.O. Box 14000  
Juno Beach, FL 33408-0420

Mr. Peter Brann  
Assistant Attorney General  
State House, Station #6  
Augusta, ME 04333

Resident Inspector  
U.S. Nuclear Regulatory Commission  
Seabrook Nuclear Power Station  
P.O. Box 1149  
Seabrook, NH 03874

Town of Exeter  
10 Front Street  
Exeter, NH 03823

Regional Administrator, Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Office of the Attorney General  
One Ashburton Place, 20th Floor  
Boston, MA 02108

Board of Selectmen  
Town of Amesbury  
Town Hall  
Amesbury, MA 01913

Ms. Deborah Bell  
Federal Emergency Management Agency  
Region I  
J.W. McCormack P.O. &  
Courthouse Building, Room 401  
Boston, MA 02109

Mr. Tom Crimmins  
Polestar Applied Technology  
One First Street, Suite 4  
Los Altos, CA 94019

Mr. Stephen McGrail, Director  
ATTN: James Muckerheide  
Massachusetts Emergency Management Agency  
400 Worcester Road  
Framingham, MA 01702-5399

Philip T. McLaughlin, Attorney General  
Steven M. Houran, Deputy Attorney  
General  
33 Capitol Street  
Concord, NH 03301

Mr. Bruce Cheney, Director  
New Hampshire Office of Emergency  
Management  
State Office Park South  
107 Pleasant Street  
Concord, NH 03301

Mr. Gene F. St. Pierre  
Station Director  
Seabrook Station  
FPL Energy Seabrook, LLC  
P.O. Box 300  
Seabrook, NH 03874

Mr. M. S. Ross, Managing Attorney  
Florida Power & Light Company  
P.O. Box 14000  
Juno Beach, FL 33408-0420

Mr. Rajiv S. Kundalkar  
Vice President - Nuclear Engineering  
Florida Power & Light Company  
P.O. Box 14000  
Juno Beach, FL 33408-0420

James M. Peschel  
Regulatory Programs Manager  
Seabrook Station  
FPL Energy Seabrook, LLC  
PO Box 300  
Seabrook, NH 03874

Seabrook Station, Unit No. 1

cc:

David Moore  
Vice President, Nuclear Operations Support  
Florida Power & Light Company  
P.O. Box 14000  
Juno Beach, FL 33408-0420

Marjan Mashhadi  
Senior Attorney  
Florida Power & Light Company  
801 Pennsylvania Ave., NW Suite 220  
Washington, DC 20004

- (6) The information reveals aspects of past, present, or future Westinghouse or customer-funded development plans and programs of potential commercial value to Westinghouse.
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If you have any questions regarding this matter, I may be reached at 301-415-2481.

Sincerely,  
/RA/

G. Edward Miller, Project Manager  
Plant Licensing Branch I-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-443

cc: See next page

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