

February 16, 2006

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

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY, REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE FOR BEAVER VALLEY POWER
STATION, UNIT NOS. 1 AND 2 (TAC NOS. MC4645 AND MC4646)

Dear Mr. Maurer:

By letter dated November 21, 2005, FirstEnergy Nuclear Operating Company (the licensee) submitted an affidavit dated November 18, 2005, executed by yourself. You requested 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:

"Beaver Valley Power Station, Unit Nos. 1 and 2 (BVPS-1 and 2) - Request for Additional Information (RAI) Extended Power Uprate (EPU) (TAC Nos. MC4645 and MC4646) (EPU RAI #5 - SBLOCA/HLSO [small-break loss-of-coolant accident/hot-leg switchover]) (Proprietary)"

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:

- (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- (c) Its use by a competitor would reduce the expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.

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 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, please call me at 301-415-1402.

Sincerely,

/RA/

Timothy G. Colburn, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-334 and 50-412

cc: See next page

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Timothy G. Colburn, Senior Project Manager
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DATE	2/15/06	2/16/06	2/16/06	2/16/06

OFFICIAL RECORD COPY

Beaver Valley Power Station, Unit Nos. 1 and 2

cc:

Gary R. Leidich
President and Chief Nuclear Officer
FirstEnergy Nuclear Operating Company
Mail Stop A-GO-19
76 South Main Street
Akron, OH 44308

Joseph J. Hagan
Senior Vice President of Operations
and Chief Operating Officer
FirstEnergy Nuclear Operating Company
Mail Stop A-GO-14
76 South Main Street
Akron, OH 44308

Danny L. Pace
Senior Vice President, Fleet Engineering
FirstEnergy Nuclear Operating Company
Mail Stop A-GO-14
76 South Main Street
Akron, OH 44308

Jeannie M. Rinckel
Vice President, Fleet Oversight
FirstEnergy Nuclear Operating Company
Mail Stop A-GO-14
76 South Main Street
Akron, OH 44308

David W. Jenkins, Attorney
FirstEnergy Corporation
Mail Stop A-GO-18
76 South Main Street
Akron, OH 44308

Manager, Fleet Licensing
FirstEnergy Nuclear Operating Company
Mail Stop A-GHE-107
395 Ghent Road
Akron, OH 44333

James H. Lash
Vice President
FirstEnergy Nuclear Operating Company
Beaver Valley Power Station
Mail Stop A-BV-SEB1
P.O. Box 4, Route 168
Shippingport, PA 15077

Lew W. Myers
Executive Vice President, Special Projects
FirstEnergy Nuclear Operating Company
Beaver Valley Power Station
Mail Stop A-BV-SGRP
P.O. Box 4, Route 168
Shippingport, PA 15077

Manager, Site Regulatory Compliance
FirstEnergy Nuclear Operating Company
Beaver Valley Power Station
Mail Stop A-BV-A
P.O. Box 4, Route 168
Shippingport, PA 15077

Commissioner James R. Lewis
West Virginia Division of Labor
749-B, Building No. 6
Capitol Complex
Charleston, WV 25305

Director, Utilities Department
Public Utilities Commission
180 East Broad Street
Columbus, OH 43266-0573

Director, Pennsylvania Emergency
Management Agency
2605 Interstate Dr.
Harrisburg, PA 17110-9364

Ohio EPA-DERR
ATTN: Zack A. Clayton
P.O. Box 1049
Columbus, OH 43266-0149

Beaver Valley Power Station, Unit Nos. 1 and 2 (continued)

cc:

Dr. Judith Johnsrud
Environmental Coalition on Nuclear Power
Sierra Club
433 Orlando Avenue
State College, PA 16803

Director
Bureau of Radiation Protection
Pennsylvania Department of
Environmental Protection
Rachel Carson State Office Building
P.O. Box 8469
Harrisburg, PA 17105-8469

Mayor of the Borough of Shippingport
P.O. Box 3
Shippingport, PA 15077

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

Resident Inspector
U.S. Nuclear Regulatory Commission
P.O. Box 298
Shippingport, PA 15077