

September 27, 2006

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

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY, LLC, REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR  
SEABROOK STATION, UNIT NO. 1 (TAC NO. MD2112)

Dear Mr. Maurer:

By FPL Energy Seabrook, LLC (FPLE) letter SBK-L-06119 dated May 30, 2006, and Westinghouse Electric Company, LLC (Westinghouse) affidavit dated April 27, 2006 (Attachment 3 to FPLE letter SBK-L-06119), FPLE 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) Section 2.390:

WCAP-16550-P, Revision 0, "Structural Integrity Evaluation of Reactor Vessel Upper Head Penetrations to Support Continued Operation: Seabrook Station," dated April 2006 (Attachment 2 to FPLE letter SBK-L-06119)

A nonproprietary copy of this document (Attachment 4 to FPLE letter SBK-L-06119, dated May 30, 2006) 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.

As follows, the affidavit contained information demonstrating that the submitted information should be considered exempt from mandatory public disclosure:

- (1) The information is of the type typically held in confidence by Westinghouse, and is in fact so held.
- (2) The information was transmitted to the NRC in confidence.
- (3) The information has not been publically disclosed, nor is it available in public sources.
- (4) Public disclosure of the information would be likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors with respect to design, manufacture, installation, assurance of quality, or licensing a similar product or service without commensurate expenses.

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, 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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Division of Operating Reactor Licensing  
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