



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 10, 2015

Mr. Dennis L. Koehl
President and CEO/CNO
STP Nuclear Operating Company
South Texas Project
P.O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNIT 1 - REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. MF6174)

Dear Mr. Koehl:

By letter dated April 24, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15133A130), STP Nuclear Operating Company (STPNOC, the licensee) submitted an affidavit dated April 22, 2015, executed by Mr. James A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company LLC (Westinghouse), 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-PAFM-15-27-P, Technical Justification to Support Extended Volumetric Examination Interval for South Texas Unit 1 Reactor Vessel Inlet Nozzle to Safe End Dissimilar Metal Welds, April 2015 (Attachment 2 to the letter dated April 25, 2015)

A nonproprietary copy of this document, provided as Attachment 1 to the letter dated April 24, 2015, has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS Accession No. ML15133A131.

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.
- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (c) Its use 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 a similar product.

- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
- (f) It contains patentable ideas, for which patent protection may be desirable.

The affidavit stated,

"Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar technical evaluation justifications and licensing defense services for commercial power reactors without commercial expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information."

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, 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.

D. Koehl

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If you have any questions regarding this matter, I may be reached at 301-415-1906.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Regner for".

Lisa M. Regner, Senior Project Manager
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-498

cc: Mr. James A. Gresham
Manager, Regulatory Compliance
Westinghouse Electric Company
1000 Westinghouse Drive
Building 3, Suite 310
Cranberry Township, PA 16066

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If you have any questions regarding this matter, I may be reached at 301-415-1906.

Sincerely,

/Margaret Watford for/

Lisa M. Regner, Senior Project Manager
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-498

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Manager, Regulatory Compliance
Westinghouse Electric Company
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NAME	DAiley	MMarkley	LRegne (MWatford for)
DATE	7/5/15	8/10/15	8/10/15

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