



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

December 16, 2016

Mr. Marty L. Richey  
Site Vice President  
FirstEnergy Nuclear Operating Company  
Beaver Valley Power Station  
Mail Stop A-BV-SEB1  
P.O. Box 4, Route 168  
Shippingport, PA 15077

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
FOR BEAVER VALLEY POWER STATION, UNIT 2 (CAC NO. MF8854)

Dear Mr. Richey:

By letter dated November 16, 2016 (Agencywide Documents Access and Management System Package Accession No. ML16323A286), you submitted an affidavit dated September 29, 2016, executed by Mr. Terry G. Rudek, Vice President, Systems and Components Engineering, Westinghouse Electric Company LLC, 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) Section 2.390:

"Technical Basis for Optimization or Elimination of Liquid Penetrant Exams for the Embedded Flaw Repair Beaver Valley Unit 2," Letter LTR-PSDR-16-008-P, Revision 0, dated October 2016

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 his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance or quality, or licensing a similar product.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs or potential commercial value to Westinghouse.

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 "Technical Basis for Optimization or Elimination of Liquid Penetrant Exams for the Embedded Flaw Repair Beaver Valley Unit 2," Letter LTR-PSDR-16-008-P, Revision 0,

M. Richey

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dated October 2016, 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 Nuclear Regulatory Commission (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) 415-2871 or [Michael.Marshall@nrc.gov](mailto:Michael.Marshall@nrc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Marshall, Jr.", with a stylized flourish at the end.

Michael L. Marshall, Jr., Senior Project Manager  
Plant Licensing Branch 1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-412

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

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M. Richey

- 2 -

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Sincerely,

/RA/

Michael L. Marshall, Jr., Senior Project Manager  
Plant Licensing Branch 1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-412

cc: Mr. James A. Gresham, Manager  
Regulatory Compliance  
Westinghouse Electric Company  
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