

PROCESS NUMBER
PROPOSED RULE **PR-50** (7)
(50 FR 11884)



Westinghouse
Electric Corporation

Water Reactor
Divisions

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NS-NRC-3036

May 28, 1985

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Mr. Samuel J. Chilks
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, DC 20555

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ATTENTION: Docketing and Services Branch

SUBJECT: Westinghouse Electric Corporation Water Reactor Divisions Comments
on Communications Procedures Amendments; 50 Fed. Reg. 11884, dated
March 26, 1985

This letter is to provide Westinghouse Electric Corporation, Water Reactor Divisions comments on the subject proposed rule. Westinghouse is pleased at the initiative shown by this proposed rule that is directed at codifying and simplifying the communications procedures that are established to govern communications with the NRC. We believe that this proposed rule, when implemented, will benefit the industry and the NRC through reduction in paperwork. However, as described below, Westinghouse believes that the proposed rule is flawed in that it does not address the rules that govern the handling of proprietary information submitted to the Commission by Westinghouse and other firms in the nuclear industry.

Traditionally, Westinghouse has established procedures in compliance with NRC regulations that provide Westinghouse the protection of proprietary information when this type of information is requested by the NRC in order to provide the NRC with the information that is needed to carry out its responsibilities to protect the public health and safety. These procedures have resulted in improving the Commission's ability to meet its responsibilities while at the same time providing Westinghouse the protection of proprietary information that is needed in order for Westinghouse to continue to maintain a viable business environment. Basically, these procedures involve establishing the minimum required number of copies of the proprietary material and submitting them along with an application for withholding from public disclosure to an NRC management person responsible for the request and authorized to accept the proprietary material on behalf of the Commission.

Westinghouse believes that the subject proposed rule should be modified to provide rules that govern how proprietary submittals are made. Specifically, 10CFR50.4 should be modified to provide for the transmittal of proprietary information, along with the appropriate affidavit, to the particular office or branch chief, with a carbon copy of the transmittal and the affidavit (but not

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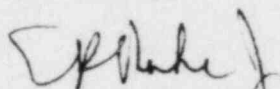
ACKNOWLEDGED BY CARD JUN 3 1985

DS:10 Add: Steve Scott, W-548

the actual proprietary information) to the Document Control Desk. This method provides the Commission the document control that is needed to control the entry of information into the NRC system while providing for controlled access to the Westinghouse proprietary information via the office or branch to which the information was transmitted.

Westinghouse appreciates the opportunity to comment on this proposed rule. If you have any questions concerning the above comments, please contact Mr. R. A. Wieseemann of my staff at (412) 374-5132.

Sincerely,



E. P. Rahe, Jr., Mgr.
Nuclear Safety Department

RAW/MHS/jag