



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

October 16, 1996

Nicholas J. Liparulo, Manager
Regulatory and Engineering Networks
Westinghouse Electric Corporation
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

Dear Mr. Liparulo:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE -
WESTINGHOUSE LETTER OF JUNE 11, 1996

By your letter (NSD-NRC-96-4740) dated June 11, 1996, you submitted both proprietary and non-proprietary versions of the material that was presented at a meeting with the staff on May 15, 1996. The meeting was held with Westinghouse and the Westinghouse Owners Group to discuss the status of the incomplete rod cluster control assembly insertion issue. In letter AW-96-973, dated June 10, 1996, you requested the proprietary material be withheld from public disclosure in accordance with 10 CFR 2.790. This is the response to that request.

In your affidavit dated June 12, 1996, you stated that you considered certain information proprietary and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. The affidavit stated that this 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.

We have carefully reviewed your June 10, 1996 request and the information contained in your request. We have concluded that some of the material may be withheld in accordance with 10 CFR 2.790(a)(6), but that certain other material should be released and placed in the Public Document Room (PDR). The information that we do not believe includes distinguishing aspects or would

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improve a competitor's economic advantage and information that we do not believe constitute trade secrets or proprietary commercial information is the following. We have listed the reason in parentheses.

- 1) Part of first bullet, second bullet, and third bullet on page titled "Drag Data Conclusions:"

[REDACTED]

Ex.4

(Non-proprietary elsewhere)

...incomplete insertion probability is zero unless drag results fail both guide tube and dashpot criteria

(Non-proprietary elsewhere)

- 40 GWD/MTU assembly burnup is a conservative lower bound for both criteria to be exceeded

(All non-proprietary elsewhere)

- 2) Third and fourth bullets on page titled "Crystallographic Texture:"
...typical and within the range of the other tubes. The axial texture which influences axial growth is normal and shows no changes over time

...The average value and variability for 11 thimble tube lots was typical of lots produced in 1990

(Summary two pages later is non-proprietary)

- 3) First three statements under first bullet on page titled "Site Testing Program:"

- F/A length measurement
- RCCA drag tests
- Single tube probe drag tests

(Non-proprietary in June 27, 1996 meeting)

In accordance with 10 CFR 2.790(c), this information is being forwarded to you as notice that these portions will be placed in the PDR thirty (30) days from the date of this letter. If within thirty (30) days of this letter, you request withdrawal of these documents in accordance with 10 CFR 2.790(c), or provide additional reasons for the withholding of information not already expunged from the documents, your request will be considered in light of applicable statutes and regulations and a determination made whether the documents will be withheld from public disclosure or returned to you.

October 16, 1996

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 disclosure should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You 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 withheld 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.

Sincerely,

Claudia M. Craig

Claudia M. Craig, Senior Project Manager
Generic Issues and Environmental
Projects Branch
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

Project No. 694

cc: Mr. Andy Drake, Project Manager
Westinghouse Owners Group
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

*Non-proprietary
version to
Central Files*

N. Liparulo

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October 16, 1996

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Sincerely,

Original Signed By:

Claudia M. Craig, Senior Project Manager
Generic Issues and Environmental
Projects Branch
Division of Reactor Program Management
Office of Nuclear Reactor Regulation

Project No. 694

cc: Mr. Andy Drake, Project Manager
Westinghouse Owners Group
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

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