



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 28, 1997

Mr. Nicholas J. Liparulo, Manager
Equipment Design and Regulatory Engineering
Westinghouse Electric Corporation
Mail Stop ECE 4-15
Post Office Box 355
Pittsburgh, Pennsylvania 15230-0355

Dear Mr. Liparulo:

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,
WESTINGHOUSE OWNERS GROUP LETTER OF APRIL 17, 1997

By letter (OG-97-38) dated April 17, 1997, Mr. Louis F. Liberatori submitted both proprietary and non-proprietary versions of the material presented to the staff at the March 18, 1997, meeting between the Westinghouse Owners Group, EPRI, Westinghouse, Oak Ridge National Laboratory, Northrup Grumman Advanced Technology Center, and the staff to discuss the ASIC-based reactor control and protection system replacement modules for Westinghouse plants. In letter CAW-97-1095, dated April 15, 1997, 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 April 15, 1997, you stated that Westinghouse considered certain information proprietary and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. The affidavit states 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) 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.
- (c) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

We have carefully reviewed your April 15, 1997, request and the information contained in your request. We have concluded that the submitted information sought to be withheld contains trade secrets or proprietary commercial information. Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.790(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the document. 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 should also 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 included your information. In all review situations, if the NRC needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

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. Andrew Drake, Project Manager
Westinghouse Owners Group
Westinghouse Electric Corporation
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