



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 4, 2009

Mr. David A. Heacock
President and Chief Nuclear Officer
Dominion Nuclear Connecticut, Inc.
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR MILLSTONE POWER STATION UNIT 2 (TAC NO. ME1765)

Dear Mr. Heacock:

By letter dated July 23, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML092090215), Dominion Nuclear Connecticut, Inc. (DNC) submitted relief request RR-89-61, revision 2, "Alternate Repair and Mitigation Requirements for Structural Weld Overlays." As part of the proposed relief request, DNC submitted an affidavit CAW-09-2591, dated June 1, 2009, executed by J. A. Gresham on behalf of the 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), Section 2.390:

Millstone Unit 2 RCS Surge, Spray, Shutdown Cooling, Safety Injection, Charging Inlet, and Letdown/Drain Nozzles Structural Weld Overlay Qualification (Proprietary), dated June, 2009

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the ADAMS Public Electronic Reading Room (ADAMS Accession No. ML092090216).

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 of quality, or licensing a similar product.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of 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.

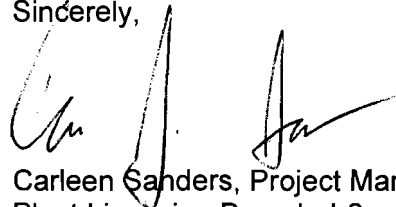
Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

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.

If you have any questions regarding this matter, I may be reached at 301-415-1603.

Sincerely,



Carleen Sanders, Project Manager
Plant Licensing Branch, I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-336

cc:

J. A. Gresham, Manager
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company LLC
P.O. Box 355
Pittsburgh, PA 15230-0355

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Sincerely,
/ra/
Carleen Sanders, Project Manager
Plant Licensing Branch, I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-336

cc:

J. A. Gresham, Manager
Regulatory Compliance and Plant Licensing
Westinghouse Electric Company LLC
P.O. Box 355
Pittsburgh, PA 15230-0355

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