



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

November 17, 2009

Mr. Thomas Joyce
President and Chief Nuclear Officer
PSEG Nuclear
P.O. Box 236, N09
Hancocks Bridge, NJ 08038

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR SALEM NUCLEAR GENERATING STATION, UNIT NO. 1
(TAC NO. ME2374)

Dear Mr. Joyce:

By PSEG Nuclear LLC (PSEG) letter LR-N09-0232 dated October 8, 2009, and three Westinghouse Electric Company (Westinghouse) affidavits (affidavit CAW-09-2567 dated May 4, 2009, affidavit CAW-09-2633 dated August 13, 2009, and affidavit CAW-09-2660, dated August 27, 2009) each executed by J. A. Gresham, you requested that the information contained in the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

WCAP-17071-P, "H*: Alternate Repair Criteria for the Tubesheet Expansion Region in Steam Generators with Hydraulically Expanded Tubes (Model F)," dated April 2009

LTR-SGMP-09-100 P-Attachment, "Response to NRC Request for Additional Information on H*, Model F and Model D5 Steam Generators," dated August 2009

LTR-SGMP-09-109 P-Attachment, "Response to NRC Request for Additional Information on H*; RAI #4; Model F and Model D5 Steam Generators," dated August 2009

A nonproprietary copy of each of these documents has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

Each affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- (4)(ii)(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.
- (4)(ii)(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 of a similar product.
- (4)(ii)(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 affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure. Therefore, the versions 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 301-415-1420.

Sincerely,



Richard B. Ennis, Senior Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-272

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

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Sincerely,
/ra/
 Richard B. Ennis, Senior Project Manager
 Plant Licensing Branch I-2
 Division of Operating Reactor Licensing
 Office of Nuclear Reactor Regulation

Docket No. 50-272

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

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