September 4, 2001

Mr. Michael M. Corletti
Advanced Plant Safety & Licensing
Westinghouse Electric Company
P.O. Box 355
Pittsburgh, Pennsylvania 15230-0355

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (AP 1000 PRE APPLICATION REVIEW)

Dear Mr. Corletti:

By your applications dated; (i) February 16, 2001, and associated affidavit dated February 16, 2001, executed by Mr. H. Sepp, and (ii) dated July 10, 2001, and associated affidavit dated July 17, 2001, executed by Mr. J. Winters, you submitted respectively (a) APP-GW-GEN-001, Rev. K, "AP1000 Plant Parameters" and (b) "AP1000 Steam Generator Drawings," and requested that they be withheld from public disclosure pursuant to 10 CFR 2.790.

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

(a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.

(b) It is information which is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.

(c) Use by competitors would put Westinghouse at a competitive disadvantage by reducing their expenditure of resources at your expense.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the “AP1000 Plant Parameters” and “Steam Generator Drawings” 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.

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 301-415-1102.

Sincerely,

/RA/

Alan C. Rae, AP 1000 Project Manager
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Project No. 711

cc: See next page

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Alan C. Rae, AP 1000 Project Manager
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

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ADAMS ACCESSION NUMBER: ML012470211

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DATE	8/20/2001	8/17/2001	8/31/01	8/28/2001

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AP 1000

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