December 23, 2002

Mr. Michael M. Corletti
AP600 & AP1000 Projects
Westinghouse Electric Company
P. O. Box 355
Pittsburgh, PA 15230-0355

SUBJECT: AP1000 - REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (AW-02-1585, AW-02-1586, AND AW-02-1587)

Dear Mr. Corletti:

By three letters dated December 2, 2002, you submitted three affidavits dated December 2, 2002, executed by Mr. James W. Winters, and requested that the following documents be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.790: WCAP-15949-P, "AP1000 Reactor Internals Flow-Induced Vibration Assessment Program," Revision 0 (AW-02-1586), WCAP-15965-P, "AP1000 Subcompartment Models," Revision 0 (AW-02-1587), and WCAP-15994-P, "Structural Analysis Summary for the AP1000 Reactor Coolant Pump High Inertia Flywheel," Revision 0 (AW-02-1585).

Nonproprietary copies of these documents have been placed in the Nuclear Regulatory Commission (NRC) public document room and added to the Agencywide Documents Access and Management Systems Public Electronic Reading Room.

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

(1) 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 a license from Westinghouse constitutes a competitive advantage over other companies (AW-02-1585 and AW-02-1587),

(2) the information 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 (AW-02-1586), and

(3) use of the information 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 (AW-02-1585, AW-02-1586 and AW-02-1567).

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 versions 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.

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 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 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 301-415-3053 or ljb@nrc.gov.

Sincerely,

/RA/

Lawrence J. Burkhart, AP1000 Project Manager
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Docket No. 52-006

cc: See next page

Section 103(b) of the Atomic Energy Act of 1954, as amended.

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Lawrence J. Burkhart, AP1000 Project Manager
New Reactor Licensing Project Office
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Docket No. 52-006

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AP 1000

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