

September 12, 2005

Mr. Charles L. Kling  
IRIS Licensing Manager  
Westinghouse Electric Company  
Science and Technology Department  
20 International Drive  
Windsor, CT 06095

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE  
FOR WCAP-16392-P, INTERNATIONAL REACTOR INNOVATIVE & SECURE  
(IRIS) TEST PLAN AND RELATED WCAP-16392-NP

Dear Mr. Kling:

By letter dated July 15, 2005, Westinghouse Electric Company (Westinghouse), submitted an affidavit dated July 14, 2005, executed by Mr. Ian C. Rickard requesting that the following information be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390:

(1) A CD containing Westinghouse Electric Company proprietary report.

A nonproprietary version of this CD (ML052130030) is available.

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

- (1) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
- (2) This information is being transmitted to the NRC in confidence.
- (3) 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.
- (4) Public disclosure of this information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar products and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

C. L. Kling

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We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 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 material listed above and identified as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(a)(4) and 9.17(a)(4).

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 301-415-4125.

Sincerely,

*/RA/*

James Kim, Project Manager  
New Reactors Section  
New, Research and Test Reactors Program  
Division of Regulatory Improvement Programs

Project No. 726

cc: See next page

C. L. Kling

-2-

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IRIS

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