

May 22, 2009

Ms. Sandra Sloan  
Manager  
AREVA NP Inc.  
3315 Old Forest Road  
P.O. Box 10935  
Lynchburg, VA 24506-0935

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC  
DISCLOSURE OF PROPRIETARY MATERIALS REGARDING  
RESPONSES TO RAI 133 SUPPLEMENT 1

Dear Ms. Sloan:

By letter dated January 30, 2009, and associated affidavit executed by Ronda Pederson on January 30, 2009 (Agencywide Documents Access and Management System Accession Number [ADAMS] ML090360734), you submitted a document: Response to U.S. EPR Design Certification Application RAI No. 133, Supplement 1. You requested that parts of this document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390.

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC) Public Document Room and added to the ADAMS Public Electronic Reading Room (ADAMS Accession Number ML090360734). The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reason:

- (1) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (2) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA NP.

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 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 301-415-3361.

Sincerely,

*/RA/*

Getachew Tesfaye, Senior Project Manager  
EPR Projects Branch 1  
Division of New Reactor Licensing  
Office of New Reactors

Docket No.: 52-020

cc: D.C. Areva - EPR Mailing List

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 301-415-3361.

Sincerely,

*/RA/*

Getachew Tesfaye, Senior Project Manager  
EPR Projects Branch 1  
Division of New Reactor Licensing  
Office of New Reactors

Docket No.: 52-020

cc: D.C. Areva - EPR Mailing List

DISTRIBUTION:

PUBLIC  
GTesfaye, NRO  
SWu, NRO  
PHearn, NRO  
JMcLellan, NRO

RidsAcrcAcnwMailCenterResource  
RidsNroDnrlNar1Resource  
RidsRgn2MailCenterResource

**ADAMS Accession Number: ML091030219**

NRO-002

OFFICE	DNRL/NARP: PM	DNRL/NARP: LA	DSRA/SPLA: BC	DNRL/NARP: PM
NAME	PHearn	JMcLellan	LMrowca	GTesfaye
DATE	04/15/09	04/15/09	04/20/09	05/22/09

**OFFICIAL RECORD COPY**

DC AREVA - EPR Mailing List  
cc:

(Revised 03/16/2009)

Mr. Glenn H. Archinoff  
AECL Technologies  
481 North Frederick Avenue  
Suite 405  
Gaithersburg, MD 20877

Mr. Gary Wright, Director  
Division of Nuclear Facility Safety  
Illinois Emergency Management Agency  
1035 Outer Park Drive  
Springfield, IL 62704

Ms. Michele Boyd  
Legislative Director  
Energy Program  
Public Citizens Critical Mass Energy  
and Environmental Program  
215 Pennsylvania Avenue, SE  
Washington, DC 20003

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

Ms. Sherry McFaden  
Framatome NP, Inc.  
3315 Old Forest Road, OF-16  
Lynchburg, VA 24501

Mr. Steve Seitz  
AREVA  
100 Dean Road  
East Lyme, CT 06333

Mr. Tom Sliva  
7207 IBM Drive  
Charlotte, NC 28262

Mr. Robert E. Sweeney  
IBEX ESI  
4641 Montgomery Avenue  
Suite 350  
Bethesda, MD 20814

## DC AREVA - EPR Mailing List

### Email

alex.miller@hse.gsi.gov.uk (Alex Miller)  
APH@NEI.org (Adrian Heymer)  
awc@nei.org (Anne W. Cottingham)  
bob.brown@ge.com (Robert E. Brown)  
BrinkmCB@westinghouse.com (Charles Brinkman)  
carey.fleming@constellation.com (Carey Fleming)  
chris.maslak@ge.com (Chris Maslak)  
cwaltman@roe.com (C. Waltman)  
david.hinds@ge.com (David Hinds)  
david.lewis@pillsburylaw.com (David Lewis)  
dlochbaum@UCSUSA.org (David Lochbaum)  
erg-xl@cox.net (Eddie R. Grant)  
gcesare@enercon.com (Guy Cesare)  
greshaja@westinghouse.com (James Gresham)  
james.beard@gene.ge.com (James Beard)  
james.p.mcquighan@constellation.com (Jim McQuighan)  
jason.parker@pillsburylaw.com (Jason Parker)  
jgutierrez@morganlewis.com (Jay M. Gutierrez)  
jim.riccio@wdc.greenpeace.org (James Riccio)  
JNesrsta@cpsenergy.com (James J. Nesrsta)  
John.O'Neill@pillsburylaw.com (John O'Neill)  
Joseph\_Hegner@dom.com (Joseph Hegner)  
junichi\_uchiyama@mnes-us.com (Junichi Uchiyama)  
KSutton@morganlewis.com (Kathryn M. Sutton)  
kwaugh@impact-net.org (Kenneth O. Waugh)  
lchandler@morganlewis.com (Lawrence J. Chandler)  
Marc.Brooks@dhs.gov (Marc Brooks)  
maria.webb@pillsburylaw.com (Maria Webb)  
mark.beaumont@wsms.com (Mark Beaumont)  
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)  
mbowling@numarkassoc.com (Marty Bowling)  
media@nei.org (Scott Peterson)  
mike\_moran@fpl.com (Mike Moran)  
MSF@nei.org (Marvin Fertel)  
mwetterhahn@winston.com (M. Wetterhahn)  
nirsnet@nirs.org (Michael Mariotte)  
patriciaL.campbell@ge.com (Patricia L. Campbell)  
paul.gaukler@pillsburylaw.com (Paul Gaukler)  
Paul@beyondnuclear.org (Paul Gunter)  
pshastings@duke-energy.com (Peter Hastings)  
RJB@NEI.org (Russell Bell)  
RKTemple@cpsenergy.com (R.K. Temple)  
Ronda.pederson@areva.com (Ronda Pederson)  
rrsgarro@pplweb.com (Rocco Sgarro)

## DC AREVA - EPR Mailing List

russell.wells@areva.com (Russell Wells)  
sabinski@suddenlink.net (Steve A. Bennett)  
sandra.sloan@areva.com (Sandra Sloan)  
sfrantz@morganlewis.com (Stephen P. Frantz)  
stephan.moen@ge.com (Stephan Moen)  
steven.hucik@ge.com (Steven Hucik)  
tkkibler@scana.com (Tria Kibler)  
tlharpster@pplweb.com (Terry Harpster)  
tom.miller@hq.doe.gov (Tom Miller)  
trsmith@winston.com (Tyson Smith)  
Vanessa.quinn@dhs.gov (Vanessa Quinn)  
VictorB@bv.com (Bill Victor)  
vijukrp@westinghouse.com (Ronald P. Vijuk)  
Wanda.K.Marshall@dom.com (Wanda K. Marshall)  
wayne.marquino@ge.com (Wayne Marquino)  
whorin@winston.com (W. Horin)