

December 22, 2009

Mr. Anthony Nowinowski, Manager  
Owners Group Program Management Office  
Westinghouse Electric Company  
P.O. Box 355  
Pittsburgh, PA 15230-0355

SUBJECT: PRESSURIZED WATER REACTOR OWNERS GROUP REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (TAC NO.  
MD9428)

Dear Mr. Nowinowski:

By letter dated May 6, 2008, the Pressurized Water Reactor Owners Group submitted an affidavit dated April 24, 2008, executed by David Leaver, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

PSAT 4025CF.QA.04 Rev.1,"StarFIRE Model Report"

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

- a. Information that discloses a process or method, including supporting data and analyses, where prevention of its use by Polestar's competitors without license from Polestar constitutes a competitive economic advantage over other companies.
- b. Information which, if used by a competitor, would significantly reduce his expenditure of resources or improve his competitive position in the analysis, design, assurance of quality, or licensing of a similar product.

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, PSAT 4025CF.QA.04 Rev.1,"StarFIRE Model Report" 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.

A. Nowinowski

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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 301-415-4053.

Sincerely,

***/RA/***

Jonathan Rowley, Project Manager  
Special Projects Branch  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Project No. 694

cc: Mailing List

A. Nowinowski

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Jonathan Rowley, Project Manager  
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cc: Mailing List  
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**ADAMS ACCESSION NO.: ML093440138**

**NRR-084**

OFFICE	PSPB/PM	PSPB/LA	Tech Branch	PSPB/BC
NAME	JRowley	DBaxley (CHawes for)	JParrelo	SRosenberg
DATE	12/15/09	12/15/09	12/15/09	12/22/09

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