

January 26, 2010

Mr. James A. Gresham, Manager  
Regulatory Compliance and Plant Licensing  
Westinghouse Electric Company, LLC  
P.O. Box 355  
Pittsburgh, PA 15230-0355

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE,  
WCAP-16943 "ENHANCED GRCA (GRAY ROD CLUSTER ASSEMBLY) RODLET  
DESIGN" TOPICAL REPORT

Dear Mr. Gresham:

By letter dated June 9, 2008, Westinghouse Electric Company, LLC (Westinghouse) submitted an affidavit dated June 9, 2008, executed by Mr. James A. Gresham, which requested 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:

WCAP-16943 "Enhanced GRCA (Gray Rod Cluster Assembly) Rodlet Design" Topical Report

A nonproprietary copy of this document, which was submitted on June 9, 2008, has been placed in the Nuclear Regulatory Commission's (NRC) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

(a) 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 license from Westinghouse constitutes a competitive economic advantage over other companies; and

(c) 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 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, 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.

J. A. Gresham

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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 301-415-6447.

Sincerely,

*/RA/*

Phyllis M. Clark, Project Manager  
AP1000 Projects Branch 2  
Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-006

cc: See next page

J. A. Gresham

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Sincerely,

Phyllis M. Clark, Project Manager  
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Division of New Reactor Licensing  
Office of New Reactors

Docket No. 52-006

cc: See next page

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DATE	01/06/2010	01/11/2010	01/21/2010	01/26/2010

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DCWG - AP1000 Mailing List

(Revised 12/15/2009)

cc:

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

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

Mr. Barton Z. Cowan, Esquire  
Eckert Seamans Cherin & Mellott, LLC  
600 Grant Street, 44th Floor  
Pittsburgh, PA 15219

Mr. Eugene S. Grecheck  
Vice President  
Nuclear Support Services  
Dominion Energy, Inc.  
5000 Dominion Blvd.  
Glen Allen, VA 23060

Mr. Jay M. Gutierrez  
Morgan, Lewis & Bockius, LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004

Ms. Sophie Gutner  
P.O. Box 4646  
Glen Allen, VA 23058

Mr. Ronald Kinney  
South Carolina DHEC  
2600 Bull Street  
Columbia, SC 29201

Mr. Tom Sliva  
7207 IBM Drive  
Charlotte, NC 28262

## DCWG - AP1000 Mailing List

### Email

agaughtm@southernco.com (Amy Aughtman)  
alsterdis@tva.gov (Andrea Sterdis)  
amonroe@scana.com (Amy Monroe)  
Antonio.Fernandez@FPL.com (Antonio Fernandez)  
APAGLIA@Scana.com (Al Paglia)  
APH@NEI.org (Adrian Heymer)  
awc@nei.org (Anne W. Cottingham)  
Bill.Jacobs@gdsassociates.com (Bill Jacobs)  
BrinkmCB@westinghouse.com (Charles Brinkman)  
Carellmd@westinghouse.com (Mario D. Carelli)  
cberger@energetics.com (Carl Berger)  
chris.maslak@ge.com (Chris Maslak)  
CumminWE@Westinghouse.com (Edward W. Cummins)  
cwaltman@roe.com (C. Waltman)  
david.hinds@ge.com (David Hinds)  
david.lewis@pillsburylaw.com (David Lewis)  
Derlinda.Bailey@chguernsey.com (Derinda Bailey)  
doug.ellis@shawgrp.com (Doug Ellis)  
ecullington@earthlink.net (E. Cullington)  
eddie.grant@excelservices.com (Eddie Grant)  
erg-xl@cox.net (Eddie R. Grant)  
garry.miller@pgnmail.com (Garry D. Miller)  
gcesare@enercon.com (Guy Cesare)  
George.Madden@fpl.com (George Madden)  
gwcurtis2@tva.gov (G. W. Curtis)  
gzinke@entergy.com (George Alan Zinke)  
ian.c.rickard@us.westinghouse.com (Ian C. Richard)  
james.beard@gene.ge.com (James Beard)  
jerald.head@ge.com (Jerald G. Head)  
jgutierrez@morganlewis.com (Jay M. Gutierrez)  
jim.riccio@wdc.greenpeace.org (James Riccio)  
jim@ncwarn.org (Jim Warren)  
JJNesrsta@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)  
Ichandler@morganlewis.com (Lawrence J. Chandler)  
Marc.Brooks@dhs.gov (Marc Brooks)  
maria.webb@pillsburylaw.com (Maria Webb)  
mark.beaumont@wsms.com (Mark Beaumont)  
Mark.Crisp@chguernsey.com (Mark Crisp)  
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)

DCWG - AP1000 Mailing List

maurerbf@westinghouse.com (Brad Maurer)  
media@nei.org (Scott Peterson)  
michael.cazaubon@exeloncorp.com (Michael Cazaubon)  
mike\_moran@fpl.com (Mike Moran)  
Mitch.Ross@fpl.com (Mitch Ross)  
MSF@nei.org (Marvin Fertel)  
mwetterhahn@winston.com (M. Wetterhahn)  
nirsnet@nirs.org (Michael Mariotte)  
nscjiangguang@sina.com (Jiang Guang)  
Nuclaw@mindspring.com (Robert Temple)  
patriciaL.campbell@ge.com (Patricia L. Campbell)  
paul.gaukler@pillsburylaw.com (Paul Gaukler)  
Paul.Jacobs@fpl.com (Paul Jacobs)  
Paul@beyondnuclear.org (Paul Gunter)  
pshastings@duke-energy.com (Peter Hastings)  
Raymond.Burski@fpl.com (Raymond Burski)  
rclary@scana.com (Ronald Clary)  
Rebecca.Smith-Kevern@nuclear.energy.gov (Rebecca Smith-Kevern)  
rgrumbir@gmail.com (Richard Grumbir)  
Richard.Orthen@fpl.com (Richard Orthen)  
RJB@NEI.org (Russell Bell)  
robert.kitchen@pgnmail.com (Robert H. Kitchen)  
rong-pan@263.net (Pan Rong)  
Russell.Wells@Areva.com (Russell Wells)  
sabinski@suddenlink.net (Steve A. Bennett)  
sandra.sloan@areva.com (Sandra Sloan)  
saporito3@gmail.com (Thomas Saporito)  
sfrantz@morganlewis.com (Stephen P. Frantz)  
shudson@regstaff.sc.gov (Shannon Hudson)  
sid.kere@dom.com (Sid Kere)  
sisk1rb@westinghouse.com (Rob Sisk)  
sroetger@psc.state.ga.us (Steve Roetger)  
stephan.moen@ge.com (Stephan Moen)  
Steve.Franzone@fpl.com (Steve Franzone)  
steven.hucik@ge.com (Steven Hucik)  
stramback@westinghouse.com (George Stramback)  
Tansel.Selekler@nuclear.energy.gov (Tansel Seleklek)  
tdurkin@energetics.com (Tim Durkin)  
Timothy.Beville@nuclear.energy.gov (Tim Beville)  
tomccall@southernco.com (Tom McCallum)  
TomClements329@cs.com (Tom Clements)  
trsmith@winston.com (Tyson Smith)  
Vanessa.quinn@dhs.gov (Vanessa Quinn)  
VictorB@bv.com (Bill Victor)  
vijukrp@westinghouse.com (Ronald P. Vijuk)

DCWG - AP1000 Mailing List

Wanda.K.Marshall@dom.com (Wanda K. Marshall)  
whorin@winston.com (W. Horin)  
william.maher@fpl.com (William Maher)  
x2gabeck@southernco.com (Gary Becker)