August 19, 2010

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

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE (REFERENCE AW-10-2762, TAC NO. ME2268)

Dear Mr. Gresham:

By letter dated July 13, 2010, Westinghouse Electric Company submitted an affidavit dated July 13, 2010, executed by Michael J. Gancarz, 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:

> Drawings Presented during the June 14, 2010 NRC Meeting on Common Q.

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

> 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.
>
> 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.
>
> The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
>
> Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.

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 Drawings Presented during the June 14, 2010 NRC Meeting on Common Q, 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 301-415-2963.

Sincerely,

/RA/

Eric E. Bowman, Project Manager
Special Projects Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

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 301-415-2963.

Sincerely,

/RA/

Eric E. Bowman, Project Manager
Special Projects Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

DISTRIBUTION:
PUBLIC
PLPB Reading File
RidsNrrDprPspb
RidsNrrLAEHylton
RidsNrrPMEBowman
RidsOgcMailRoom
RidsNrrDeEicb
RidsAcrsAcnwMailCenter

ADAMS ACCESSION NO.: ML102290248 NRR-084

OFFICE	PLPB/PM	PLPB/LA	EICB/BC	PLPB/BC	PLPB/PM
NAME	EBowman	EHylton	WKemper	JJolicoeur	EBowman
DATE	0817/10	0817/10	8/18/10	8/18/10	8/19/10

OFFICIAL RECORD COPY