March 30, 2011

Mr. Scott Head
Manager, Regulatory Affairs
STP Units 3 & 4
Nuclear Innovation North America, LLC
4000 Avenue F
Bay City, TX 76109

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FUEL RELATED SCHEDULE FOR SOUTH TEXAS PROJECT UNITS 3 AND 4

Dear Mr. Head:

By letter dated February 17, 2011, you submitted an affidavit dated February 17, 2011, executed by B.F. Maurer, Manager, ABWR licensing, Westinghouse Electrical Company (Westinghouse) LLC, requesting that the following schedule contains information specifically considered to be proprietary to Westinghouse that should be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2, Section 2.390:

"Fuel Related Schedule for STP 3 and 4" (proprietary)

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

i. This information is and has been withheld in confidence by Westinghouse.

ii. This information is of a type that is customarily held in confidence by Westinghouse and there is a rational basis for doing so because the information contains sensitive schedule information.

iii. This information is being submitted to the NRC voluntarily and in confidence.

iv. This information is not available in public sources and could not be gathered readily from other publicly available information.

v. Public disclosure of this information would create substantial harm to the competitive position of Westinghouse by providing computer input information.

We have reviewed the February 17, 2011, letter and the affidavit 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 information regarding the "Fuel Related Schedule for South Texas Project 3 and 4" 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 301-415-6197 or Tekia.Govan@nrc.gov

Sincerely,

/RA/

Tekia Govan, Project Manager
BWR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No.: PROJ0772

cc: See next page

A non-proprietary copy of this information was provided in Attachment 1 and was placed in the NRC Public Document Room and added to the Agencywide Document Access and Management System Public Electronic Reading Room

We have reviewed the February 17, 2011, letter and the affidavit 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.

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If you have any questions regarding this matter, I may be reached at 301-415-6197 or Tekia.Govan@nrc.gov

Sincerely,

Tekia Govan, Project Manager
BWR Projects Branch
Division of New Reactor Licensing
Office of New Reactors

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OFFICE	DNRL/BWR /PM	DNRL/BWR /LA	DNRL/BWR/PM
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DATE	03/24/2011	03/01/2011	03/30/2011

OFFICIAL RECORD COPY

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