August 23, 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 FOR SOUTH TEXAS PROJECT NUCLEAR OPERATING COMPANY TOPICAL REPORT WCAP-17203-P, "FAST TRANSIENT AND ATWS METHODOLOGY"

Dear Mr. Head:

By letter dated June 13, 2011, you submitted an affidavit dated June 8, 2011, executed by T. Rodack, Director, Quality and Licensing Programs, Westinghouse Electric Company LLC (Westinghouse), requesting that the responses to RAI-9b S01, RAI-9c S01, RAI-9d S01, RAI-17 S01, RAI-19 S01, RAI-20 S01, RAI-23 S01, RAI-24 S01, RAI-25 S01, and RAI-28 S01 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.

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

i. The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.

ii. The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitutes Westinghouse policy and provides the rational basis required.

iii. This information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.90; it is to be received in confidence by the Commission.

iv. The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of our knowledge and belief.

v. The proprietary information sought to be withheld in this submittal is that which is appropriately marked in "Response to the NRC's Request for Additional Information for WCAP-17203, 'Fast Transient and ATWS Methodology'" (Proprietary), for submittal to the Commission, being transmitted by South Texas Project Nuclear Operating Company (STPNOC) letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted by Westinghouse is that associated with the NRC review of WCAP-17203, and may be used only for that purpose.

We have reviewed the June 13, 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 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 301-415-6197 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

v. The proprietary information sought to be withheld in this submittal is that which is appropriately marked in "Response to the NRC's Request for Additional Information for WCAP-17203, 'Fast Transient and ATWS Methodology'" (Proprietary), for submittal to the Commission, being transmitted by South Texas Project Nuclear Operating Company (STPNOC) letter and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted by Westinghouse is that associated with the NRC review of WCAP-17203, and may be used only for that purpose.

We have reviewed the June 13, 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 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.

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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,

/RA/

Tekia Govan, Project Manager
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Office of New Reactors

Docket No. PROJ0772

cc: See next page
Distribution: See next page
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DATE	08/23/2011	08/18/2011	08/23/2011

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SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR SOUTH TEXAS PROJECT NUCLEAR OPERATING COMPANY TOPICAL REPORT WCAP-17203-P, "FAST TRANSIENT AND ATWS METHODOLOGY" DATED AUGUST 23, 2011

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