

October 12, 2011

Sandra M. Sloan
U.S. EPR New Plants Regulatory Affairs Manager
AREVA NP Inc.
3315 Old Forest Road
P.O. Box 10935
Lynchburg, VA 24506-0935

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE OF PROPRIETARY MATERIALS REGARDING
RAI 368 RESPONSE

Dear Ms. Sloan:

By letter dated August 25, 2011, and associated affidavit executed by you on August 25, 2011, Agencywide Documents Access and Management System (ADAMS) Accession No. ML11243A169 you submitted a document: Response to U.S. EPR Design Certification Application RAI No. 368, Supplement 10. You requested that parts of this document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390(a)(4).

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC) Public Document Room and added to the ADAMS Public Electronic Reading Room (ADAMS Accession No. ML11243A169). The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reason:

- (1) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (2) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA NP.

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.

S. Sloan

- 2 -

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 301-415-3361.

Sincerely,

/RA/

Getachew Tesfaye, Senior Project Manager
EPR Projects Branch 1
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-020

cc: DC AREVA - EPR Mailing List

S. Sloan

- 2 -

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 301-415-3361.

Sincerely,

/RA/

Getachew Tesfaye, Senior Project Manager
EPR Projects Branch 1
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-020

cc: DC AREVA - EPR Mailing List

DISTRIBUTION:

PUBLIC	RidsAcrcsAcnwMailCenterResource
GTesfaye, NRO	RidsNroDnr1Nar1Resource
AMGrady, NRO	RidsRgn2MailCenterResource
PHearn, NRO	RidsNroLAKGoldstein
JMcLellan, NRO	

ADAMS Accession Number: ML11266A049

NRO-002

OFFICE	DNRL/NARP: PM	DNRL/NARP: LA	DSRA/SCVB: BC	DNRL/NARP: PM
NAME	PHearn	JMcLellan (KGoldstein for)	JMcKirgan	GTesfaye
DATE	09/30/11	10/03/11	10/05/11	10/12/11

OFFICIAL RECORD COPY

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

Dr. Charles L. King
Licensing Manager, IRIS Project
Westinghouse Electric Company
Science and Technology Department
20 International Drive
Windsor, CT 06095

Ms. Sherry McFaden
AREVA NP Inc.
3315 Old Forest Road, OF-16
Lynchburg, VA 24501

Mr. Tony Robinson
AREVA NP, Inc.
3315 Old Forest Road
Lynchburg, VA 24501

Mr. Steve Seitz
AREVA NP Canada Ltd.
100 Dean Road
East Lyme, CT 06333

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Bethesda, MD 20814

Mr. Gary Wright, Director
Division of Nuclear Facility Safety
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

DC AREVA - EPR Mailing List

Email

alau@washdc.whitecase.com (Albie Lau)
APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
bgattoni@roe.com (William (Bill) Gattoni)
BrinkmCB@westinghouse.com (Charles Brinkman)
cwaltman@roe.com (C. Waltman)
darrell.gardner@areva.com (Darrell Gardner)
david.hinds@ge.com (David Hinds)
david.lewis@pillsburylaw.com (David Lewis)
dennis.williford@areva.com (Dennis Williford)
erg-xl@cox.net (Eddie R. Grant)
gcesare@enercon.com (Guy Cesare)
greg.gibson@unistarnuclear.com (Greg Gibson)
james.beard@gene.ge.com (James Beard)
james.p.mcquighan@constellation.com (Jim McQuighan)
jason.parker@pillsburylaw.com (Jason Parker)
jerald.head@ge.com (Jerald G. Head)
jim.riccio@wdc.greenpeace.org (James Riccio)
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)
lchandler@morganlewis.com (Lawrence J. Chandler)
Len.Gucwa.ext@areva.com (Len Gucwa)
Marc.Brooks@dhs.gov (Marc Brooks)
maria.webb@pillsburylaw.com (Maria Webb)
mark.beaumont@wsms.com (Mark Beaumont)
Martin.Bryan.ext@AREVA.com (Martin Bryan)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
mbowling@numarkassoc.com (Marty Bowling)
media@nei.org (Scott Peterson)
mike_moran@fpl.com (Mike Moran)
MSF@nei.org (Marvin Fertel)
mwetterhahn@winston.com (M. Wetterhahn)
nirsnet@nirs.org (Michael Mariotte)
Nuclaw@mindspring.com (Robert Temple)
patriciaL.campbell@ge.com (Patricia L. Campbell)
paul.gaukler@pillsburylaw.com (Paul Gaukler)
Paul@beyondnuclear.org (Paul Gunter)
pbessette@morganlewis.com (Paul Bessette)
pshastings@duke-energy.com (Peter Hastings)

DC AREVA - EPR Mailing List

RJB@NEI.org (Russell Bell)
rrsgarro@pplweb.com (Rocco Sgarro)
sabinski@suddenlink.net (Steve A. Bennett)
sandra.sloan@areva.com (Sandra Sloan)
sfrantz@morganlewis.com (Stephen P. Frantz)
stephan.moen@ge.com (Stephan Moen)
Steve.Graham@hse.gsi.gov.uk (Steve Graham)
steven.hucik@ge.com (Steven Hucik)
strambgb@westinghouse.com (George Stramback)
tkkibler@scana.com (Tria Kibler)
tlharpster@pplweb.com (Terry Harpster)
tom.miller@hq.doe.gov (Tom Miller)
trsmith@winston.com (Tyson Smith)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
vijukrp@westinghouse.com (Ronald P. Vijuk)
Wanda.K.Marshall@dom.com (Wanda K. Marshall)
wayne.marquino@ge.com (Wayne Marquino)
whorin@winston.com (W. Horin)