

March 14, 2012

Mr. J. A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company
Suite 428
1000 Westinghouse Drive
Cranberry Township, PA 16066

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC
DISCLOSURE FOR SLIDES FOR THE JANUARY 18, 2012, "TOPICAL
REPORT FOR USE OF THE WESTEMS™ COMPUTER CODE FOR ASME
SECTION III FATIGUE ANALYSES" PRE-SUBMITTAL MEETING WITH
NRC (PROJECT NO. 0794) (PROPRIETARY)

Dear Mr. Gresham:

By letter dated February 14, 2012, Westinghouse Electric Company submitted an affidavit dated February 13, 2012, executed by Mr. J. A. Gresham, Manager, Regulatory Compliance, 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:

Slides for the January 18, 2012, "Topical Report for Use of the WESTEMS™
Computer Code for ASME Section III Fatigue Analyses" Pre-Submittal Meeting
with NRC (Project No. 0794) (Proprietary)

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC) Public Document Room and added to the NRC Library in the Agencywide Documents Access and Management System (ADAMS).

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

- The information sought to be withheld from public disclosure has substantial commercial value to Westinghouse
- Westinghouse plans to sell the use of similar information to its customers for purpose of plant construction and operation
- Westinghouse can sell support and defense of safety systems based on the technology in the reports.
- The information requested to be withheld reveals the distinguishing aspects of an approach and schedule which was developed by Westinghouse.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, Westinghouse "Slides for the January 18, 2012, "the Topical Report for Use of the WESTEMS™ Computer Code for ASME Section III Fatigue Analyses" Pre-Submittal Meeting with NRC (Project No. 0794)" (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 appropriated 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 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) 415-6191.

Sincerely,

/RA/

Ravindra Joshi, Senior Project Manager
Licensing Branch 4 (LB4)
Division of New Reactor Licensing
Office of New Reactors

Project No. 0794

cc: See next page

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Sincerely,

/RA/

Ravindra Joshi, Senior Project Manager
Licensing Branch 4 (LB4)
Division of New Reactor Licensing
Office of New Reactors

Project No. 0794

cc: See next page

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(Revised 02/17/2012)

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