

March 14, 2012

Mr. J. A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company
Nuclear Services
1000 Westinghouse Drive
Cranberry Township, Pennsylvania 16066

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR WESTINGHOUSE ELECTRIC COMPANY

Dear Mr. Gresham:

By letter dated February 29, 2012, Westinghouse Electric Company submitted an affidavit dated February 29, 2012, executed by R. B. Sisk, Manager, International Licensing, 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:

Topical Report on ASME Section III, "Piping Fatigue Analysis Utilizing the
WESTEMSTM Computer Code," February 2012 (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:

- This information has substantial commercial value to Westinghouse as follows:
 - 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's Topical Report on ASME Section III, "Piping Fatigue Analysis Utilizing the WESTEMS™ Computer Code," February 2012 (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
Division of New Reactor Licensing
Office of New Reactors

Project No. 0794

cc: See next page

Therefore, Westinghouse's Topical Report on ASME Section III, "Piping Fatigue Analysis Utilizing the WESTEMS™ Computer Code," February 2012 (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.

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Ravindra Joshi, Senior Project Manager
Licensing Branch 4
Division of New Reactor Licensing
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(Revised 02/17/2012)

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