

April 2, 2012

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

SUBJECT: SUBMITTAL OF PROPRIETARY AND NONPROPRIETARY DOCUMENTS FOR
DOCKETING (RAI-SRP18-COLP-08) (DCP_NRC_2473)

Dear Mr. Gresham:

By letter dated May 14, 2009, Westinghouse Electric Company, LLC (Westinghouse) submitted an affidavit dated May 14, 2009, executed by Mr. Robert B. Sisk, which requested 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.

DCP_NRC_2473 Proprietary Enclosures, "Submittal of Proprietary and Non[-]Proprietary Documents for Docketing RAI_SRP18-COLP-08"

Nonproprietary copies of the enclosures have been placed in the Nuclear Regulatory Commission's (NRC) Public Document Room and added to the Agencywide Documents Access and Management System Public Electronic Reading Room.

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

- (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.

- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

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. 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 301-415-2783.

Sincerely,

/RA/

Sikhindra K. Mitra, Project Manager
Licensing Branch 1 (LB1)
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-006

cc: See next page

- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

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Sincerely,

/RA/

Sikhindra K. Mitra, Project Manager
 Licensing Branch 1 (LB1)
 Division of New Reactor Licensing
 Office of New Reactors

Docket No. 52-006

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| DATE | 3/28/12 | 4/2/12 | 4/2/12 | 4/2/12 |

J. A. Gresham
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(Revised 02/17/2012)

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