

May 24, 2012

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

SUBJECT: WITHHOLDING PROPRIETARY INFORMATION FROM PUBLIC DISCLOSURE FOR THE WESTINGHOUSE ELECTRIC COMPANY, LLC, DOCUMENT WAAP-7951-P, ENTITLED, "WESTINGHOUSE SMALL BREAK LOCA PHENOMENA IDENTIFICATION AND RANKING TABLE PRESENTATION" FOR A CLOSED MEETING ON JUNE 5, 2012

Dear Mr. Gresham:

By letter dated May 10, 2012, and email dated May 11, 2012, Westinghouse Electric Company, LLC (Westinghouse) submitted an affidavit (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12137A162), in which you 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:

WAAP-7951-P, "Westinghouse Small-break LOCA Phenomena Identification & Ranking Table (PIRT) Presentation"

A nonproprietary copy of this document has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS. (Accession No. ML12137A398).

The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure since release could cause harm to Westinghouse for the following reasons:

- a. The information reveals a distinguishing aspect of a process (or component, structure, tool, method, etc.) where prevention of its use by any of the Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over the 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 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 capabilities, budget levels, or commercial strategies of Westinghouse, its customer 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.
- f. It contains patentable ideas, for which patent protection may be desirable.

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, 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 301-415-6616.

Sincerely,

*/RA/*

Omid Tabatabai, Senior Project Manager  
Projects Branch  
Division of Advanced Reactors and  
Rulemaking  
Office of New Reactors

Project No.: 0797

cc: See next page

J. Gresham

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**NRO-002**

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