

October 3, 2012

Mr. Pedro Salas, Manager
U.S. EPR New Plants Regulatory Affairs
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 AREVA NP INC. PRESENTATION
MATERIAL FROM PUBLIC MEETING ON OCTOBER 4, 2012, "CLOSURE PLAN
U.S.EPR FSAR OPEN ITEM RAI 505, Q07.01-33 – SINGLE FAILURE SPND"

Dear Mr. Salas:

By electronic mail to the U.S. Nuclear Regulatory Commission (NRC) dated September 27, 2012, Gayle F. Elliott submitted an affidavit, dated September 27, 2012, 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.

Closure Plan U.S. EPR FSAR Open Item RAI 505 Q 07.01-33 - Single Failure
SPND

A proprietary copy of this document has been placed in the NRC Public Document Room and added to the ADAMS Public Electronic Reading Room.

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

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 materials 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.

P. Salas

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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 staff. 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
Licensing Branch 1
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-020

cc: See next page

P. Salas

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Sincerely,

/RA/

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

Docket No.: 52-020

cc: See next page

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(Revised 10/10/2012)

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