

November 1, 2013

Mr. James A. Gresham, Manager
Regulatory Compliance
Westinghouse Electric Company
Engineering, Equipment and Major Projects
1000 Westinghouse Drive
Cranberry Township, Pennsylvania 16066

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
SUBMITTAL OF "SHIELD BUILDING MOCKUP PHOTOGRAPHS – (NEWPORT
NEWS INDUSTRIAL FABRICATION) AP1000 VOGTLE PROJECT"

Dear Mr. Gresham:

By letter dated October 2, 2013, you submitted an affidavit dated October 2, 2013, 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:

LTR-NRC-13-64, "Shield Building Mockup Photographs (Newport News Industrial Fabrication) AP1000 Project"

A nonproprietary copy of this document has not been placed in the Nuclear Regulatory Commission's (NRC) Public Document Room and was not added to the NRC Library in the Agencywide Documents Access and Management System (ADAMS) since the entire document was considered to be proprietary.

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.
- 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.

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.

J. A. Gresham

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Therefore, the version(s) 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 301-415-1439.

Sincerely,

/RA/

David H. Jaffe, Senior Project Manager
Licensing Branch 4
Division of New Reactor Licensing
Office of New Reactors

Docket Nos.: 52-025
52-026

cc: see next page

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Docket Nos.: 52-025
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(Revised 10/30/2013)

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