



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 14, 2014

Mr. James A. Gresham, Manager  
Regulatory Compliance  
Engineering, Equipment and Major Products  
Westinghouse Electric Company  
1000 Westinghouse Drive, Suite 310  
Cranberry Township, Pennsylvania 16066

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

Dear Mr. Gresham:

By letter dated March 19, 2014 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML14084A497), Westinghouse submitted an affidavit executed by you, dated March 19, 2014, 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:

TR-FSE-14-1-P, Revision 1, "Use of Westinghouse SHIELD® Passive Shutdown Seal for FLEX Strategies" (Proprietary)

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library in ADAMS at Accession No. ML14084A495.

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.
- 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(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.

J. Gresham

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If you have any questions regarding this matter, I may be reached at 301-415-2365 or via email at [Stephen.Philpott@nrc.gov](mailto:Stephen.Philpott@nrc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Step Philpott". The signature is fluid and cursive, with the first name "Step" and the last name "Philpott" clearly distinguishable.

Stephen S. Philpott, Project Manager  
Office of Nuclear Reactor Regulation

J. Gresham

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If you have any questions regarding this matter, I may be reached at 301-415-2365.

Sincerely,

*/RA/*

Stephen S. Philpott, Project Manager  
Office of Nuclear Reactor Regulation

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**ADAMS Accession No. ML14133A670**

**\*via e-mail**

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