



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

February 25, 2015

Mr. Thomas D. Gatlin
Vice President, Nuclear Operations
South Carolina Electric & Gas Company
Virgil C. Summer Nuclear Station
Post Office Box 88, Mail Code 800
Jenkinsville, SC 29065

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. MF4699)

Dear Mr. Gatlin:

By letter dated February 12, 2015, (Agencywide Documents Access and Management System Accession No. ML15055A143) you submitted an affidavit dated January 19, 2015, executed by James A. Gresham on behalf of Westinghouse Electric Company LLC, and 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:

CD entitled "RADTRAD 3.03 Input and Output Files for V.C. Summer Unit I Steam Generator Tube Rupture Analysis," January 2015 (Proprietary)

Westinghouse requested that the CD and its contents be considered proprietary in their entirety. As such, a non-proprietary version was not provided.

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

- a. The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
- b. The information has substantial commercial value as follows:
 - (i) Westinghouse plans to sell the use of the information to its customers for the purpose of performing Steam Generator Tube Rupture analyses.
 - (ii) Westinghouse can sell support and defense of the technology to its customer in the licensing process.
 - (iii) The information requested to be withheld reveals the distinguishing aspects of a methodology which was developed by Westinghouse.
- c. Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of

competitors to provide similar analyses and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

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 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 301-415-1009.

Sincerely,



Shawn Williams, Senior Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-395

cc: Westinghouse Electric Company LLC
1000 Westinghouse Drive
Cranberry Township, PA 16066

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/RA/

Shawn Williams, Senior Project Manager
Plant Licensing Branch II-1
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