

March 12, 2015

Mr. Ariel B. Kuperminc
Westinghouse Electric Company
1000 Westinghouse Drive
Cranberry Township, PA 16066

SUBJECT: EVALUATION OF REQUEST FOR WITHHOLDING INFORMATION FROM
PUBLIC DISCLOSURE: SUBMITTAL OF UPDATED AUDITOR'S SPECIAL
REPORT (AW-15-4103)

Dear Mr. Kuperminc:

By letter February 19, 2015, the Westinghouse Electric Company, LLC, (Westinghouse) requested that an auditor's special report be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390. The subject report was submitted as part of the documentation to demonstrate, for fiscal year 2014, the continued eligibility of Westinghouse to use the parent company guarantees as financial assurance for decommissioning. The subject report was submitted, as required by 10 CFR Part 30, Appendix A, Section, II.B. Westinghouse stated that the report contains strategic financial and commercial information of the parent company, Toshiba Corporation, which is proprietary.

The affidavit (AW-15-4103) submitted with the request stated that the information should be considered exempt from mandatory public disclosure for the following reasons:

- The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse and Toshiba Corporation.
- The information is of a type that is held in confidence by both Westinghouse and Toshiba, and not disclosed to the public.

The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the application in accordance with the requirements of 10 CFR 2.390(b)(3) and (4). On the basis of the statements, the NRC staff determined that the submitted information should be withheld from the public. Therefore, the version of the submitted information marked as proprietary will be withheld from public disclosure pursuant to 10 CFR 2.390, 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 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.

Also, Westinghouse should understand that the NRC staff 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.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If you have any questions regarding this matter, please contact me at (301) 492-3189, or via e-mail to Christopher.Ryder@nrc.gov.

Sincerely,

/RA/

Christopher Ryder, Licensing Project Manager
Fuel Manufacturing Branch
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket Nos. 70-1151, 70-36
License Nos. SNM-1107, SNM-33

cc: M. Gutman, Westinghouse
N. Parr, Westinghouse

Also, Westinghouse should understand that the NRC staff 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.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If you have any questions regarding this matter, please contact me at (301) 492-3189, or via e-mail to Christopher.Ryder@nrc.gov.

Sincerely,

/RA/

Christopher Ryder, Licensing Project Manager
Fuel Manufacturing Branch
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket Nos. 70-1151, 70-36
License Nos. SNM-1107, SNM-33

cc: M. Gutman, Westinghouse
N. Parr, Westinghouse

DISTRIBUTION:

FCSE r/f J. Hayes, NMSS/DUWP/MDB

ADAMS Accession No.: ML15061A182

OFFICE	NMSS/FCSE	NMSS/FCSE	NMSS/FCSE	NMSS/FCSE
NAME	CRyder	TBrockington	RJohnson	CRyder
DATE	3/ 2 /2015	3/ 10 /2015	3/12 /2015	3/12/2015

OFFICIAL RECORD COPY