



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

March 18, 2015

Mr. Adam C. Heflin
President, Chief Executive Officer,
and Chief Nuclear Officer
Wolf Creek Nuclear Operating Corporation
Post Office Box 411
Burlington, KS 66839

SUBJECT: WOLF CREEK GENERATING STATION – REQUEST FOR WITHHOLDING
INFORMATION FROM PUBLIC DISCLOSURE (TAC NO. MF3518)

Dear Mr. Heflin:

By letter dated January 21, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15029A198), Wolf Creek Nuclear Operating Corporation (WCNOC) submitted an affidavit executed by Mr. James A. Gresham, Westinghouse Electric Company LLC, dated January 15, 2015, requesting that 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:

Attachment 1 to LTR-LIS-15-11, Revision 1, "Westinghouse Suggested Response to NRC Request for Additional Information (RAI) Regarding the Wolf Creek (SAP) ASTRUM Analysis - Proprietary, and

Attachment 3 to LTR-LIS-15-11, Revision 1, "Electronic Data Tables Supporting the Westinghouse Suggested Response to NRC Request for Additional Information (RAI) Regarding the Wolf Creek (SAP) ASTRUM Analysis - Proprietary

The information is included in Enclosures I and IV to WCNOC's letter dated January 21, 2015. A nonproprietary version of Enclosure I, designated as Enclosure II, to WCNOC's letter dated January 21, 2015, has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to ADAMS in the NRC Library at Accession No. ML15029A199.

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

Further this information has substantial commercial value as follows:

- (i) Westinghouse plans to sell the use of the information to its customers for the purpose of responding to NRC RAIs.
- (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.

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 calculation results 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.

The development of the technology described in part by the information is the result of applying the results of many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money.

In order for competitors of Westinghouse to duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended.

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 affidavits, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the versions 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.

A. Heflin

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If you have any questions, please contact me at 301-415-2296 or via e-mail at fred.lyon@nrc.gov.

Sincerely,



Carl F. Lyon, Project Manager
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-482

cc: Distribution via Listserv

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

A. Heflin

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If you have any questions, please contact me at 301-415-2296 or via e-mail at fred.lyon@nrc.gov.

Sincerely,

/RA/

Carl F. Lyon, Project Manager
Plant Licensing Branch IV-1
Division of Operating Reactor Licensing
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