

November 16, 2015

Mr. Robert W. Schrauder
Vice President, Licensing
U.S. ABWR Projects & Technologies
3545 Whitehall Park Drive
Suite 500
Charlotte, NC 28273

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
TOSHIBA RESPONSE TO JULY 6, 2015, NUCLEAR REGULATORY
COMMISSION STAFF REQUEUSTS FOR ADDITIONAL INFORMATION
(TAC NO. ME9861)

Dear Mr. Schrauder:

By letter dated August 26, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession Package No. ML15254A524), the Toshiba Corporation (Toshiba) submitted "Toshiba Response to the NRC [U.S. Nuclear Regulatory Commission] RAI [requests for additional information] Letter Dated July 6, 2015," (ADAMS Accession No. ML15146A358). Included with the August 26, 2015, letter was an affidavit dated August 24, 2015, executed by you.

Nonproprietary copies of the request for additional information (RAI) responses are in the cited ADAMS package.

The affidavit requested that the information contained in the RAI responses be withheld from public disclosure under Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390, "Public Inspections, Exemptions, Requests for Withholding." In the affidavit, you provided your reasons for requesting the withholding of this 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 version of the submitted information marked as proprietary will be withheld from public disclosure under 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. A non-proprietary version of the RAI responses can be found in the ADAMS package previously cited.

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.

R. Schrauder

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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 301-415-7297 or by e-mail at Joseph.Holonich@nrc.gov.

Sincerely,

/RA/

Joseph J. Holonich, Project Manager
Licensing Processes Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Project No. 729

R. Schrauder

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Joseph J. Holonich, Project Manager
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RAIvarado

ADAMS Accession No. ML15244A096 *concurrence via email #See Previous NRR-106

OFFICE	DPR/PLPB/PM	ADM*	DE/EICB/ABC	DPR/PLPB/BC	DPR/PLPB/PM
NAME	JHolonich#	QTE	MWaters#	KHsueh	JHolonich
DATE	10/21/2015	10/01/2015	10/22/2015	11/9/2015	11/16/2015

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