

May 9, 2016

Mr. James Powers
Vice President, Nuclear Island & Business Development
Toshiba America Energy Systems Corporation
3545 Whitehall Park Drive
Suite 500
Charlotte, NC 28273

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
TOSHIBA RESPONSE TO MARCH 9, 2016, NUCLEAR REGULATORY
COMMISSION STAFF REQUESTS FOR ADDITIONAL INFORMATION
(TAC NO. ME9861)

Dear Mr. Powers:

By three letters all dated March 31, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession Package Nos. ML16099A239, ML16099A164, and ML16102A088), Toshiba Corporation (Toshiba) submitted information responding to the March 9, 2016, Nuclear Regulatory Commission staff requests for additional information (RAIs). Included with the letters were three affidavits also dated March 31, 2016, executed by Masahiko Hamada, Senior Manager, Electrical System Design and Engineering Department, Nuclear Energy Systems and Services Division.

The proprietary versions of the documents covered by the three affidavits are listed in the enclosure to this letter. Nonproprietary copies of the documents are in the cited ADAMS package.

The affidavits requested that the RAI response information be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390. Your reasons for requesting the withholding of this information were provided in the affidavits.

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, and 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 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.

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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 electronic mail at Joseph.Holonich@nrc.gov.

Sincerely,

/RA/

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

Enclosure:
As stated

Project No. 729

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Sincerely,

/RA/

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

Enclosure:
As stated

Project No. 729

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ADAMS Accession No.: ML16105A014; concurred via e-mail

NRR-106

OFFICE	DPR/PLPB/PM	DPR/PLPB/LA*	DE/EICB/ABC	DPR/PLPB/BC	DPR/PLPB/PM
NAME	JHolonich	DHarrison	MWaters	KHsueh	JHolonich
DATE	4/26/16	4/26/16	5/2/16	5/6/16	5/9/16

OFFICIAL RECORD COPY

List of Proprietary Documents in March 31, 2016 (Letters)

Toshiba Response to Nuclear Regulatory Commission Request for Additional Information Letter
Dated March 9, 2016

Rev. 2 to FC51-7513-1002, "Software Validation Test Report"

Rev. 0 to FC51-7012-1004, "Software Validation Test Plan for Additional Validation"

Rev. 2 to FPG-VDN-C51-0003, "Verification and Validation Plan"

Rev. 2 to FP-PLN-A70-0001, "Project Quality Assurance Manual"

Rev. 4 to FPG-PLN-C51-0003, "Qualification Plan"

Rev. 4 to FPG-PLN-C51-0005, "Mater Test Plan"

Rev. 1 to FPG-TRT-51-0101, "Qualification Test Summary Report"

Enclosure