

September 26, 2016

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, CORP. RESPONSE TO SUBMITTAL OF REVISION OF THE
DOCUMENTS REQUIRED IN NRC RAI LETTER DATED JULY 6, 2015
(TAC NO. ME9861)"

Dear Mr. Powers:

By letter dated July 11, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession Package No. ML16200A264), Toshiba Corporation submitted an affidavit also dated July 11, 2016, executed by Masahiko Hamada, Senior Manager, Electrical System Design and Engineering Department, Nuclear Energy Systems and Services Division. The affidavit 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.

FPG-DRT-C51-0102 Rev. I, Final Technical Evaluation Report.

The reasons for withholding the information were detailed in the affidavit.

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 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.

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

J. Powers

- 2 -

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

J. Powers

- 2 -

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

DISTRIBUTION:

PUBLIC
KHsueh
RidsOgcMailCenter
RidsNroOd

RidsNrrDpr
RidsACRS_MailCTR
RidsNrrLADHarrison
RidsResOd

RidsNrrDprEicb
RidsNrrDprPlpb
JHolonich
RAIvarado

ADAMS Accession No.: ML16168A047; *concurrence via email

NRR-106

OFFICE	DPR/PLPB/PM	DPR/PLPB/LA	DE/EICB/BC	DPR/PLPB/BC	DPR/PLPB/PM
NAME	JHolonich	DHarrison*	MWaters	KHsueh	JHolonich
DATE	08/10/2016	08/13/2016	09/06/2016	09/22/2016	09/26/2016

OFFICIAL RECORD COPY