

August 30, 2016

Mr. Paul A. Russ, Director
Licensing and Regulatory Affairs
New Plants and Major Projects
1000 Westinghouse Drive, Building 1
Cranberry Township, Pennsylvania 16066

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE –
TRANSMITTAL OF WESTINGHOUSE SPECIALIZED SEISMIC OPTION
REPORT – ACTION ITEMS FROM JUNE 2016 NRC AUDIT

Dear Mr. Russ:

By letter dated August 16, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML16232A028), Westinghouse Electric Company, LLC (Westinghouse) submitted an affidavit dated August 16, 2016. In the affidavit, Westinghouse 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:

AW-16-4445 "Westinghouse Specialized Seismic Option Report-Action Items from June 2016 NRC Audit" (Proprietary)

A nonproprietary copy of this document has been placed in the Nuclear Regulatory Commission's (NRC) Public Document Room and added to the NRC ADAMS Library under Accession Number ML16232A029.

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

- a. The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.
- b. Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.

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 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.

If you have any questions regarding this matter, I may be reached at 301-415-6715.

Sincerely,

/RA/

Bruce Bovol, Project Manager
Licensing Branch 4
Division of New Reactor Licensing
Office of New Reactors

Project No. 0813

cc: See next page

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NAME	BBaval (c)	RButler	JDixon-Herrity	BBaval (s)
DATE	8/30/16	8/26/16	8/30/16	8/30/16

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DC Westinghouse - AP1000 Mailing List
cc:

(Revised 10/01/2015)

Paul M. Bessette
Morgan, Lewis & Bockius LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Mr. Barton Z. Cowan, Esquire
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219

Mr. Paul Gaukler
Pillsbury, Winthrop, Shaw, Pittman
2300 N Street, NW
Washington, DC 20037

Mr. Paul A. Russ
Director, AP1000 Licensing
Westinghouse
1000 Westinghouse Drive
Cranberry Township, PA 16066

Mr. Gary Wright, Director
Division of Nuclear Facility Safety
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

DC Westinghouse - AP1000 Mailing List

Email

pshastings@generationmpower.com (Peter Hastings)
agaughtm@southernco.com (Amy Aughtman)
amonroe@scana.com (Amy Monroe)
APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
benjamja@westinghouse.com
Bill.Jacobs@gdsassociates.com (Bill Jacobs)
collinlj@westinghouse.com (Leslie Collins)
CumminWE@Westinghouse.com (Edward W. Cummins)
cwaltman@roe.com (C. Waltman)
david.hinds@ge.com (David Hinds)
david.lewis@pillsburylaw.com (David Lewis)
easterr@westinghouse.com (Rick Easterling)
eddie.grant@excelservices.com (Eddie Grant)
erg-xl@cox.net (Eddie R. Grant)
ewallace@nuscalepower.com (Ed Wallace)
fbelser@regstaff.sc.gov
George.Madden@fpl.com (George Madden)
George_Stramback@Charter.net (George Stramback)
james1.beard@ge.com (James Beard)
jannina.blanco@pillsburylaw.com (Jannina Blanco)
jcsaldar@bechtel.com (James Saldarini)
jerald.head@ge.com (Jerald G. Head)
jflitter@regstaff.sc.gov
jim@ncwarn.org (Jim Warren)
john.elnitsky@pgnmail.com (John Elnitsky)
Joseph_Hegner@dom.com (Joseph Hegner)
jrappe@nuscalepower.com (Jodi Rappe)
kinneyrw@dhec.sc.gov (Ronald Kinney)
kmstacy@southernco.com (Kara Stacy)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
lchandler@morganlewis.com (Lawrence J. Chandler)
lindg1da@westinghouse.com (Don Lindgren)
marilyn.kray@exeloncorp.com
maurerbf@westinghouse.com (Brad Maurer)
media@nei.org (Scott Peterson)
MSF@nei.org (Marvin Fertel)
nirsnet@nirs.org (Michael Mariotte)
nscjiangguang@sina.com (Jiang Guang)
Nuclaw@mindspring.com (Robert Temple)
patriciaL.campbell@ge.com (Patricia L. Campbell)
paul.gaukler@pillsburylaw.com (Paul Gaukler)
Paul.Jacobs@fpl.com (Paul Jacobs)

DC Westinghouse - AP1000 Mailing List

Paul@beyondnuclear.org (Paul Gunter)
pbessette@morganlewis.com (Paul Bessette)
Raymond.Burski@fpl.com (Raymond Burski)
rgrumbir@gmail.com (Richard Grumbir)
Richard.Orthen@fpl.com (Richard Orthen)
ritterse@westinghouse.com (Stanley E. Ritterbusch)
RJB@NEI.org (Russell Bell)
robert.kitchen@pgnmail.com (Robert H. Kitchen)
rong-pan@263.net (Pan Rong)
sabinski@suddenlink.net (Steve A. Bennett)
Sandra@sandrakgoss.com (Sandra Goss)
sara@cleanenergy.org (Sara Barczak)
sfrantz@morganlewis.com (Stephen P. Frantz)
shudson@regstaff.sc.gov (Shannon Hudson)
sisk1rb@westinghouse.com (Rob Sisk)
smsloan@babcock.com (Sandra Sloan)
stephan.moen@ge.com (Stephan Moen)
Steve.Franzone@fpl.com (Steve Franzone)
Tansel.Selekler@nuclear.energy.gov (Tansel Selekler)
timothy.beville@nuclear.energy.gov (Timothy Beville)
tom.miller@hq.doe.gov (Tom Miller)
tomccall@southernco.com (Tom McCallum)
TomClements329@cs.com (Tom Clements)
trsmith@winston.com (Tyson Smith)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
vijukrp@westinghouse.com (Ronald P. Vijuk)
Wanda.K.Marshall@dom.com (Wanda K. Marshall)
wayne.marquino@ge.com (Wayne Marquino)
weave1dw@westinghouse.com (Doug Weaver)
whorin@winston.com (W. Horin)