

September 14, 2016

Mr. Paul A. Russ, Director
U. S. Licensing and Regulatory Support
Westinghouse Electric Company, LLC
1000 Westinghouse Drive
Cranberry Township, PA 16066

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
IN RESPONSE TO SUBMITTAL OF WCAP-17938, "RESPONSES TO NRC
REQUEST FOR ADDITIONAL INFORMATION – SUBSET 3"

Dear Mr. Russ:

By letter dated August 23, 2016, Westinghouse Electric Company, LLC (Westinghouse) submitted an affidavit dated August 23, 2016, executed by Paul A. Russ which 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:

APP-GW-GL Y-115 Revision 0, "Responses to NRC Request for Addition
Information (RAI) Letter No. 01 for WCAP-17938 - Subset 3"

Non-proprietary copies of the enclosures have been placed in the U.S. Nuclear Regulatory Commission's (NRC) Public Document Reading Room and added to the Agencywide Documents Access and Management System under Accession No. ML16238A501.

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) If used by a competitor it would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product; and
- (c) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390, and on the basis of your statements, 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 M. Bovol, Project Manager
Licensing Branch 4
Division of New Reactor Licensing
Office of New Reactors

Project No. 0811

cc: See next page

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, 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 M. Bavol, Project Manager
Licensing Branch 4
Division of New Reactor Licensing
Office of New Reactors

Project No. 0811

cc: See next page

DISTRIBUTION:

PUBLIC JDixon-Herrity
NRO_DNRL_LB4 Distribution RButler
RidsOgcMailCenter BBavol

ADAMS ACCESSION NO.: ML16245A310 NRO-002

OFFICE	LA:DNRL/LB4	PM:DNRL/LB4	BC:DNRL/LB4
NAME	RButler	BBavol	JDixon-Herrity
DATE	9/8/16	09/13/16	09/13/16

OFFICIAL RECORD COPY

DC Westinghouse - AP1000 Mailing List

(Revised 10/01/2015)

cc:

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 Selekle)
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)