

Westinghouse Non-Proprietary Class 3



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EMR_LTR_190008

June 18, 2019

Subject: Response regarding the Westinghouse eVinci Micro Reactor to NRC Regulatory Issue Summary (RIS) 2017-08, "Process for Scheduling and Allocating Resources for Fiscal Years 2020 Through 2022 for the Review of New Licensing Applications for Light-Water Reactors and Non-Light-Water Reactors"

Enclosed are the proprietary and non-proprietary versions of the Westinghouse Electric Company LLC ("Westinghouse") response to the subject NRC Regulatory Issue Summary (RIS) 2017-08, *Process for Scheduling and Allocating Resources for Fiscal Years 2020 Through 2022 for the Review of New Licensing Applications for Light-Water Reactors and Non-Light-Water Reactors*, dated December 21, 2017.

Westinghouse views the eVinci^{TM1} Micro Reactor plant design as both an important technical advancement for the electric power industry and a way to stimulate future economic growth. Our responses to the subject RIS include status of the on-going design, engineering, and licensing needs that comprise the Westinghouse eVinci Micro Reactor design project's essential foundation. As additional information becomes available, we will update the NRC on the status of our activities and the regulatory planning needs that are this RIS' subject.

This submittal contains proprietary information of Westinghouse. In conformance with the requirements of 10 CFR Section 2.390, as amended, of the Nuclear Regulatory Commission's ("Commission's") regulations, we are enclosing with this submittal an Affidavit. The Affidavit sets forth the basis on which the information identified as proprietary may be withheld from public disclosure by the Commission.

Correspondence with respect to the proprietary aspects of this submittal or the Westinghouse Affidavit should reference AW-19-4903 and should be addressed to me at the above address.

A handwritten signature in black ink that reads "Michael M. Corletti".

Michael M. Corletti, Director
New Plants Technologies and Licensing
Westinghouse Electric Company

cc: John Monninger (NRC)
Amy Cabbage (NRC)

¹ eVinci is a trademark or registered trademark of Westinghouse Electric Company LLC, its affiliates and/or its subsidiaries in the United States of America and may be registered in other countries throughout the world. All rights reserved. Unauthorized use is strictly prohibited. Other names may be trademarks of their respective owners.

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Enclosures:

1. Affidavit AW-19-4903
2. Proprietary Information Notice and Copyright Notice
3. Response regarding the Westinghouse eVinci Micro Reactor to NRC Regulatory Issue Summary (RIS) 2017-08, "Process for Scheduling and Allocating Resources for Fiscal Years 2020 Through 2022 for the Review of New Licensing Applications for Light-Water Reactors and Non-Light-Water Reactors" (Proprietary), dated June 2019
4. Response regarding the Westinghouse eVinci Micro Reactor to NRC Regulatory Issue Summary (RIS) 2017-08, "Process for Scheduling and Allocating Resources for Fiscal Years 2020 Through 2022 for the Review of New Licensing Applications for Light-Water Reactors and Non-Light-Water Reactors" (Non-Proprietary), dated June 2019

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COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF BUTLER:

- (1) I, Jill S. Monahan, have been specifically delegated and authorized to apply for withholding and execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse).
- (2) I am requesting the proprietary portions of EMR_LTR_0008 be withheld from public disclosure under 10 CFR 2.390.
- (3) I have personal knowledge of the criteria and procedures utilized by Westinghouse in designating information as a trade secret, privileged, or as confidential commercial or financial information.
- (4) Pursuant to 10 CFR 2.390, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
 - (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse and is not customarily disclosed to the public.
 - (ii) Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar technical evaluation justifications and licensing defense services for commercial power reactors without commensurate expenses. Also, public disclosure of the information would enable others to use the information to meet NRC requirements for licensing documentation without purchasing the right to use the information.

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- (5) Westinghouse has policies in place to identify proprietary information. Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:
- (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) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage (e.g., by optimization or improved marketability).
 - (c) 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.
 - (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
 - (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
 - (f) It contains patentable ideas, for which patent protection may be desirable.
- (6) The attached documents are bracketed and marked to indicate the bases for withholding. The justification for withholding is indicated in both versions by means of lower case letters (a) through (f) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These

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lower case letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (5)(a) through (f) of this Affidavit.

I declare that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 6/18/2019

Jill S Monahan

Jill S. Monahan, Manager
Licensing Special Programs

PROPRIETARY INFORMATION NOTICE

Transmitted herewith are the proprietary and non-proprietary versions of a document, furnished to the NRC in connection with requests for generic and/or plant-specific review and approval.

In order to conform to the requirements of 10 CFR 2.390 of the Commission's regulations concerning the protection of proprietary information so submitted to the NRC, the information which is proprietary in the proprietary versions is contained within brackets, and where the proprietary information has been deleted in the non-proprietary versions, only the brackets remain (the information that was contained within the brackets in the proprietary versions having been deleted). The justification for claiming the information so designated as proprietary is indicated in both versions by means of lower case letters (a) through (f) located as a superscript immediately following the brackets enclosing each item of information being identified as proprietary or in the margin opposite such information. These lower case letters refer to the types of information Westinghouse customarily holds in confidence identified in Sections (4)(ii)(a) through (4)(ii)(f) of the Affidavit accompanying this transmittal pursuant to 10 CFR 2.390(b)(1).

COPYRIGHT NOTICE

The reports transmitted herewith each bear a Westinghouse copyright notice. The NRC is permitted to make the number of copies of the information contained in these reports which is necessary for its internal use in connection with generic and plant specific reviews and approvals as well as the issuance, denial, amendment, transfer, renewal, modification, suspension, revocation, or violation of a license, permit, order, or regulation subject to the requirements of 10 CFR 2.390 regarding restrictions on public disclosure to the extent such information has been identified as proprietary by Westinghouse, copyright protection notwithstanding. With respect to the non-proprietary version of this report, the NRC is permitted to make the number of copies beyond those necessary for its internal use which are necessary in order to have one copy available for public viewing in the appropriate docket files in the public document room in Washington, DC and in local public document rooms as may be required by NRC regulations if the number of copies submitted is insufficient for this purpose. Copies made by the NRC must include the copyright notice in all instances and the proprietary notice if the original was identified as proprietary.