

52-003



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 21, 1995

Mr. Nicholas J. Liparulo
Nuclear Safety and Regulatory Activities
Westinghouse Electric Corporation
P.O. Box 355
Pittsburgh, Pennsylvania 15230

SUBJECT: REQUEST FOR WITHHOLDING WESTINGHOUSE AP600 DESIGN TEST ANALYSIS
REPORT FROM PUBLIC DISCLOSURE

Dear Mr. Liparulo:

By Westinghouse letter NTD-NRC-95-4565, dated September 29, 1995, you submitted the test analysis report for testing performed at the Oregon State University (OSU) testing facility. The OSU test facility is a 1/4-height, reduced pressure simulation of the AP600 nuclear steam supply system and the AP600 passive safety features. The test analysis report describes the analysis of test data, thermal-hydraulic behavior, and important phenomena observed in the tests. The report also shows the applicability of the OSU test for computer model verification and validation through mass and energy balances. The report was provided in two volumes: WCAP-14292, "AP600 Low-Pressure Integral Systems Test at Oregon State University Test Analysis Report," Volumes I and II dated, September 1995. You also submitted a non-proprietary version of the report (WCAP-14293) via Westinghouse letter NTD-NRC-4580, dated October 20, 1995, for placement in the Public Document Room.

In the letter, you stated that certain information in WCAP-14292, Revision 1, was considered proprietary and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. Your letter also stated that WCAP-14292, Revision 1, supersedes Revision 0 of WCAP-14292 which was submitted by Westinghouse letter NTD-NRC-95-4521 dated August 1, 1995. As with Revision 1 of WCAP-14292, you stated that Revision 0 of WCAP-14292 was considered proprietary and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. Affidavit AW-95-885 executed by Brian A. McIntyre of Westinghouse on September 28, 1995, and affidavit AW-95-867 executed by Henry A. Sepp of Westinghouse on August 3, 1995, pertaining to Revisions 1 and 0 respectively of WCAP-14292, stated that the information contained in the report 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. 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.

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Mr. Nicholas J. Liparulo
Westinghouse Electric Corporation

Docket No. 52-003
AP600

cc: Mr. B. A. McIntyre
Advanced Plant Safety & Licensing
Westinghouse Electric Corporation
Energy Systems Business Unit
P.O. Box 355
Pittsburgh, PA 15230

Mr. John C. Butler
Advanced Plant Safety & Licensing
Westinghouse Electric Corporation
Energy Systems Business Unit
Box 355
Pittsburgh, PA 15230

Mr. M. D. Beaumont
Nuclear and Advanced Technology Division
Westinghouse Electric Corporation
One Montrose Metro
11921 Rockville Pike
Suite 350
Rockville, MD 20852

Mr. Sterling Franks
U.S. Department of Energy
NE-42
Washington, DC 20585

Mr. S. M. Modro
Nuclear Systems Analysis Technologies
Lockheed Idaho Technologies Company
Post Office Box 1625
Idaho Falls, ID 83415

Mr. Frank A. Ross
U.S. Department of Energy, NE-42
Office of LWR Safety and Technology
19901 Germantown Road
Germantown, MD 20874

Mr. Ronald Simard, Director
Advanced Reactor Programs
Nuclear Energy Institute
1776 Eye Street, N.W.
Suite 300
Washington, DC 20006-3706

STS, Inc.
Attn: Lynn Connor
Suite 610
3 Metro Center
Bethesda, MD 20814

Mr. James E. Quinn, Projects Manager
LMR and SBWR Programs
GE Nuclear Energy
175 Curtner Avenue, M/C 165
San Jose, CA 95125

Mr. John E. Leatherman, Manager
SBWR Design Certification
GE Nuclear Energy, M/C 781
San Jose, CA 95125

Barton Z. Cowan, Esq.
Eckert Seamans Cherin & Mellott
600 Grant Street 42nd Floor
Pittsburgh, PA 15219

Mr. Ed Rodwell, Manager
PWR Design Certification
Electric Power Research Institute
3412 Hillview Avenue
Palo Alto, CA 94303

Mr. Charles Thompson, Nuclear Engineer
AP600 Certification
U.S. Department of Energy
NE-451
Washington, DC 20585

- 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.

We have reviewed your submittals and the material in accordance with the requirements of 10 CFR 2.790 and, on the basis of Westinghouse's statements, have determined that the submitted information sought to be withheld contains trade secrets or proprietary commercial information.

Therefore, we have determined that WCAP-14292, Revision 1, enclosed in NTD-NRC-95-4565, and WCAP-14292, Revision 0, enclosed in NTD-NRC-95-4521, both of which are marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.790(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 disclosure should change in the future such that the information could then be made available for public inspection, you should promptly notify the Nuclear Regulatory Commission (NRC). You should also understand that NRC may have cause to review this determination in the future if, for example, the scope of a Freedom of Information Act request included your information. In all review situations, if the NRC needs additional information from you or makes a determination adverse to the above, you will be notified in advance of any public disclosure.

You have also requested that Revision 0 of WCAP-14292 be returned to Westinghouse since it has been superseded by Revision 1. The staff will address your request to return Revision 0 of WCAP-14292, together with other proprietary documents that you requested returned, by separate correspondence.

Sincerely,

Original signed by
 William C. Huffman, Project Manager
 Standardization Project Directorate
 Division of Reactor Program Management
 Office of Nuclear Reactor Regulation

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cc: See next page

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