

52-003



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

November 30, 1995

Mr. Brian A. McIntyre, Manager  
Advanced Plant Safety and Licensing  
Westinghouse Electric Corporation  
P.O. Box 355  
Pittsburgh, Pennsylvania 15230-0355

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR  
WESTINGHOUSE AP600 DESIGN LETTER OF SEPTEMBER 12, 1995

Dear Mr. McIntyre:

By Westinghouse letter NTD-NRC-95-4550, dated September 12, 1995, you submitted preliminary report PXS-GSR-004, "ADDENDUM TO NOTRUMP PRELIMINARY VALIDATION REPORT FOR SPES-2 TESTS", Revision 0. This report is an addendum to the preliminary NOTRUMP SPES-2 testing validation report (PXS-GSR-002) that compares the recently released S00908 blind test results (double-ended guillotine cold leg balance line break) with the predictions of the NOTRUMP computer analysis code.

In the letter, you stated that the information in this report was considered proprietary and requested that it be withheld from public disclosure pursuant to 10 CFR 2.790. You also stated that the information in this report was preliminary and that with the publication of the final verification and validation report for NOTRUMP, a non-proprietary version of the addendum will be included.

The attached affidavit dated September 12, 1995 (AW-95-879), stated that this information should be considered exempt from mandatory public disclosure for several reasons including the following:

- 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.

We have reviewed your submittal 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. The fact that the entire report is classified proprietary is not being questioned at this time because, as you stated in your letter, the report is preliminary and the final report will be submitted with a non-proprietary version.

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Mr. Brian A. McIntyre

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Therefore, we have determined that the report enclosed in NTD-NRC-95-4550, which is 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.

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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Mr. Brian A. McIntyre  
Westinghouse Electric Corporation

Docket No. 52-003  
AP600

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